

Prefatory fascicle



**OFFICIAL RECORDS OF THE GENERAL ASSEMBLY
EIGHTEENTH SESSION**

ANNEXES

17 SEPTEMBER—17 DECEMBER 1963

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INTRODUCTORY NOTE

The *Official Records of the General Assembly* include the records of the meetings, the annexes to those records and the supplements. The annexes are printed in fascicles, by agenda item. The present volumes (I, II and III) contain the annex fascicles of the eighteenth session.

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Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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Agenda item 24: Report of the Preparatory Committee on the International Co-operation Year*

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DOCUMENT A/5561

Report of the Preparatory Committee on the International Co-operation Year

[*Original text: English*]
[2 October 1963]

INTRODUCTION

1. In an address before the General Assembly on 10 November 1961,¹ Prime Minister Nehru of India drew attention to the relative silence on the vast amount of co-operation continuing between countries in contrast with the emphasis that was placed on conflict in the world. In order that more attention might be directed to existing international co-operation, especially for peace and in the interest of peace, he suggested that all countries of the world should be called upon to devote a year to emphasizing the vast scope of co-operative activities. Designating a year for this purpose might, perhaps, direct some of man's energy and some of his thinking to the extent of existing international co-operation and thus create an atmosphere for solving the problems more easily and lessening the conflict which was afflicting the world.

2. A few days later, at the request of India,² the question of designating a year for international co-operation was included in the agenda of the sixteenth session. Because of the pressure of work, however, the General Assembly decided to postpone consideration of the item until its next session.

3. The item was included in the agenda of the seventeenth session and, on 19 December 1962, the Assembly unanimously adopted resolution 1844 (XVII) endorsing the idea of an International Co-operation Year and establishing a Preparatory Committee of twelve members to study the possibilities. The Committee was to consider the desirability of designating 1965, the twentieth year of the United Nations, as International Co-operation Year and to report to the General Assembly at its eighteenth session on the feasibility and the

financial implications of this proposal. The Committee was also to report to the Assembly on measures and activities that might be undertaken by Member States, and by and through specialized agencies and the International Atomic Energy Agency (IAEA) in pursuance of that resolution and in furtherance of its objectives. Non-governmental organizations having consultative status with the Economic and Social Council, the specialized agencies and IAEA, and any other appropriate organizations in Member States were invited to begin making plans for special efforts and projects for the International Co-operation Year, and were asked to render all assistance to the Committee.

ORGANIZATION OF THE PREPARATORY COMMITTEE

4. After the adoption of the resolution, the President of the General Assembly appointed the following States as members of the Preparatory Committee: Canada, the Central African Republic, Ceylon, Cyprus, Czechoslovakia, Finland, India, Ireland, Paraguay, Peru, Thailand and the United Arab Republic. At its first meeting, on 19 March 1963, the Committee elected Mr. Ralph Enckell (Finland) as its Chairman, Mr. Mohamed H. El-Zayyat (United Arab Republic) as its Vice-Chairman and Mr. Peter C. Dobell (Canada) as Rapporteur.

CORRESPONDENCE INITIATED BY THE PREPARATORY COMMITTEE

5. At the suggestion of the Committee, the Secretary-General addressed letters dated 29 March 1963 to all Member States, in which he inquired what measures and activities they might be considering undertaking in pursuance of the resolution and in furtherance of its objectives. He also asked them to submit to him any views or information they might wish to communicate in this

¹ *Official Records of the General Assembly, Sixteenth Session, Plenary Meetings*, 1051st meeting, paras. 37 and 38.

² *Ibid.*, *Sixteenth Session, Annexes*, agenda item 95, document A/4972.

respect, as this would be of assistance to the Committee in preparing its report to the General Assembly. A similar communication was sent by the Secretary-General to the heads of the specialized agencies.

6. The Chairman of the Committee meanwhile addressed letters to the permanent representatives of Member States, drawing their attention to the work of the Committee and asking for their co-operation.

7. In addition, the Chairman, in letters to the non-governmental organizations having consultative status with the Economic and Social Council, drew their special attention to operative paragraph 4 of resolution 1844 (XVII) and suggested that in devising their special efforts and projects, these organizations might want to consider possibilities within the framework of their own activities for focusing attention on existing international co-operation and for increasing such co-operation. It was suggested that these organizations might also wish to examine the desire of organizations affiliated with them in Member States to participate, on the national level, in the activities of the International Co-operation Year.

8. The Committee expressed its appreciation of the response of Member States, specialized agencies, IAEA and non-governmental organizations, which has been most helpful to it in its work.

9. Before entering into the substantive phase of its work, the Preparatory Committee, in accordance with operative paragraph 2 of resolution 1844 (XVII), considered the desirability of designating 1965, the twentieth year of the United Nations, as International Co-operation Year. At one of its early meetings, the Committee decided to proceed with its work on the assumption that it would be in a position to make an affirmative recommendation on the question to the General Assembly.

GENERAL CRITERIA

10. The Preparatory Committee decided, with regard to activities which might be organized during International Co-operation Year by the United Nations, the specialized agencies and IAEA, that it would be appropriate and helpful to lay down certain criteria.

11. The Committee considered that, under the terms of the resolution, the purpose of designating a single year as International Co-operation Year was to draw attention to the amount of existing co-operation among States in the hope that increased awareness of it would, over the years, lead to intensified co-operation. The Committee therefore felt that it should recommend an emphasis on existing and continuing activities which involve international co-operation, rather than suggest specific activities to be carried out only during the year 1965, which might leave the impression that the need for international co-operation would be reduced when the year came to an end. In reaching this conclusion the Committee had in mind that any specific proposal recommending new areas for international co-operation should be considered separately by the General Assembly on its own merits, and that Member States would undoubtedly make such proposals when and where the need might arise. The Committee concluded, however, that it would be within its competence to recommend a review of specific United Nations programmes and activities and an assessment of their achievements.

12. The Committee felt that, with regard to activities already undertaken by the United Nations, it should

only make recommendations concerning those having a non-controversial character, in order to elicit support from the entire membership and to have the broadest appeal within Member States. It would thus be forwarding the aim of International Co-operation Year to bring into relief those activities that commanded universal agreement but that were frequently overshadowed by problems leading to division among Member States. The Committee concluded that this approach would not exclude Member States from undertaking, unilaterally or in co-operation with groups of Member States, activities which they believed would promote international co-operation.

13. During the discussion of the criteria, apprehension was expressed that certain unresolved major international problems which have been before the United Nations for several years constituted a serious obstacle to the development of international co-operation and that, unless substantial progress were to be achieved in the solution of these problems, the success of International Co-operation Year would be jeopardized. This point was also made by some Member States in their replies to the Secretary-General. The Committee however considered that the very purpose of International Co-operation Year was to create, by putting emphasis on the development of existing co-operation, an atmosphere for solving more easily international problems in general. The Committee at the same time recognized that any progress towards solving these problems would greatly enhance the prospects for the success of International Co-operation Year and expressed the hope that such progress would take place.

14. Taking into account the present state of United Nations finances and the many other pressures on Governments to contribute to United Nations programmes, the Committee came to the conclusion that it should refrain from recommending proposals or activities which would add appreciably to the costs of the Organization. It was felt that Member States could make their own decisions regarding the financial implications of activities undertaken at the national level in connexion with International Co-operation Year.

PUBLICITY

15. The Committee decided that a principal emphasis of International Co-operation Year should be the achievement of wide-spread publicity concerning international co-operation achieved through the United Nations, its specialized agencies and IAEA. The Committee considered that a suitable theme for the International Co-operation Year should be adopted. One theme which the Committee felt could be accepted was "Peace and progress through co-operation". It was felt that a carefully worked out programme could be prepared, with the co-operation of the specialized agencies, in order to attract and stimulate the maximum publicity concerning existing international co-operation. Apart from using United Nations information and publicity facilities and those of the specialized agencies and IAEA, it was considered that Member States and public and private information media might also participate in publicizing international co-operation which is carried out through the United Nations and independently of it. The Committee thought that specialized agencies, IAEA and non-governmental organizations might be attracted by possibilities for drawing public attention to their respective activities and that they might thereby gain increased support for them.

16. The Committee gave preliminary consideration to the form of a publicity programme which might most effectively develop public interest in International Co-operation Year. Recognizing that United Nations facilities for information and publicity were strictly limited, the Committee concluded that it would be essential to secure the support of Member Governments and of public and private information media. To achieve this end a programme of maximum interest and variety would be required. The Committee was attracted by a suggestion that International Co-operation Year might be divided into a number of distinct periods, possibly coinciding with months, each period to be devoted to international co-operation in one or more specific areas of activity, such as education, technical assistance, health, food, children's aid, communications, etc. Efforts could be made during each of these periods by the United Nations, the specialized agencies and appropriate non-governmental organizations to draw attention to their existing and projected activities involving international co-operation.

SUGGESTED ACTIVITIES

17. In keeping with the criteria set out in paragraphs 10 to 13 above, the Committee felt that it would be appropriate to recommend a reassessment, re-emphasis or extension of certain areas of existing international co-operation. Accordingly, the Committee has the following specific suggestions to make concerning existing United Nations co-operative activities:

(a) The Committee considered that it might be appropriate during that year for the United Nations to assess the progress and effectiveness of the programmes carried out under the United Nations Development Decade during the preceding years to determine how far the world community had progressed towards the objective of the Decade—namely, the achievement of self-sustained growth by all nations of the world by the end of the Decade. This assessment could have the effect of focusing wider attention on progress made towards meeting the objectives of the Development Decade and thereby further increase support for its programmes. The Committee noted that the Economic and Social Council, at its thirty-sixth session, decided on this course of action in its resolution 984 (XXXVI), as a consequence of a request for co-operation from the Committee (E/3745).

(b) The Committee felt it might be valuable to assess in general terms the application of those General Assembly resolutions dealing with aspects of economic co-operation and development where substantial progress has been achieved. Such a study, which of necessity would deal with such diverse subjects as international trade, culture, education and agriculture, as well as science and technology, was suggested as a means of focusing the attention of Member States on the need for fuller implementation of the relevant General Assembly resolutions adopted.

(c) The Committee felt that regional economic commissions might be attracted by plans drawn up by the Economic Commission for Asia and the Far East, which involve making a long-term projection of existing national economic plans in order to encourage its member States to co-ordinate their long-term development programmes. The adoption or initiation by the regional economic commissions of such programmes during International Co-operation Year would demonstrate

how techniques of co-operation devised in one region might be helpful to States in other regions of the world.

(d) The Committee noted that a substantial number of multilateral instruments of which the United Nations is the depository have attained only limited application or have not even come into force since they have not been ratified by a significant number of States. The Committee believes that a substantial number of ratifications would be forthcoming if an appeal were to be launched to Member States to give consideration to the early ratification of these instruments.

(e) The Committee considered that the desired emphasis on international co-operation might be facilitated if compilations were to be made of treaty instruments concerned with co-operation among States in fields other than military. Among specific suggestions was a proposal that the *Systematic Survey of Treaties for the Pacific Settlement of International Disputes, 1928-1948*³ be brought up to date. It was also proposed that surveys be made of international agreements and arrangements relating to development and technical co-operation. The Committee recognized that additional specific suggestions for surveys of multilateral instruments might be made.

(f) The Committee has received a suggestion that Heads of States and Governments might attend the twentieth session of the General Assembly in order to facilitate the settlement of international problems and to further the aim of International Co-operation Year. The Committee considered that, depending on the state of international relations at that time, this suggestion could contribute to the objective of International Co-operation Year and emphasize the importance of the United Nations as an organization encouraging and facilitating international co-operation.

18. The Committee also received a number of additional suggestions for projects in connexion with International Co-operation Year which, for one reason or another, it felt unable to endorse. Several suggestions were made for the publication of a history of the positive achievements of the United Nations during its first twenty years. While the Committee was sympathetic to the idea, it decided that in view of the unavoidably controversial character which the publication would have, the United Nations would not be able to undertake or to commission such a task. The Committee received specific suggestions for studies of the transport problems of land-locked countries and of problems relating to workers' housing. While recognizing the importance of these matters, the Committee considered that they raised new problems and could more appropriately be brought up independently by interested Member States. The Committee also received other suggestions which concerned subjects that have, in the past, proved to be controversial and for which there are separate items on the agenda of the General Assembly, permitting independent consideration of them. The Committee decided that, in keeping with the general criteria it had adopted, it would have to refrain from recommending such proposals in its report.

SOME SCHEDULED INTERNATIONAL CO-OPERATION ACTIVITIES

19. It has come to the Committee's attention that there will be in 1965 a number of important manifestations of international co-operation which the Committee

³ United Nations publication, Sales No.: 49.V.3.

believes will illustrate the continuing activities which International Co-operation Year is intended to emphasize. The Committee wishes to stress that it is not in a position to endorse or recommend any specific international co-operative activity planned for the year 1965, as this would be detrimental to other international co-operation. While listing below some of the more important manifestations of international co-operation expected to take place in that year, the list is not exhaustive and the Committee is aware that a number of activities to be initiated or continued in 1965, which may be of equal or even greater importance than those listed, are left unmentioned. The purpose of International Co-operation Year is to draw additional attention to the whole field of peaceful international co-operation and thus to increase the knowledge, support and success of all such activities.

20. The International Telecommunication Union, a specialized agency of the United Nations and the oldest of the existing functional organizations in the United Nations family, is having its centenary. The second Conference on World Population being organized by the United Nations is to be convened in Yugoslavia. The Food and Agriculture Organization of the United Nations is considering designating 1965 as International Rice Year, in order to concentrate world attention on the expansion of production and trade in rice. The World Meteorological Organization has decided to establish a World Weather Watch which will involve a dramatic extension of existing international co-operation in meteorology through the application of advances made in outer space. It may be that planning for the World Weather Watch will be sufficiently advanced by 1965 to permit the introduction of certain initial steps in the World Weather Watch. The World Meteorological Organization also approved a resolution at its fourth Congress, held in April 1963, by which it decided to institute two programmes for implementation during International Co-operation Year, to be designated as the International Co-operation Year Programme in Tropical Meteorology and the International Co-operation Year Programme for Meteorology in Africa. The International Conference of Scientific Unions is organizing within the framework of the International Year of the Quiet Sun, which will overlap International Co-operation Year, co-operation between scientists from many nations in studying phenomena occurring during a period of minimum solar activity.

21. The Committee is not in a position to report on additional plans of specialized agencies, IAEA or of non-governmental organizations with which it has cor-

responded. Non-governmental organizations, in particular, have responded to the Committee's letter of inquiry with a request for information on the Committee's recommendations. The Committee believes that this report and the decision of the General Assembly should permit non-governmental organizations to make their plans for International Co-operation Year.

INVITATION FROM THE CITY OF SAN FRANCISCO

22. In view of the Committee's decision to proceed on the assumption that 1965 will be designated as International Co-operation Year, the Secretary-General sought the Committee's opinion on an invitation extended by the Mayor of San Francisco in March 1963 to hold a commemorative session of the United Nations in San Francisco in 1965 to celebrate the twentieth anniversary of the signing of the Charter. The Committee was informed that it is envisaged that the celebration will take two to three days and will consist of two formal meetings. One member of each delegation is to be invited by the City of San Francisco in addition to a limited number of senior Secretariat officials. Consistent with the general criteria which it adopted, the Committee expressed the view that acceptance of the invitation should be on the condition that no financial obligations would accrue to the Organization.

RECOMMENDATIONS

23. The Preparatory Committee recommends that 1965 should be designated as International Co-operation Year. If the general criteria adopted by the Committee are approved, the Preparatory Committee believes that International Co-operation Year can be organized without involving the Organization in more than incidental expenses. Should the General Assembly decide to designate 1965 as International Co-operation Year, considerable planning and organization will be required, and the co-operation of all the organizations in the United Nations family will be needed. The Preparatory Committee recommends that a committee should be established to make the necessary preparations and continue the consideration of suggestions received by the Preparatory Committee from Member States, specialized agencies and non-governmental organizations. For the guidance of that Committee, the Preparatory Committee suggests that the General Assembly should indicate its views on the proposed criteria regarding activities which might be undertaken by the United Nations, the specific proposals for activities and the suggestions regarding publicity.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1262nd plenary meeting, on 21 November 1963, the General Assembly adopted the draft resolution submitted by Dahomey, Lebanon, New Zealand, Sweden, Trinidad and Tobago and Venezuela (A/L.433/Rev.1). For the final text, see resolution 1907 (XVIII) below.

Resolution adopted by the General Assembly
1907 (XVIII). INTERNATIONAL CO-OPERATION YEAR

The General Assembly,
Reaffirming its resolution 1844 (XVII) of 19 December 1962,

Noting the report of the Preparatory Committee on the International Co-operation Year (A/5561),

Conscious of the many grave international problems which remain unresolved and of the consequent need for international co-operation,

Considering it essential that Member States should endeavour to promote measures aimed at the elimination of international tension,

Convinced that increased public awareness of the extent and significance of existing everyday co-operation would lead to a better appreciation of the true nature of the world community and of the common interests of mankind,

Convinced that devoting a year to international co-operation would help to bring about increased world understanding and co-operation, and thereby facilitate the settlement of major international problems,

1. *Designates* 1965, the twentieth year of the United Nations, as International Co-operation Year;

2. *Expresses appreciation* to the Preparatory Committee on the International Co-operation Year for its work;

3. *Takes note* of the general criteria, the suggested activities and the publicity proposals recommended by the Preparatory Committee in its report;

4. *Calls upon* all Member States, the specialized agencies, the International Atomic Energy Agency and the non-governmental organizations concerned:

(a) To take note of the designation of 1965 as International Co-operation Year;

(b) To publicize to the widest extent feasible the activities of international co-operation in which they have been and are at present engaged and their efforts to strengthen and expand these activities;

(c) To formulate such plans and programmes as seem to them appropriate to promote the purposes of the International Co-operation Year;

5. *Decides* to establish a Committee for the International Co-operation Year, which would be composed of not more than twelve members to be appointed by the President of the General Assembly;

6. *Requests* the Committee:

(a) To draw up and co-ordinate plans for the International Co-operation Year, taking into account the views and intentions of the Governments of Member States, the specialized agencies, the International Atomic Energy Agency and the non-governmental organizations concerned;

(b) To organize and prepare for suitable activities for the International Co-operation Year to be undertaken by the United Nations, bearing in mind the report of the Preparatory Committee;

7. *Invites* Member States, the specialized agencies, the International Atomic Energy Agency and the non-governmental organizations concerned to make available to the Committee, as appropriate, information on their plans and intentions for the International Co-operation Year;

8. *Requests* the Secretary-General, taking into account United Nations participation in the International Co-operation Year, to provide within existing budgetary limits all necessary facilities for promoting and carrying forward the International Co-operation Year;

9. *Requests* the Committee to submit an interim report to the General Assembly at its nineteenth session.

*1262nd plenary meeting,
21 November 1963.*

* * *

The President of the General Assembly, in pursuance of paragraph 5 of the above resolution, appointed the members of the Committee for the International Co-operation Year.

The Committee will be composed of the following Member States: ARGENTINA, CANADA, CENTRAL AFRICAN REPUBLIC, CEYLON, CYPRUS, CZECHOSLOVAKIA, FINLAND, INDIA, IRELAND, LIBERIA, MEXICO and UNITED ARAB REPUBLIC.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 24 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/L.433	Dahomey, Lebanon, New Zealand, Sweden, Trinidad and Tobago and Venezuela: draft resolution	Replaced by A/L.433/Rev.1
A/L.433/ Rev.1	Dahomey, Lebanon, New Zealand, Sweden, Trinidad and Tobago and Venezuela: revised draft resolution	Adopted without change. See above "Action taken by the General Assembly", resolution 1907 (XVIII)
E/3745	Letter dated 4 April 1963 from the Chairman of the Preparatory Committee on the International Co-operation Year addressed to the President of the Economic and Social Council	Mimeographed



Agenda item 25: Report of the *Ad Hoc* Committee on the Improvement of the Methods of Work of the General Assembly*

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* For the discussion of this item, see *Official Records of the General Assembly, Eighteenth Session, Plenary Meetings*, 1256th and 1278th meetings; and *ibid.*, *Fifth Committee*, 1043rd and 1044th meetings.

DOCUMENT A/5423

Report of the *Ad Hoc* Committee on the Improvement of the Methods of Work of the General Assembly

[Original text: French]
[28 May 1963]

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Letter of transmittal

27 May 1963

Sir,

I have the honour to refer to resolution 1845 (XVII) of 19 December 1962 by which the General Assembly decided to continue the *Ad Hoc* Committee on the Improvement of the Methods of Work of the General Assembly and requested the Committee to transmit to the Secretary-General, by 31 May 1963, a report with recommendations or suggestions for circulation to Member States.

The *Ad Hoc* Committee has now completed its work and I have the honour to transmit to you herewith its report which includes a draft resolution for consideration by the General Assembly at the eighteenth regular session, and several annexes.

Accept, Sir, etc.

(Signed) Muhammad ZAFRULLA KHAN
*Chairman of the Ad Hoc Committee
on the Improvement
of the Methods of Work of
the General Assembly*

His Excellency
U Thant,
Secretary-General of
the United Nations,
New York

I. Introduction

1. By resolution 1845 (XVII), adopted at its 1198th plenary meeting on 19 December 1962 (see annex I), the General Assembly decided to continue the *Ad Hoc* Committee on the Improvement of the Methods of Work of the General Assembly with the same membership and terms of reference as those decided on at the 1162nd plenary meeting, and requested the Committee to transmit to the Secretary-General by 31 May 1963 a report, with recommendations or suggestions, for circulation to Member States.

2. The question of a review of the methods of work of the General Assembly was originally raised by Mr. Mongi Slim, President of the Assembly at the sixteenth regular session, who, in his memorandum of 26 April 1962 (A/5123), stressed the need to bring the Assembly's methods of work into line with recent developments in the Organization.

3. It was on the initiative of the Tunisian delegation (A/5165) that the question was placed on the agenda of the seventeenth session. The membership of the *Ad Hoc* Committee to which the Assembly entrusted the problem was as follows: Mr. Muhammad Zafrulla Khan (Pakistan), President of the General Assembly at its seventeenth session and Chairman of the Committee, the thirteen Vice-Presidents of the General Assembly at its seventeenth session: namely, the heads of the delegations of Australia, Belgium, China, Colombia, France, Guinea, Haiti, Jordan, Madagascar, Romania,

the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, the three former Presidents of the General Assembly who were members of the delegations of their countries at the seventeenth session, Mr. Padilla Nervo (Mexico), Mr. Belaúnde (Peru) and Mr. Boland (Ireland) and the head of the delegation of Tunisia (Mr. Mongi Slim). Mr. Boland (Ireland) and Mr. Taieb Slim (Tunisia) were elected Vice-Chairman and Rapporteur, respectively.

4. The *Ad Hoc* Committee held its first three meetings during the seventeenth session of the General Assembly. It submitted a preliminary report (A/5370), in which it gave an account of the work done at those meetings and asked the Assembly to authorize it to continue its work after the close of the seventeenth session. That request was approved by the Assembly, which, in its resolution 1845 (XVII), prolonged the Committee's mandate. The Committee held nine meetings between 4 February and 1 March 1963, at which it considered all the suggestions that had been submitted to it. The Committee held eight more meetings from 30 April to 27 May 1963 in order to consider its draft report.

5. Before suspending its work in December 1962, the Committee had agreed that members of the Committee who were unable to attend certain meetings should be entitled to appoint alternates from among the members of their delegation. The following representatives attended meetings of the Committee when it resumed its work:

Australia: Sir James Plimsoll, Mr. Hay, Mr. Curtis.

Belgium: Mr. Loridan, Mr. Forthomme, Mr. Turine, Mr. Bal.

China: Mr. Liu Chieh, Mr. Hsueh, Mr. Loon.

Colombia: Mr. Zea.

France: Mr. Seydoux, Mr. Arnaud, Mr. Plihon, Mr. Combal.

Guinea: Mr. Diallo Telli, Mr. Achkar Marot.

Haiti: Mr. Auguste.

Ireland: Mr. Boland, Mr. O'Sullivan.

Jordan: Mr. Abdul Rifa'i, Mr. Tuqan.

Madagascar: Mr. Andriamaharo, Mr. Ramaholimihaso.

Mexico: Mr. Cuevas Cancino, Mr. Calvillo Treviño, Mr. Carranco Avila.

Pakistan: Mr. Zafrulla Khan, Mr. Hamdani, Mr. Ataullah, Mr. Akhund.

Peru: Mr. Mackehenie, Mr. Fernandini, Mr. Morales.

Romania: Mr. Haseganu, Mr. Jucu.

Tunisia: Mr. Taieb Slim, Mr. Ayari, Mr. Gherib.

Union of Soviet Socialist Republics: Mr. Morozov, Mr. Fedoseev, Mr. Ostrovsky.

United Kingdom of Great Britain and Northern Ireland: Sir Patrick Dean, Mr. Crowe, Miss Gutteridge, Mr. Campbell, Mr. Cambridge.

United States of America: Mr. Yost, Mr. Noyes, Mr. Bartlett.

6. In the absence of Mr. Zafrulla Khan, Mr. Boland presided. At certain meetings, Mr. Taieb Slim or Sir James Plimsoll took the Chair.

7. The Secretary-General was represented by Mr. Stavropoulos, the Legal Counsel. Mr. Schreiber, Deputy

Director of the General Legal Division, acted as Secretary of the Committee.

8. The Committee systematically considered all the suggestions which had been submitted at its invitation by Member States. These suggestions came from the following Member States: Austria, Belgium, Brazil, Cambodia, Canada, Ceylon, China, Congo (Leopoldville), Denmark, France, Greece, India, Iraq, Israel, Italy, Ivory Coast, Jamaica, Japan, Laos, Luxembourg, Netherlands, Niger, Nigeria, Philippines, Poland, South Africa, Spain, Sweden, Thailand, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America and Upper Volta. Other suggestions were put forward either in writing or orally by the Chairmen of the Main Committees: Mr. Benites, Mr. Lewandowski, Mr. Kasliwal, Mr. Bannier and Mr. Eustathiades, Chairmen at the seventeenth session of the Special Political Committee and the Second, Third, Fifth and Sixth Committees respectively, and Miss Brooks and Mr. Lannung, Chairmen at the sixteenth session of the Fourth and Fifth Committees respectively. The Committee also had before it a number of working papers prepared by the Secretariat and containing, *inter alia*, statistical data and other information on General Assembly practice (see annex II).

9. The Special Committee was gratified to note the great harmony which prevailed at its meetings. The members of the Committee endeavoured, above all, to approach the study of the methods of work of the General Assembly from a technical angle and to take into account what they believed to be the facts of the situation and the needs of the Assembly at the present stage of the development of the United Nations.

II. Improvement of the methods of work of the General Assembly

GENERAL OBSERVATIONS

10. In his memorandum of 26 April 1962 on the work of the General Assembly Mr. Mongi Slim, President of the sixteenth session, had stressed that the two factors which in his view called for a new study of the methods of work of the Assembly were, on the one hand, the substantial increase in the number of Member States in recent years and, on the other, the increase in the number and complexity of the problems regularly brought before the Assembly. Mr. Slim was of the opinion that the organization of sessions and the procedures followed could be adapted to the requirements of the new situation, without entailing any major changes in the rules of procedure. He expressed his conviction that useful reforms could be introduced without "...restricting the opportunities for fruitful discussion likely to produce the thoroughly considered and agreed solutions which are required" (A/5123, para. 3).

11. In studying the methods of work of the General Assembly in accordance with its terms of reference the *Ad Hoc* Committee adopted the same approach. From the many suggestions received in writing by the Committee from Member States and from the oral statements heard by it, it was clear that the issue was not that of a revision of the rules of procedure. The present rules provide an adequate framework for the Assembly's work; they have stood the test of time; they have the great advantage that delegations are

familiar with them; most of the other United Nations organs and many other international agencies have adapted them to their own needs; gaps in them have been filled by practice; and it does not seem necessary at this stage to correct the few flaws of drafting that may have survived the meticulous study made by the organs which preceded this Committee.¹

12. The *Ad Hoc* Committee noted, however, that in many cases sufficient use is not made of the opportunities which are offered by the present rules of procedure if they are applied correctly. In the recommendations that follow the Committee draws the attention of the General Assembly to some of the measures already provided for in the texts which might be resorted to more often with a view to the improvement and better organization of the proceedings at the sessions. Generally speaking, the Committee is of the opinion that the Assembly would gain in efficiency if the possibilities offered by its rules of procedure were better known by those responsible for their application—the presiding officers, the members of delegations and the Secretariat—and if these rules were applied regularly in letter and in spirit.

13. The Committee would like to point out that in the course of its work it refrained from recommending any measures which might have reduced the opportunities for action available to the General Assembly under the Charter. The development of the United Nations has made clear the role which can be played and the influence which must be exercised by the only principal organ of the United Nations having wide powers in which all Member States are represented on an equal footing. The work of the General Assembly is accomplished through the public statements made on behalf of Members, through debates and through the multiple consultations which lead up to the submission of draft resolutions and culminate in their adoption. There should be no question of hampering this diplomatic process of negotiation and decision by imposing unduly rigid limitations. Full account must also be

¹ The provisional rules of procedure of the General Assembly were submitted by the Preparatory Commission of the United Nations in 1945. They were approved by the General Assembly at its first regular session in 1946. That same year, the General Assembly, wishing to save time, appointed by resolution 102 (I) a Committee on Procedures and Organization. In its report (A/388), the Committee proposed many amendments to the text of the rules of procedure. These amendments were approved by the Assembly after detailed consideration by a sub-committee of the Sixth Committee. In 1949 the Assembly, by resolution 271 (III), created a Special Committee on Methods and Procedures of the General Assembly. On the basis of that Committee's report the Assembly adopted a number of amendments to the rules of procedure; it also approved several recommendations and suggestions which now appear as Annex I of the rules of procedure. In 1952 the General Assembly, by resolution 689 A (VII), established a Special Committee on measures to limit the duration of regular sessions of the General Assembly. Some of the Committee's suggestions were accepted by the Assembly, which amended its rules of procedure accordingly.

It should also be noted that in 1951 the General Assembly, by resolution 597 (VI), established a Special Committee for the consideration of the methods and procedures of the General Assembly for dealing with legal and drafting questions. Although its work did not lead to an amendment of the rules of procedure, this Committee submitted certain recommendations in the form of rules to be followed where a question submitted to the Assembly by one of its Main Committees had legal aspects (A/2174). These recommendations, which the Assembly adopted, are embodied in Annex II of the rules of procedure. Lastly, it may be noted that the General Assembly adopted other amendments to its rules of procedure at its second, third, fifth, ninth, eleventh, twelfth and sixteenth sessions.

taken of the need to respect the freedom of expression of delegations which may find themselves in the minority on certain questions while, at the same time, safeguarding the right of majorities to obtain, in conformity with the Charter, the decisions they desire.

14. The Committee nevertheless believes that it is in the interests of both the United Nations and the Member States that the business of the General Assembly should be dispatched as expeditiously as these general considerations permit, that loss of time, from whatever cause it may arise, should be avoided and that, save in exceptional cases, when the international situation so requires, the sessions should not exceed the period of time which is now regarded as normal and which at the seventeenth session amounted to thirteen weeks.

15. Accordingly, the Committee preferred not to accept the suggestions whereby the activities of the General Assembly would be spread over the whole year, or to propose the establishment of new subsidiary organs which might carry on the work of the General Assembly between the regular sessions. It favours the present system of intensive meetings during sessions of a limited duration which enable members of Government, members of Parliament and other authorized spokesmen for national public opinion, diplomats, experts and technicians to come together and exchange views both at meetings and outside the conference rooms.

16. It is in the light of the foregoing considerations that the Committee examined the suggestions made to it by many Member States and a number of Chairmen of Main Committees and that it submits certain observations and recommendations to the General Assembly. The Committee believes that the adoption and consistent application of these recommendations would increase the effectiveness of the present methods of work.

A. ORGANIZATION OF SESSIONS

1. THE GENERAL DEBATE

17. The *Ad Hoc* Committee carefully examined the manner in which what is known as the general debate is conducted at the beginning of each regular session. The debate in fact consists of a series of statements made by most Chairmen of delegations on world problems and the role of the United Nations, in the light of the annual report of the Secretary-General on the work of the Organization and reports of other United Nations organs. With the increase in the number of Members, the length of the debate has appreciably increased, from thirteen meetings at the tenth session to twenty-nine meetings at the seventeenth session (see annex III). Because of its enhanced importance and the prominence of the speakers taking part in it, it has had the effect of delaying considerably the start of the work of the Main Committees and of somewhat slowing down that work.

18. The Committee recognizes the value of the general debate, which enables Governments to focus the attention of Member States on important international issues. It also realizes that, in view of the shortness of the time which Heads of Government or Ministers for Foreign Affairs can spend in New York, the general debate must be organized with considerably more flexibility than would otherwise be the case. It was

observed that, if four statements could be made at each meeting and ten meetings could be held each week for the general debate at the opening of the session, it would be possible for the General Assembly to hear 120 statements in three weeks, a figure higher than the present membership of the Organization. The Committee does not recommend three weeks or any other specified period as the absolute limit for the completion of the general debate. It wishes, however, to stress the importance of ensuring that the debate proceeds as speedily as possible in an organized and regular manner and that as little time as possible remains unused during the meetings devoted to it.

19. The Committee noted with approval in that connexion the Secretary-General's practice of inquiring of delegations, by means of a circular letter sent before the opening of the session as to the dates on which they would like to speak. On the basis of the replies, the Secretariat prepares a provisional list of speakers which is submitted to the President of the Assembly for that session soon after he is elected. In the Committee's view it would be desirable that delegations should abstain from reserving more than one date for their statements.

20. In the opinion of the *Ad Hoc* Committee, the President of the Assembly should ensure the successful completion of the general debate in the shortest possible time; thus, if it proves difficult to some delegations to take the floor at a date previously selected by them, the President should use the discretionary powers granted to him under the rules of procedure to determine, in a final manner, the order of speakers. The Committee recommends that, with the consent of the General Assembly, as provided in rule 75 of the rules of procedure, the President should close the list of speakers in the general debate earlier than is done at present, and as soon as he deems it feasible. It is for the President to approach delegations to ascertain whether they are prepared to make their statements earlier or later in order to prevent loss of time at meetings. As soon as the list of speakers is closed, the delegations concerned could be notified of the dates fixed for their interventions, and they should ask the President to make changes only in exceptional circumstances or when they can themselves arrange to change places on the list with other delegations.

21. Delegations should give the President all possible co-operation. They might, for example, try to complete the preparation of their speeches one or two days before the days set for their interventions and thus enable the President to advance that date, with their consent, if there is a gap to be filled in the list of speakers.

2. ORGANIZATION OF WORK OF THE MAIN COMMITTEES

(a) Commencement of work of the Committees

22. The *Ad Hoc* Committee felt that if sessions were not to exceed the normal length of about thirteen weeks, and in order to prevent an accumulation of meetings in December, it was important to avoid, as much as possible, the loss of time early in the sessions (see annex IV). The Committee therefore considers that the Main Committees should begin their work promptly, as soon as the General Assembly has adopted its agenda and the items have been allocated to them for consideration. Thus all the Main Committees,

except the First Committee, should begin work at the latest two working days after they have been notified of their agenda.

23. As regards the First Committee, the *Ad Hoc* Committee recognizes that, as a general rule, that Committee should not meet simultaneously with the plenary when the latter considers political questions. It is, however, important that the First Committee should meet as soon as possible, to organize its work, determine the order of discussion of the items allocated to it and start the systematic consideration of its agenda. At the beginning of the session, such meetings might be held when there is an interruption in the general debate; later, meetings of the plenary might be held during one part of the day, the other part being allocated to the First Committee. The aim should be to enable the First Committee to proceed with its regular work as soon as possible after the opening of the session.

(b) Establishment of work schedules

24. The *Ad Hoc* Committee considers it useful to recommend that each Main Committee should, as soon as possible after the beginning of its discussions, prepare a work schedule which would indicate the approximate dates when the various items allocated to it would be discussed. Schedules of this kind, based on information supplied by the Secretariat, are now submitted to some committees (see annex V). They have the special advantage of informing delegations when the presence of experts on certain questions will be required in New York.

25. The Committee recommends that such schedules should be transmitted to the General Committee as soon as they have been approved by the Main Committees, in order to provide that Committee with an over-all view of the schedule of work for the session, and if necessary to enable it to make appropriate recommendations to the Committees through the plenary Assembly. The General Committee should also, when it seems appropriate, put forward for the approval of the General Assembly a closing date for the work of each Committee.

(c) Grouping of related agenda items

26. The *Ad Hoc* Committee noted the practice in some cases of grouping together all provisional agenda items referring to a single problem. In the past, such groupings have been decided upon by the General Assembly on the recommendation of the General Committee following the adoption of a proposal initiated by the Secretary-General or one of its members; in other instances the Committee concerned took the initiative of regrouping items when adopting its schedule of work. The advantage of this procedure is that there is only one general debate on the question although several draft resolutions, relating to its different aspects, may be submitted. The Committee considered that the Secretary-General, in making his suggestions on the provisional agenda, the General Committee when it makes recommendations on it, and the individual committees when they adopt their work schedules, should bear this possibility in mind, it being understood that the authors of proposals aimed at grouping agenda items should whenever possible consult beforehand the delegations which have proposed those items for inclusion in the General Assembly's agenda, with a view to securing their agreement. The delegation of the Soviet Union pointed out that it considered that the agreement of the delegation or delegations which have proposed the

relevant items for inclusion in the General Assembly's agenda should be required in every particular case before grouping agenda items and holding a single general debate on the question to which the items refer.

(d) *Concurrent consideration of more than one agenda item*

27. The *Ad Hoc* Committee thought that in certain cases where time might be wasted, owing to lack of speakers or the absence of draft resolutions, Committees might well decide to suspend the consideration of an item and take up the next one. That could be done, for instance, when the consideration of any item had to be interrupted to enable delegations to negotiate, or when some delegations were awaiting instructions from their Governments before taking a position.

28. On other occasions, where prolonged negotiations may be expected before agreement can be reached on a draft resolution, it should be possible so to organize the work of the Committee that one meeting a day would be devoted to the examination of one of the Committee's agenda items and another meeting to another item.

(e) *Greater use of sub-committees and working groups*

29. The increase in the number of Members of the United Nations has created a situation in which it frequently happens that more than 100 delegations are present and most of them participate in the debates in the Main Committees. Although the presence of such a large number of delegations involves no practical difficulties when statements of the positions of Governments are being made, it makes it more difficult to discuss concrete points, to have a rapid exchange of views on subjects where ideas differ or to draft and modify texts. The Committee is of the opinion that in many cases the examination of agenda items by the committees would be greatly facilitated if, as soon as possible and especially when the main points of view have been expressed, the committee decided, on the initiative of its Chairman or of one or more of its members, to set up a sub-committee or working group, in conformity with rule 104 of the rules of procedure (98 in the case of the plenary Assembly). This procedure might be particularly helpful when there is general agreement on the question under discussion but disagreement on points of detail.

30. The *Ad Hoc* Committee would recall in this connexion that in the course of the first sessions of the General Assembly frequent use was made of sub-committees and working groups and that they were of great assistance to the General Assembly in the preparation of texts which to this day govern the structures of the United Nations in the formulation of important international instruments and in the solution of difficult political problems (one example is the sub-committee which dealt with the future status of the former Italian colonies). As far back as 1947, the report of the Committee on Procedures and Organization expressed itself on this subject as follows:

"The Main Committees should consider carefully at an early stage in their work how their programmes might be expedited by the establishment of sub-committees. It is, of course, impossible to adopt fixed rules on this matter. If the debate in full committee showed that there was general agreement on the question under discussion but disagreement on points of detail, it would clearly be desirable to set up a

small drafting committee to prepare a resolution for submission to the Main Committee. Technical questions on which there is no substantial disagreement should be referred to sub-committees as quickly as possible. In some cases the work of sub-committees would be facilitated by working informally, and on occasion, in private." (A/388, para. 21.)

31. The sub-committees or working groups could, in most cases, consist of representatives of the delegations with the closest interest in the agenda item, representatives who are especially competent to deal with the problem under discussion and others chosen in such a way as to ensure that the sub-committee or working group will be broadly representative, geographically and politically.

32. These bodies could meet either in public or in private, according to the circumstances, and could either follow formal procedures or discuss matters informally. Their function would be to make it possible for those primarily interested in an item to exchange views, thus facilitating subsequent agreement and compromise solutions; they could prepare draft resolutions or at least formulate alternative solutions; they could appoint rapporteurs to present their conclusions and to give the necessary explanations to the committee which established them. The committee itself would be entirely free to take final decisions but, since all aspects of the problem would have been given minute examination, it would undoubtedly find its own work greatly facilitated both with regard to substance and to the time thus saved. It would also often be possible for the committee to consider other items on its agenda while the sub-committee or working group was carrying out its assignment.

(f) *Items peculiar to certain of the Main Committees*

(i) *Referral of items to the Economic and Social Council*

33. The *Ad Hoc* Committee had before it proposals that economic and social items included in the agenda, which had not been examined previously by the Economic and Social Council, should be referred to the latter before being considered by the Second or Third Committee. It was suggested in that connexion that in urgent cases the Council could examine such items during its resumed second session which is customarily held in November or December.

34. The Committee did not feel that it ought to make any specific recommendation on this subject and confines itself to remarking that the Economic and Social Council might in many cases, by decision of the General Assembly, usefully consider beforehand questions within its competence which are then to be allocated to the Second or Third Committee.

(ii) *Hearing of petitioners*

35. The Committee examined a table showing the amount of time spent by the Fourth Committee during the last three regular sessions in hearing persons who had made statements and replied to questions asked by members on conditions in the territories of concern to the Fourth Committee (see annex VI). Some of those persons had already been heard by subsidiary bodies of the Assembly before the session; some have addressed the Committee on more than one occasion.

36. The Committee was unwilling to accept suggestions which would have the effect of imposing restrictions on the Fourth Committee's freedom to make use of these sources of information. It considers, however,

that time could be saved if the Secretariat notified persons invited by the Committee as early as possible of the dates on which they would be called upon to make their statements. That procedure would be facilitated if, as the Committee has proposed, the Fourth Committee could decide on its programme of work at the beginning of the session, including the dates on which the agenda items assigned to it would be examined.

3. ROLE OF THE GENERAL COMMITTEE

37. The *Ad Hoc* Committee considers that the General Committee of the Assembly should actively fulfil the important role assigned to it under the rules of procedure. In addition to the functions which it already exercises in connexion with the agenda of the session (rule 40) and those relating to the fixing of the closing date of the session (rule 41), the General Committee should try in particular to ensure better co-ordination of the proceedings of all committees of the General Assembly and of the work of the committees with that of the plenary Assembly (rules 41 and 42). As specified in rule 42, the General Committee should not hesitate to make practical recommendations with a view to furthering the progress of the work of the General Assembly and of its committees so that all appropriate action may be taken to complete the examination of agenda items by the date fixed for the closure of the session.

38. The *Ad Hoc* Committee considers that, for this purpose, the periodic meetings of the General Committee, provided for in rule 42 of the rules of procedure, should be spaced not more than three weeks apart in a normal period and should be held even more frequently at the beginning and towards the end of sessions.

B. CONDUCT OF THE DEBATES

1. ROLE OF THE PRESIDING OFFICERS

39. The *Ad Hoc* Committee feels that it need hardly stress the importance of the role of the presiding officers and the authority which they should be able to exercise in discharging their functions under the rules of procedure. The smooth progress of the work of the organs over which they preside depends largely upon their skill, their familiarity with the Assembly's procedures and their impartiality. The President of the Assembly and the Chairmen of the Main Committees should be able to rely on the co-operation of all delegations and the full assistance of the Secretariat.

40. The Committee considers that, due regard being given to the principle of equitable geographical distribution and to the requirement under the rules of procedure that the General Committee should be so constituted as to ensure its representative character of the General Assembly as a whole, special importance should be attributed in the selection of presiding officers to such elements as the previous experience of candidates of the technique of chairmanship or familiarity with the work of the Assembly or of other United Nations bodies.

2. POWER OF INITIATIVE OF THE PRESIDING OFFICERS

41. While not wishing to restrict the free course of debates in the General Assembly and its committees, the *Ad Hoc* Committee considers that, under the rules of procedure, the presiding officers can, with skill, find in the provisions of the rules of procedure many ways

of speeding up the work of the Assembly. Rules 35 and 108 confirm that they are responsible for directing the discussions and that their role is by no means a passive one or confined to calling upon speakers requesting the floor. Those provisions reaffirm, for example, that the presiding officers may propose the limitation of the time to be allowed to speakers and the limitation of the number of times each representative may speak on any question, the closure of the list of speakers or the closure of the debate. In the opinion of the Committee, the presiding officers, while maintaining the impartiality that their functions require of them, should not hesitate to exercise those prerogatives when they feel that this would contribute to the good progress of the Assembly's work.

3. BEGINNING MEETINGS AT THE SCHEDULED TIME

42. The Committee examined statistical information relating to the last two regular sessions of the General Assembly with respect to the actual time of the opening and closing of meetings of the plenary Assembly and Main Committees. It was impressed by the considerable loss of time due to meetings beginning late or closing early (see annex VII).

43. With regard to the actual time when meetings start, the Committee noted the time gained by the President of the seventeenth session, who made it a practice to open the plenary meetings of the Assembly at the time scheduled in the *Journal of the United Nations*, or at most a few minutes later. Most delegations willingly submitted to that discipline and appreciated its advantages. The Committee therefore advises that in future the Presidents of the Assembly as well as the Chairmen of the committees should follow that precedent and begin the meetings at the scheduled time.

44. The presiding officers, assisted by the other officers and by the Secretariat, should keep in constant touch with delegations so that no valuable time is lost because no speakers are available. In order to avoid the adjournment of meetings before the normal hour, speakers who have expressed the wish to take the floor should hold themselves in readiness to make their statements when they are called upon to do so.

45. The Committee believes that this effort to make the fullest use of the time available for meetings might be encouraged if the Secretariat were to prepare a weekly chart of the delays incurred by each committee in starting meetings and the time lost by their premature closing. The chart might take the form of a document, to be submitted to the general Committee for consideration during its periodic meetings, and that Committee might make whatever recommendations or comments it considered appropriate.

4. TIME-LIMIT ON SPEECHES

46. With regard to a time-limit on speeches, the *Ad Hoc* Committee had before it a number of proposals to limit, under the rules of procedure, the time allowed for statements made in the General Assembly or its committees during general debates, during the discussion of draft resolutions, in connexion with explanations of vote, or the right of reply, or when procedural motions are being discussed. In view of the complexity and variety of the situations which may arise in the General Assembly and the special importance of certain debates to some delegations, the Committee does not

think it would be wise to make any general decisions which might have the effect of unduly limiting the right of representatives to express fully their views. It recalls, however, that not only are the presiding officers empowered under rules 35 and 108 to propose the limitation of the time to be allowed to speakers but that under rules 74 and 115 any representative may make such proposals. Thus, depending on the circumstances, the General Assembly and its Committees can decide to limit under rules 74 and 115 of the rules of procedure the time allowed to speakers on certain questions or for certain types of statements. The General Committee of the Assembly, taking into account the progress made by the General Assembly in its work, may also make pertinent recommendations in accordance with rule 42 of the rules of procedure.

47. The Committee noted that the Assembly has almost never exercised its prerogative with regard to limiting the number of times representatives may speak. The Committee wishes to recall, however, the practice whereby representatives speak not only on behalf of their own delegations but also on behalf of other delegations sharing their views on the matter under discussion. The Committee notes that this practice has already helped the General Assembly to save time.

5. LIST OF SPEAKERS

48. Apart from the above comments on making good use of meeting time and the reference to the power of presiding officers under rules 35 and 108 of the rules of procedure to propose the closure of the list of speakers, a power specifically provided for in rules 75 and 116, the *Ad Hoc* Committee recommends that the name of a representative who is not prepared to speak when his turn comes should automatically be transferred to the bottom of the list of speakers unless, by agreement with the presiding officer, it can be arranged for that representative to speak earlier. However, it is the opinion of the Committee that the established practice whereby representatives are allowed to exchange places on the list of speakers should be maintained.

6. RIGHT OF REPLY

49. The *Ad Hoc* Committee considered the circumstances in which representatives take the floor to exercise the "right of reply". It may be observed that a strict application of rules 75 and 116 would imply that the right of reply can only be exercised if the presiding officer feels that "a speech delivered after the list of speakers has been closed makes this desirable". The Committee is of the opinion that any delegation which has been attacked or criticized either by direct reference or by imputation is entitled, if it so desires, to exercise the "right of reply". The Committee also recognizes that there are other occasions when a representative may legitimately feel he should make a clarifying statement because of comments made with respect to the attitude or policy of his country before the closing of the list of speakers.

50. It is solely within those limits however that the Committee feels that "the right of reply" should be recognized by presiding officers. The Committee considers that the presiding officer is entitled under the rules of procedure to remind the representative who wishes to avail himself of the "right of reply" of the limits to which the exercise of that right is subject.

7. EXPLANATIONS OF VOTE

51. In accordance with rules 90 and 129 of the rules of procedure, an explanation of vote may be permitted by the presiding officer either before or after the voting, except when the vote is taken by secret ballot; the presiding officer may limit the time to be allowed for such explanations. The Committee believes that it is the responsibility of the presiding officers to see to it that explanations of votes are used solely for their basic purpose, namely, to explain the reasons why a delegation wishes to cast an affirmative or negative vote or to abstain. The explanation of a vote should, therefore, not be an occasion for resuming discussions with other delegations.

8. POINTS OF ORDER

52. The Committee feels that it is useful to recall the correct procedure in connexion with points of order. The provisions of rules 73 and 114 of the rules of procedure are very clear in that respect. When a debate is interrupted by a representative's raising a point of order, the presiding officer, after the representative has been heard, must give a ruling immediately. He may not allow a discussion to be started on the subject. No other point of order should be discussed before the presiding officer has decided upon the previous one. The responsibility for deciding is his alone and the rules do not provide that he may request the Assembly or committee to make a ruling for him; a representative who is not satisfied with the presiding officer's decision is entirely free to appeal to the Assembly or the committee and such an appeal should be regarded as a simple difference of opinion concerning the application of the rules and not in any way as a reflection on the prestige of the Chair. The appeal "shall be immediately put to the vote"; in other words no statement may be made except for the explanation by the representative making the appeal and that of the presiding officer concerning what he considers to be the correct application of the rules. The vote of the Assembly or committee on the appeal, as provided in rules 73 and 114, is final. Once the question is settled, the Assembly or committee reverts to the consideration of the agenda item. The delegation of the Soviet Union considered that an analysis of rules 73 and 114 of the rules of procedure, together with rules 36 and 109, would lead to the conclusion that in some complicated cases, when the presiding officer did not consider it possible to make a ruling, he might ask the Assembly or the committee to make a decision on the question to which the point of order referred.

53. The rules themselves are not very explicit as regards the type of intervention which the presiding officer can accept as a point of order, although rules 73 and 114 stipulate that "a representative rising to a point of order may not speak on the substance of the matter under discussion". In this connexion the Committee recalls that the committees which preceded it have already submitted to the General Assembly definitions or explanations of the matters which a point of order may cover. The Special Committee on Methods and Procedures of the General Assembly stated in 1949 that:

"It is the opinion of the Special Committee that a valid point of order may relate to the manner in which the debate is conducted, to the maintenance of order, to the observance of the rules of procedure, or to the manner in which the Chairmen exercise the

powers conferred upon them by the rules. Thus, within the scope of the General Assembly's rules of procedure, representatives are enabled to direct the attention of the presiding officer to violations or misapplications of the rules of procedure by other representatives or by the presiding officer himself. Points of order may also refer to legitimate requests for information, to material arrangements (temperature of the room, seating, interpretation system), to documents, translations and so on. On the other hand, no representative, when rising to a point of order, should be permitted to speak on the substance of the matter under discussion." (A/937, para. 37.)

9. ASSISTANCE TO PRESIDING OFFICERS

54. As the Committee has already pointed out, every possible assistance should be given to the presiding officers in order to facilitate the exercise of their functions in accordance with the rules of procedure. In this connexion the Committee recalls that, in addition to the constant help they receive from the committee secretaries, presiding officers may seek assistance from the Office of Legal Affairs whenever they need special advice with regard to the application of the rules of procedure or when difficult procedural questions are likely to arise. Advantages may also be derived from consultations between chairmen of main committees and the President of the General Assembly and between chairmen of main committees on any complex procedural difficulties which may arise in their committees.

55. The Committee considers that it would be useful if the Secretariat were asked from now on to keep systematic note of the various questions of procedure which arise in the General Assembly and its committees and to assemble this information in a form accessible to presiding officers and any representatives who might wish to consult them. In this connexion, the Committee considers that the summary records of meetings should contain fairly detailed accounts of debates on procedural questions.

56. The Committee also discussed the usefulness of the preparation by the Secretariat of a repertory of past practice and of a manual of procedure containing notes on the various rules and examples of decisions illustrating their application. While considering the subject worthy of further study, the Committee does not find itself in a position to make definite recommendations on the matter.

C. INTRODUCTION OF MECHANICAL MEANS OF VOTING

57. The Committee studied with care the question of advantages to be derived from the introduction in the General Assembly of mechanical equipment which would facilitate the counting and the recording of votes. Its members examined the working of such equipment during a visit to the General Assembly of the State of New Jersey. In addition to data annexed to the present report, i.e., a description of the manner in which mechanical means of voting could be used in the General Assembly, relevant financial implications (see annex VIII) and data as to the number of votes taken in the General Assembly during the last three sessions (see annex IX), the Committee wishes to report as follows on the conclusions it has reached.

58. There was general agreement that an electric system for registering votes would have the advantage

of speed and its use would result in a sizable saving of time which would, in turn, reduce the expenses of the Organization and of Member States. The new system would have the further advantage of being fully accurate, especially in the procedure corresponding to a vote by show of hands in connexion with which the Secretariat has met with increasing difficulty in recent years. The system of electric voting would also have the advantage of convenience since the results would be indicated for sufficient length of time on mural panels, thus preventing confusion. It was acknowledged that the new system would not be applicable to secret ballots. Some questions were raised as to the financial implications of the installation of the electric system of voting and the effects on the budget of the Organization at a time when the Organization is facing financial difficulties. It was, however, the understanding of the Committee that the question would be considered by the Advisory Committee on Administrative and Budgetary Questions before the General Assembly reaches a final decision on the matter. Subject to further examination of the financial considerations involved, it was the view of the Committee that the Secretary-General should explore this possibility in order that the electric system of voting should be tried experimentally for one or two years in one or more conference rooms.^{2, 3}

D. CLARIFICATION OF CERTAIN PROCEDURAL QUESTIONS

59. In the course of its work, the *Ad Hoc* Committee examined certain questions which did not, strictly speaking, relate to the improvement of methods of work of the General Assembly but rather to certain procedural situations which might arise in the Assembly. The Committee wishes to draw the Assembly's attention to its views on two of these questions.

1. CO-SPONSORS OF DRAFT RESOLUTIONS OR AMENDMENTS

60. The Committee considered a situation which has occurred in recent years where a large number of delegations wish to be designated as sponsors of certain draft resolutions or draft amendments submitted for the Assembly's approval. The Committee did not agree to suggestions that a limit should be placed on the number of delegations which might be so designated. It wishes, however, to make it clear that, in its view, it is for the authors of a proposal which has already been submitted to the Assembly or to a committee to decide whether other delegations should also become sponsors of it. Delegations wishing to become co-sponsors ought therefore to approach the original sponsors if they wish their names to be added to the list already published.

2. VOTING BY SECRET BALLOT

61. The Committee considered certain difficulties which may arise when one of the Main Committees proceeds to a vote by secret ballot, in accordance with rule 105 of the rules of procedure, and all representatives are not in their places when the conference officer

² The representative of the United States was of the opinion that, in view of the financial difficulties facing the United Nations, the equipment should be installed in a single conference room during the first year.

³ The representative of the USSR considered that no supplementary estimates should be involved and that the installation should be financed out of savings in the regular budget.

collects the ballot papers. The Committee recommends that in such cases committees should follow the practice of the General Assembly and that the balloting should be done by roll-call, representatives being allowed to vote up to the moment when the Chairman declares the voting closed.

E. CERTAIN OTHER SUGGESTIONS CONSIDERED BY THE *AD HOC* COMMITTEE

1. ESTABLISHMENT OF AN AGENDA COMMITTEE

62. The *Ad Hoc* Committee had before it a suggestion that an agenda committee should be established to consider the provisional agenda and the supplementary list of items proposed for inclusion in the agenda. This committee, which would carry out the work of the General Committee on the agenda before the opening of the regular session, would be automatically dissolved once the General Committee for the session was set up. The Committee did not consider it necessary to make a recommendation to the General Assembly on this matter.

2. DESIGNATION OF SPECIAL RAPPORTEURS

63. The *Ad Hoc* Committee also considered the possibility of speeding up the work of the Main Committees by the designation, where appropriate, of special rapporteurs. It was said in this connexion that, in the case of questions already discussed by the General Assembly, the special rapporteurs might, for example, summarize the main issues on which there had already been discussion, prepare a brief and objective account of the history of the question and sometimes bring out the main points in dispute. If this procedure were to be followed, delegations taking the floor would not need to go over the same ground, and could confine themselves to stating the positions of their countries. The Committee decided not to make any proposal to the Assembly on this matter.

3. PRACTICE OF EXTENDED REMARKS

64. The *Ad Hoc* Committee considered the possibility of introducing in the General Assembly the practice of certain national Parliaments which allow representatives to submit written statements to supplement or replace oral statements. The delegations which advocated this method pointed out that it would be particularly appropriate for explanations of votes, lengthy or technical statements and statements made in exercise of the right of reply. The majority of the Committee, however, did not support these suggestions, the effect of which would be to alter the nature of the Assembly's debates considerably and to raise a certain number of practical problems which would be difficult to solve.

4. CHANGE IN THE OPENING DATE OF THE REGULAR SESSION

65. The Committee also considered the suggestions made to it concerning a possible change in the opening date of the regular session of the General Assembly. Two suggestions in particular were considered, one to bring the opening date of the session forward to the beginning of September, and the other to hold the regular session from March to June. These suggestions were mainly prompted by a desire to avoid the holding of resumed sessions after the end-of-year holidays, as

has frequently happened in the past, when such sessions have proved long and costly.

66. The Committee did not accept the suggestion that the regular session of the General Assembly should be brought forward to the beginning of September, considering, in particular, that the first two weeks of September should be free for delegations to hold private consultations. Nor did the Committee accept the proposal that the regular session of the General Assembly should be held in the spring rather than in the autumn, as it wished to take into account the fact that many national Parliaments have busy sessions in that part of the year. The Committee noted with satisfaction that the Assembly had succeeded in ending its seventeenth regular session before the end-of-year holidays and it hopes that through the improvement of its methods of work it will be able in future in the normal way to end its sessions by the third week of December.

III. Draft resolution

67. The *Ad Hoc* Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly", below.]

*
* * *

The present report was adopted unanimously on 27 May 1963.

ANNEXES

Annex I

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY AT ITS 1198TH PLENARY MEETING ON 19 DECEMBER 1962

1845 (XVII). *Improvement of the methods of work of the General Assembly*

The General Assembly,

Having established on 30 October 1962 an Ad Hoc Committee on the Improvement of Methods of Work of the General Assembly,

Having received from the Ad Hoc Committee a report (A/5370) in which the Committee stated that it would not submit a final report to the General Assembly at its present session,

1. *Decides* to continue the *Ad Hoc* Committee on the Improvement of the Methods of Work of the General Assembly, with its present membership and terms of reference, and requests the Committee to transmit to the Secretary-General by 31 May 1963 a report, with recommendations or suggestions, for circulation to Member States;

2. *Decides* to include in the provisional agenda of its eighteenth session an item entitled "Report of the *Ad Hoc* Committee on the Improvement of the Methods of Work of the General Assembly", and recommends that priority should be given to the consideration of this item.

*1198th plenary meeting,
19 December 1962.*

Annex II

LIST OF WORKING PAPERS PREPARED BY THE SECRETARIAT FOR THE USE OF THE *AD HOC* COMMITTEE

1. Compilation of suggestions received from delegations.
2. Compilation of suggestions received from Chairmen of Main Committees.
3. Duration of sessions.

4. Data relating to the maximum utilization by the plenary and the Main Committees of the available working time (see annex VII).
5. Number of speakers in the general debate at regular sessions of the Assembly (see annex III).
6. Question of a change in the opening date of regular sessions of the General Assembly.
7. Introduction of mechanical means of voting (see annex VIII).
8. Commencement of work of the Main Committee (see annex IV).
9. Notes on the right of reply in the United States House of Representatives, the British Houses of Parliament and the French National Assembly.
10. Notes on explanations of vote in the British Houses of Parliament, the United States House of Representatives, the French National Assembly and the Council of Nationalities of the Union of Soviet Socialist Republics.
11. Summary of suggestions submitted by delegations and Chairmen of Committees regarding the improvement of methods of work of the General Assembly.
12. Number of votes taken in the plenary and in the Main Committees (see annex IX).
13. Sub-committees and working groups established by the General Assembly and its committees from the first to the sixth regular session.
14. Establishment of schedules for the consideration of items in the Main Committees (see annex V).
15. Summary of suggestions concerning reduction of the length of statements.
16. Hearing of petitioners during General Assembly sessions (see annex VI).
17. Practice of extended remarks.

18. Establishment of an agenda committee.
19. Possible change in the opening date of regular sessions of the General Assembly: effects of a change in the opening date on the programme of other organs.
20. Publication of a handbook on General Assembly procedure: specimen concerning the interruption and the termination of the debate.
21. Publication of a handbook on General Assembly procedure: specimen on rule 96 of the rules of procedure.

Annex III

NUMBER OF SPEAKERS IN THE GENERAL DEBATE AT PLENARY MEETINGS

<i>Session</i>	<i>No. of Members</i>	<i>No. of speakers</i>	<i>Dates</i>	<i>No. of meetings</i>
Tenth	60	45	22 September-4 October 1955	13
Eleventh	76	68	16 November-6 December 1956	14
Twelfth	80	71	19 September-8 October 1957	21
Thirteenth	81	72	18 September-7 October 1958	23
Fourteenth	82	79	17 September-7 October 1959	24
Fifteenth	99	79	22 September-17 October 1960	30
Sixteenth	104	80	22 September-18 October 1961	29
Seventeenth	110	91	20 September-18 October 1962	29

Annex IV

COMMENCEMENT OF WORK OF THE MAIN COMMITTEES
A. DATES ON WHICH THE COMMITTEES COMMENCED THEIR WORK

	<i>Opening of the session</i>	<i>Election of Chairmen</i>	<i>First organizational meeting</i>	<i>Commencement of actual work</i>
<i>Fifteenth session</i>				
First Committee	20 Sept.	21 Sept.	18 Oct.	19 Oct.
Special Political Committee	20 Sept.	21 Sept.	17 Oct.	18 Oct.
Second Committee	20 Sept.	21 Sept.	6 Oct.	12 Oct.
Third Committee	20 Sept.	21 Sept.	5 Oct.	6 Oct.
Fourth Committee	20 Sept.	21 Sept.	3 Oct.	6 Oct.
Fifth Committee	20 Sept.	21 Sept.	4 Oct.	6 Oct.
Sixth Committee	20 Sept.	21 Sept.	5 Oct.	11 Oct.
<i>Sixteenth session</i>				
First Committee	19 Sept.	20 Sept.	6 Oct.	20 Oct.
Special Political Committee	19 Sept.	20 Sept.	6 Oct.	16 Oct.
Second Committee	19 Sept.	20 Sept.	3 Oct.	5 Oct.
Third Committee	19 Sept.	20 Sept.	2 Oct.	3 Oct.
Fourth Committee	19 Sept.	20 Sept.	2 Oct.	3 Oct.
Fifth Committee	19 Sept.	20 Sept.	2 Oct.	4 Oct.
Sixth Committee	19 Sept.	20 Sept.	3 Oct.	4 Oct.
<i>Seventeenth session</i>				
First Committee	18 Sept.	19 Sept.	5 Oct.	10 Oct.
Special Political Committee	18 Sept.	19 Sept.	3 Oct.	8 Oct.
Second Committee	18 Sept.	19 Sept.	26 Sept.	3 Oct.
Third Committee	18 Sept.	19 Sept.	27 Sept.	2 Oct.
Fourth Committee	18 Sept.	19 Sept.	2 Oct.	3 Oct.
Fifth Committee	18 Sept.	19 Sept.	1 Oct.	3 Oct.
Sixth Committee	18 Sept.	19 Sept.	27 Sept.	1 Oct.

B. NUMBER OF DAYS BETWEEN THE OPENING OF THE SESSION AND THE INITIAL CONSIDERATION OF AGENDA ITEMS

	<i>Fifteenth session</i>	<i>Sixteenth session</i>	<i>Seventeenth session</i>
First Committee	29	31	22
Special Political Committee.	28	27	20
Second Committee	22	16	15
Third Committee	16	14	14
Fourth Committee	16	14	15
Fifth Committee	16	15	15
Sixth Committee	21	15	13

Annex V

ESTABLISHMENT OF SCHEDULES FOR THE CONSIDERATION OF ITEMS IN THE MAIN COMMITTEES

First Committee

At the beginning of its work, the First Committee establishes an order of priority for the discussion of the items referred to it. This order of priority is given in a document of the Committee. The document does not, however, mention specific dates by which consideration of the different items is to be completed.

At the seventeenth session, the Committee decided on the order of priority for four of its items on 5 October 1962 (A/C.1/872).^a It took the corresponding decision with respect to the remaining items on 21 November 1962 (A/C.1/872/Add.1).

Special Political Committee

The comments made about the First Committee apply also to the Special Political Committee.

At the seventeenth session, the Committee decided on the order of priority for three of its items on 3 October 1962 (A/SPC.68). It took the corresponding decision with respect to the remaining items on 12 November 1962 (A/SPC.68/Add.1).

Second Committee

At the beginning of the session, the Chairman of the Second Committee draws up, for the benefit of the members of the Committee, a note containing:

1. A list of the items allocated to the Committee;
 2. A certain number of specific suggestions on ways of expediting the Committee's work;
 3. A list of basic documents and background documents.
- Although, strictly speaking, this document does not include a time-table, it contains fairly detailed comments on the time which should be allotted to this or that question and on the order of priority for discussion of the items.

At the seventeenth session, the Chairman's note (A/C.2/L.643) was approved by the Committee on 1 October 1962.

Third Committee

At the beginning of the session, the Chairman of the Third Committee circulates a note similar to that prepared by the Chairman of the Second Committee. This note also informs the Committee of the number of meetings devoted to each item at the last two sessions.

After considering the Chairman's note, the Third Committee approves a programme of work which, in addition to

establishing the order of priority, states how many meetings the Committee thinks it should devote to each item.

At the seventeenth session, the Committee, after considering the note circulated by the Chairman (A/C.3/L.977 and Add.1), approved its programme of work on 28 September 1962 (A/C.3/L.980).

Fourth Committee

At the beginning of its work, the Fourth Committee establishes an order of priority for the items allocated to it. This order of priority is given in a document of the Committee.

At the seventeenth session, the Committee decided on the order of priority for its items on 2 October 1962 (A/C.4/556/Rev.1).

The Committee also draws up a provisional time-table for its debates on the different questions. This is distributed to the members of the Committee as a conference room paper.

Fifth Committee

At the beginning of the session, the Chairman of the Fifth Committee draws up a document containing suggestions for a provisional programme of work. Although it does not include a time-table, this document lists, for the various items to be considered, the following:

1. The documents before the Committee;
2. The documents to be issued, with the approximate date of publication.

At the seventeenth session, the programme of work suggested by the Chairman (A/C.5/L.725) was approved by the Committee on 1 October 1962.

Sixth Committee

The Sixth Committee does not publish any special document on the order of priority of the items referred to it or on the time to be allowed for their consideration. But the letter from the President of the Assembly to the Chairman of the Committee listing the items allocated to that body is published as a document of the Committee.

At the seventeenth session, the Committee, after considering this document (A/C.6/365), established the order of priority of its items on 27 September 1962.

Annex VI

HEARING OF PETITIONERS DURING GENERAL ASSEMBLY SESSIONS

	<i>Fifteenth session</i>	<i>Sixteenth session</i>	<i>Seventeenth session</i>
Total number of meetings held by the Fourth Committee...	153	173	104
Number of meetings of the Fourth Committee devoted wholly or partly to hearing petitioners	41	38	48
Percentage of meetings devoted wholly or partly to hearing petitioners	26.8	22.0	46.2
Number of petitioners heard.	50	50	37

Annex VII

DATA RELATING TO THE MAXIMUM UTILIZATION BY THE PLENARY ASSEMBLY AND THE MAIN COMMITTEES OF THE AVAILABLE MEETING TIME

Under existing arrangements, two and a half hours are available in the morning and three in the afternoon for meetings of the plenary and/or Committees. The following figures show the time available which was not utilized by the bodies concerned during the sixteenth and seventeenth sessions.

^a The documents mentioned in annex V are mimeographed.

	Average duration of meetings		Late starting (average)	Early ending (average)	Average time lost per meeting	Total time lost for session	
	Hours	Minutes	Minutes	Minutes	Minutes	Hours	Minutes
<i>Sixteenth session</i>							
Plenary	2	9	33	23	56	107	19
First Committee	2	6	28	13	41	56	40
Special Political Committee.....	1	55	23	31	54	58	45
Second Committee	2	17	38	13	51	67	10
Third Committee	2	8	31	8	39	49	45
Fourth Committee	1	58	31	22	53	152	5
Fifth Committee	2	6	23	16	39	43	35
Sixth Committee	1	37	28	25	53	40	10
<i>Seventeenth session</i>							
Plenary	2	34	7	12	19	25	30
First Committee	1	5	22	29	50	52	40
Special Political Committee.....	1	51	23	36	59	51	35
Second Committee	2	26	18	14	32	45	35
Third Committee	2	1	18	21	39	49	5
Fourth Committee	2	10	23	15	38	65	25
Fifth Committee	2	5	22	15	37	43	50
Sixth Committee	1	55	19	32	51	38	55

Annex VIII

INTRODUCTION OF MECHANICAL MEANS OF VOTING

Operation of the system

In order to respect the established voting tradition, the mechanical process would have to be as close as possible to the present system. Since elections would continue to be held by secret ballot, so that in this case there would be no question of giving up the practice of using voting papers, the mechanical voting system would have to reproduce as faithfully as possible the operations of voting by roll-call and by show of hands.

In the case of the operation corresponding to a vote by roll-call the system would function as follows. First of all, the chairman would announce that the vote was about to be taken, and would turn on the apparatus so that representatives could cast their votes. Each representative would have before him a switch with three positions, marked "yes", "no", and "abstention" respectively. The representative would move the switch to the desired position, and would be completely free to alter his vote until the close of voting. Votes would be indicated by lights of different colours on a wall panel installed in the chamber, and on a corresponding panel of smaller size on the chairman's table. At the end of a period fixed in advance—say, one minute—the chairman would declare the voting finally closed. In order to assist delegations, a clock beside the wall panel would indicate the number of seconds remaining before the close of the vote. The number of votes in favour, votes against and abstentions would be counted automatically and would appear in luminous figures on the wall panel and the panel on the chairman's table. In addition, a recording device beside the chairman's table would reproduce the individual votes and the totals, in as many copies as necessary, and would identify the proposal or amendment voted on by means of a symbol. This recording process is done by perforation.

In the case of the operation corresponding to a vote by show of hands, the procedure would be as follows. At the invitation of the chairman, representatives desiring to vote in favour would turn the switch to the "yes" position; the name of their country and the total number of affirmative votes would then appear on the wall panel and the panel on the chairman's table. The same would apply to negative votes and abstentions. After the vote, the names of the countries would disappear; only the number of votes would be indicated by the panel. The results would then be announced by the chairman.

Rental of equipment

The estimated costs for the rental, installation and maintenance of voting machines in one, two or three rooms are provided in table 1 below. The installation costs, estimated at \$40,700 per room, provide for the basic wiring as well as modification of furniture and provision of other special features which would be required by virtue of the established voting system in the United Nations.

For the first year, the rental and maintenance charge by the supplier would amount to \$38,000 for one room, \$60,000 for two rooms and \$75,000 if three rooms were equipped with voting machines. The charge during the first year includes the initial installation of the equipment as well as normal rental and maintenance. In succeeding years, the rental and maintenance charges, including major replacement parts, would be \$16,000 for one machine, \$26,000 for two machines and \$30,000 if three machines were utilized. The equipment would be provided by the company on a yearly renewable contract which could be cancelled at any time with due notice and without penalty.

Purchase of equipment

The estimated costs for the purchase, installation and maintenance of voting machines are provided in table 2 below. The installation costs remain the same as in the case of rental of the equipment, i.e., \$40,700 per room. Purchase of voting machines, as opposed to rental, would cost \$228,000 if one room were equipped, \$360,000 for two rooms and \$450,000 for three rooms. The purchase price would include the initial installation of the equipment by the vendor. In addition, were the equipment purchased, it would be desirable for the United Nations to contract with the supplier for maintenance at an annual cost per room of \$6,000. This figure would not include major replacement parts.

It should be noted that the estimates of rental, purchase and maintenance of voting equipment provided in this paper are based on those currently quoted by one company and may be considered firm as at this date. These prices would possibly be subject to some fluctuation should a decision on this question be postponed to subsequent years, or should installations be made room by room over a period of time. The Secretariat also does not preclude the possibility that additional suppliers might be located; however, in view of its experience to date, this eventuality is not likely.

As regards installation costs, the estimates are based on the present price structure and the assumption that certain basic

work could be accomplished within the framework of current planning for the modification of the conference rooms and plenary hall. The estimates of installation costs at this stage constitute a general guide as to anticipated costs; however, should the project be adopted, they would, of course, be subject to refinement based on detailed drawings and contractors' quotations.

Table 1

ESTIMATED COST OF RENTAL, INSTALLATION AND MAINTENANCE OF VOTING MACHINES

	One room	Two rooms	Three rooms
(United States dollars)			
I. Installation and rental costs—first year:			
A. Installation costs			
1. Modification and addition of conduit	5,000	10,000	15,000
2. Purchase and installation of cables and wire	25,000	50,000	75,000
3. Design, construction and installation of indicator boards, and modification of furniture to house voting control units	7,000	14,000	21,000
4. Contingency allowance on above items, 10 per cent	3,700	7,400	11,100
	40,000	81,400	122,100
B. Rental and maintenance	38,000	60,000	75,000
TOTAL	78,700	141,400	197,100
II. Rental and maintenance costs—succeeding years	16,000	26,000	30,000

Table 2

ESTIMATED COST OF PURCHASE, INSTALLATION AND MAINTENANCE OF VOTING MACHINES

	One room	Two rooms	Three rooms
(United States dollars)			
I. Purchase price of equipment	228,000	360,000	450,000

Table 2 (continued)

	One room	Two rooms	Three rooms
(United States dollars)			
II. Installation costs (for details see table 1)	40,700	81,400	122,100
TOTAL	268,700	441,400	572,100
III. Annual maintenance cost (exclusive of replacement parts)	6,000	12,000	18,000

Annex IX

NUMBER OF VOTES TAKEN IN THE PLENARY ASSEMBLY AND THE MAIN COMMITTEES

	Fifteenth session	Sixteenth session	Seventeenth session
<i>Plenary meetings</i>			
Roll-call votes	146	74	38
Votes by show of hands	99	84	83
<i>First Committee</i>			
Roll-call votes	36	32	15
Votes by show of hands	18	27	22
<i>Special Political Committee</i>			
Roll-call votes	24	19	18
Votes by show of hands	34	23	17
<i>Second Committee</i>			
Roll-call votes	12	22	25
Votes by show of hands	34	19	40
<i>Third Committee</i>			
Roll-call votes	18	13	5
Votes by show of hands	34	62	90
<i>Fourth Committee</i>			
Roll-call votes	54	11	8
Votes by show of hands	77	13	21
<i>Fifth Committee</i>			
Roll-call votes	8	8	13
Votes by show of hands	54	54	128
<i>Sixth Committee</i>			
Roll-call votes	0	1	0
Votes by show of hands	4	4	4

DOCUMENT A/5442

Seventh report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[18 July 1963]

1. Under cover of a letter dated 31 May 1963, the Secretary-General transmitted to the Chairman of the Advisory Committee on Administrative and Budgetary Questions a copy of the report of the *Ad Hoc* Committee on the Improvement of the Methods of Work of the General Assembly (A/5423). In that letter, the Secretary-General drew attention to paragraphs 57 and 58 of the report, which dealt with the question of the introduction of mechanical voting in the General Assembly, and to annexes VIII and IX relating to the same question. In view of the importance which he attached to the matter, the Secretary-General asked the Advisory Committee to examine this particular question so as to make it possible for the General Assembly to consider the problem in all its implications at its eighteenth session.

2. In its consideration of the question, the Advisory Committee first noted that there had been general agreement in the *Ad Hoc* Committee that an electric system for registering votes would have the advantage of speed and that its use would result in a considerable saving of time which would, in turn, reduce the expenses of the Organization and of Member States. The Advisory Committee inquired further into this aspect of the problem and was informed that, whereas roll-call votes require an average of eight and a half minutes and votes by show of hands at least five minutes, no more than one minute would be spent for either type of vote if an electric system were adopted.

3. As an illustration, it was pointed out that, at the seventeenth session, 141 votes were taken in the Fifth Committee. If all those votes had been taken by show

of hands and with maximum speed in, say, five minutes each, the total process would have taken at least eleven and three-quarters hours. In similar circumstances, an electric system would have saved some nine hours. In reality, however, the saving would have been greater because there were a number of roll-call votes.

4. Another factor is that, in recent years, the Secretariat has experienced serious difficulties in counting votes and it is the guaranteed accuracy of the count resulting from the elimination of those difficulties which, in the opinion of the *Ad Hoc* Committee, would be the second major advantage of having an electric system for registering votes. The Advisory Committee was given to understand that it has become increasingly difficult for secretaries of committees to count votes accurately in very crowded rooms where, in addition to the 111 Members, there are numerous advisers and assistants. In the case of close votes, especially when a two-thirds majority is required, it would appear that the Secretariat is not always in a position to be absolutely sure of the results. There have indeed been a number of instances where votes had to be interrupted and taken again. The fact that an electric system would obviate this difficulty is undoubtedly of the greatest importance. Moreover, the results would be indicated for a sufficient length of time on mural panels to prevent confusion.

5. As an additional safeguard, a recording device would reproduce the individual votes and the totals in as many copies as necessary, and would identify the proposal or amendment voted on by means of a symbol. In the case of roll-call votes, the record units would show how each Member voted (for, against, abstention), while in the case of what is now referred to as a vote by show of hands, only the totals would be recorded.

6. The *Ad Hoc* Committee indicated that the electric system of voting would not be applicable to secret ballots as required, for instance, in the case of the election of the President of the General Assembly, and of the members of the three Councils, the International Court of Justice, and the International Law Commission.

7. On the merits of the proposal, the Advisory Committee would be inclined to share the view of the *Ad Hoc* Committee that the electric system of voting would ensure greater accuracy and save time. On this latter point, however, the Advisory Committee recognizes that there are other elements which affect the duration of General Assembly sessions but the Advisory Committee has not been called upon to comment on this at the present time. In any case, the recommendation which the Advisory Committee would make in respect of the adoption of the electric system is subject to the decisions which the General Assembly will take as regards the order of priority to be attached to this particular item within the over-all budget.

8. In view of the financial position of the Organization, the Advisory Committee would have hesitated to recommend that the experiment proposed by the *Ad Hoc* Committee should be made at the present time. However, seeing that the installation of the electric system would require certain basic wiring and modifications to floors, walls and furniture, it was felt that it would be advantageous to undertake this preliminary work within the framework of the structural changes to be made in conference rooms and the plenary hall in 1964. If this work were to be done at a later date, the installation costs would be higher and the rooms affected

would be out of use for a further period of time.

9. Given all the circumstances, the Advisory Committee recommends that, should the General Assembly decide to approve the suggestions of the *Ad Hoc* Committee concerning the adoption of an electric system of voting in the United Nations, such a system should be introduced on an experimental basis for one year in one committee room. Further, because of the technical considerations explained in paragraph 8 above, the General Assembly may wish to consider whether, in addition to the complete equipment of one committee room, some essential work of a preparatory nature should be carried out at the same time in the plenary hall and one other committee room, so as to permit, if the experiment were successful, an eventual expansion of the system without undue expense.

10. The Advisory Committee considered the cost estimates contained in annex VIII to the *Ad Hoc* Committee's report. On the basis of the information given therein, it would favour rental of the necessary equipment. Apart from the lower cost, the rental contract would provide that the supplier maintain and modernize the equipment.

11. Should the General Assembly decide to adopt an electric system of voting on an experimental basis and to carry out preparatory work with a view to later expansion, as indicated in paragraphs 9 and 10 above, the costs for the first year would be as follows:

	Complete installation one room	Additional costs for initial preparation of two other rooms	Total
(United States dollars)			
(a) Installation costs:			
(i) Modification and addition of conduit	5,000	10,000	15,000
(ii) Purchase and installation of cables and wire.....	25,000	—	25,000
(iii) Design, construction and installation of indicator boards, and modification of furniture to house voting control units	7,000	14,000	21,000
(iv) Contingency allowance on above items, 10 per cent	3,700	2,400	6,100
	40,700	26,400	67,100
(b) Rental and maintenance.....	38,000	—	38,000
	TOTAL 78,700	26,400	105,100

12. In subsequent years, the charges for rental and maintenance of the equipment in the room with a complete installation would amount to \$16,000 per annum.

13. As will be seen from paragraph 11, the cost of such a project in 1964 would be \$105,100. The Advisory Committee notes from paragraph 37 of the foreword to the budget estimates for 1964⁴ that it is the Secretary-General's intention to include in the revised estimates for section 7, which he will submit to the Assembly at its eighteenth session, a provision to cover the cost of the project taking into account the foregoing recommendations of the Advisory Committee.

⁴ Official Records of the General Assembly, Eighteenth Session, Supplement No. 5 (A/5505).

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1256th plenary meeting, on 11 November 1963, the General Assembly adopted the draft resolution submitted by the *Ad Hoc* Committee on the Improvement of the Methods of Work of the General Assembly (A/5423, para. 67). For the final text, see resolution 1898 (XVIII) below.

At its 1278th plenary meeting on 12 December 1963, the General Assembly adopted the revised draft resolution submitted by fifteen countries (A/L.444/Rev.1). For the final text, see resolution 1957 (XVIII) below.

Resolutions adopted by the General Assembly1898 (XVIII). REPORT OF THE *Ad Hoc* COMMITTEE ON THE IMPROVEMENT OF THE METHODS OF WORK OF THE GENERAL ASSEMBLY

The General Assembly,

Recalling with appreciation the initiative taken by the President of the General Assembly at its sixteenth session in his memorandum of 26 April 1962 on the methods of work of the Assembly (A/5123),

Recalling its decision of 30 October 1962 establishing the *Ad Hoc* Committee on the Improvement of the Methods of Work of the General Assembly and its resolution 1845 (XVII) of 19 December 1962, by which it decided to continue the Committee,

Having considered the report submitted by the *Ad Hoc* Committee in pursuance of the above-mentioned resolution (A/5423),

Conscious of the need to adapt its methods of work to the changed circumstances in the General Assembly, in particular those resulting from the recent increase in the number of Member States,

Concerned however to avoid reducing in any way the possibilities for action available to the General Assembly under the Charter of the United Nations and the rules of procedure of the Assembly,

Convinced that it is in the interests of the Organization and of Member States that the work of the General Assembly should be carried out as efficiently and expeditiously as possible and that, save in quite exceptional cases, the duration of regular sessions should not exceed thirteen weeks,

Takes note of the observations contained in the report of the *Ad Hoc* Committee on the Improvement of the Methods of Work of the General Assembly and approves the recommendations submitted by the Committee, in particular those which provide that:

(a) The President of the General Assembly should make every effort to ensure that the general debate proceeds in a methodical and regular manner, and should close the list of speakers with the consent of the Assembly as soon as he considers it feasible;

(b) All the Main Committees, except the First Committee, should begin their work not later than two working days after they have received the list of agenda items referred to them by the General Assembly;

(c) The First Committee should meet as soon as possible to organize its work, determine the order of discussion of the items allocated to it and start the systematic consideration of its agenda; at the beginning of the session, such meetings might be held when there is an interruption in the general debate; later, plenary meetings might be held during one part of the day, the other part being allocated to the First Committee, thus enabling the Committee to proceed with

its regular work as soon as possible after the opening of the session;

(d) Each of the Main Committees should establish its programme of work as soon as possible, including the approximate dates on which it will consider the various items referred to it and the date on which it proposes to conclude its work, on the understanding that this programme will be transmitted to the General Committee to enable it to make such recommendations as it may deem relevant, including, when the General Committee considers it appropriate, recommendations as to the dates by which Main Committees should conclude their work;

(e) Each of the Main Committees should consider the establishment, in the circumstances referred to in paragraphs 29 to 32 of the report of the *Ad Hoc* Committee, of sub-committees or working groups of limited size but representative of its membership, for the purpose of facilitating its work;

(f) The General Committee should fulfil its functions under rules 40, 41 and 42 of the rules of procedure and, in particular, make appropriate recommendations for furthering the progress of the Assembly and its Committees, in such a way as to facilitate the closing of the session by the date fixed; to this end, the General Committee should meet at least once every three weeks;

(g) Presiding officers should make use of the resources provided by the rules of procedure and exercise their prerogatives under rules 35 and 108, in order to accelerate the work of the General Assembly; to that effect they should, *inter alia*:

- (i) Open meetings at the scheduled time;
- (ii) Urge representatives to take the floor in the order in which they were inscribed on the list of speakers, it being understood that representatives prevented from so doing will normally be placed at the end of the list, unless they have arranged to change places with other representatives;
- (iii) Apply the rules of procedure in such a way as to ensure the proper exercise of the right of reply, explanations of votes and points of order.

*1256th plenary meeting,
11 November 1963.*

1957 (XVIII). INSTALLATION OF MECHANICAL MEANS OF VOTING

The General Assembly,

Recalling its resolution 1898 (XVIII) of 11 November 1963 relating to the report of the *Ad Hoc* Committee on the Improvement of the Methods of Work of the General Assembly (A/5423),

Having considered the parts of the *Ad Hoc* Committee's report which concern the introduction of me-

chanical means of voting (*ibid.*, paras. 57 and 58, and annex VIII),

Having noted the reports of the Advisory Committee on Administrative and Budgetary Questions (A/5442; A/5604, paras. 12 and 13) and the report of the Fifth Committee (A/5645),

1. *Authorizes* the Secretary-General to arrange for the installation of electrical voting equipment in the General Assembly Hall on an experimental basis for

one year, and to carry out additional work of a preparatory nature in one or two committee rooms so as to permit an eventual expansion of the system without undue expense, if the experiment is successful;

2. *Requests* the Secretary-General to include in the provisional agenda of the nineteenth session an item entitled "Installation of mechanical means of voting".

1278th plenary meeting,
12 December 1963.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 25 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/388	Report of the Committee on Procedures and Organization	<i>Official Records of the General Assembly, Second Session, Plenary Meetings</i> , vol. II, annex 4
A/937	Report of the Special Committee on Methods and Procedures of the General Assembly	<i>Ibid.</i> , Fourth Session, Supplement No. 12
A/2174	Report of the Special Committee for the consideration of the methods and procedures of the General Assembly for dealing with legal and drafting questions	<i>Ibid.</i> , Seventh Session, Annexes, agenda item 53
A/5123	Letter dated 26 April 1962 from the President of the General Assembly to the Secretary-General, transmitting a memorandum on the work of the Assembly	<i>Ibid.</i> , Seventeenth Session, Annexes, agenda item 86
A/5165	Tunisia: request for the inclusion of a supplementary item in the agenda of the seventeenth session	<i>Ibid.</i>
A/5370	Report of the <i>Ad Hoc</i> Committee on the Improvement of the Methods of Work of the General Assembly	<i>Ibid.</i>
A/5505	Budget estimates for the financial year 1964 and information annexes	<i>Ibid.</i> , Eighteenth Session, Supplement No. 5
A/5604	Seventeenth report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid.</i> , Eighteenth Session, Annexes, agenda item 58
A/5645	Report of the Fifth Committee	<i>Ibid.</i>
A/C.5/991	Report of the Secretary-General	<i>Ibid.</i>
A/L.444	Afghanistan, Ceylon, Denmark, Ecuador, Ghana, Guatemala, India, Italy, Jamaica, Liberia, Netherlands, Pakistan and Venezuela: draft resolution	Replaced by A/L.444/Rev.1
A/L.444/Rev.1	Afghanistan, Belgium, Canada, Denmark, Ecuador, Ghana, Guatemala, India, Italy, Jamaica, Liberia, Netherlands, Nigeria, Pakistan and Venezuela: revised draft resolution	Adopted without change. See above "Action taken by the General Assembly", resolution 1957 (XVIII). The text of the resolution appears also in <i>Official Records of the General Assembly, Eighteenth Session, Supplement No. 15</i>



Agenda item 26: Question of general and complete disarmament: report of the Conference of the Eighteen-Nation Committee on Disarmament*

C O N T E N T S

<i>Document No.</i>	<i>Title</i>	<i>Page</i>
A/5408-DC/207	Letter dated 10 April 1963 from the Co-Chairmen of the Conference of the Eighteen-Nations Committee on Disarmament to the Secretary-General, transmitting the third interim progress report of the Conference	1
A/5488-DC/208	Fourth interim progress report of the Conference of the Eighteen-Nation Committee on Disarmament	3
A/5571 and Add.1	Report of the First Committee	5
Action taken by the General Assembly		7
Check list of documents		8

* For the discussion of this item, see *Official Records of the General Assembly, Eighteenth Session, First Committee*, 1311th, 1319th to 1332nd, 1335th, 1337th and 1338th meetings; and *ibid.*, *Plenary Meetings*, 1244th and 1265th meetings.

DOCUMENT A/5408-DC/207¹

Letter dated 10 April 1963 from the Co-Chairmen of the Conference of the Eighteen-Nation Committee on Disarmament to the Secretary-General, transmitting the third interim progress report of the Conference

*[Original text: English and Russian]
[12 April 1963]*

We have the honour to forward herewith, on behalf of the Conference of the Eighteen-Nation Committee on Disarmament, a progress report to the Disarmament Commission and to the General Assembly. This report, covering the Conference's deliberations for the period 26 November 1962 to 10 April 1963, is transmitted pursuant to General Assembly resolution 1767 (XVII).

*The Co-Chairmen of the Conference
of the Eighteen-Nation Committee
on Disarmament,*

*(Signed) S. K. TSARAPKIN
Union of Soviet Socialist Republics*

*Charles C. STELLE
United States of America*

THIRD INTERIM PROGRESS REPORT OF THE CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT

The Conference of the Eighteen-Nation Committee on Disarmament transmits herein to the Disarmament Commission and to the General Assembly at its eighteenth session, in response to General Assembly reso-

¹ Annexes 1 and 2 to this report are not reproduced here. References in parentheses in the text of the report to document symbols in the ENDC/- series are to Conference documents which, except where otherwise stated, are included in annex 1. For the annexes see *Official Records of the Disarmament Commission, Supplement for January to December 1963*, document DC/207.

lution 1767 (XVII), its third interim progress report, which covers its deliberations on all questions before it for the period 26 November 1962 to 10 April 1963.

I. Organization of the Conference

Participants in the Conference

Representatives of the following States continued their participation in the work of the Committee: Brazil, Bulgaria, Burma, Canada, Czechoslovakia, Ethiopia, India, Italy, Mexico, Nigeria, Poland, Romania, Sweden, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland and United States of America.

Procedural arrangements

1. Upon the recommendation of the Co-Chairmen, the Conference reconvened at Geneva on 26 November 1962.

2. At its 92nd meeting on 14 December 1962, the Conference decided to recess from 21 December 1962 to 15 January 1963. Subsequently, the members of the Committee adopted the recommendation of the Co-Chairmen that it should reconvene on 12 February 1963.

3. Thirteen plenary meetings were held between 26 November and 20 December 1962.

4. Twenty-five plenary meetings were held from 12 February to 10 April 1963.

II. Nuclear test ban

The Committee considered the problem of a nuclear weapon test ban at a number of plenary meetings while it was in session between 26 November 1962 and 20 December 1962. In addition, six meetings of the Sub-Committee on a Treaty for the Discontinuance of Nuclear Weapon Tests, and a number of meetings of the representatives of the Soviet Union and the United States, in their capacity as Co-Chairmen, were held during this phase of the negotiations.

On 7 December 1962 a report was submitted to the General Assembly on the progress of these negotiations.²

When the Committee reconvened on 12 February 1963, it had the benefit of the exchange of letters between the Chairman of the Council of Ministers of the Union of Soviet Socialist Republics and the President of the United States of America (ENDC/73 and ENDC/74).

Although there have been no meetings of the Sub-Committee on a Treaty for the Discontinuance of Nuclear Weapon Tests, since that time the Committee is continuing to devote a substantial proportion of its efforts to this problem. Accordingly, of the twenty-five plenary meetings held since reconvening on 12 February 1963, the Committee has devoted eighteen meetings, including one informal meeting, in whole or in part to the consideration of this question.

On 1 April 1963, at the 116th meeting, the United Kingdom and the United States submitted a "Memorandum of position concerning the cessation of nuclear weapon tests" (ENDC/78).

In addition to the plenary meetings, there were a number of meetings between the Co-Chairmen.

III. General and complete disarmament

The Committee has continued its consideration of general and complete disarmament and, in accordance with the agreed agenda (ENDC/1/Add. 3),³ stage I measures regarding nuclear weapon delivery vehicles and conventional armaments were discussed. These discussions gave primary consideration to a revised draft treaty on general and complete disarmament submitted by the USSR on 26 November 1962 (ENDC/2/Rev. 1 and Rev. 1/Corr.1),⁴ and to the outline of basic provisions of a treaty on general and complete disarmament in a peaceful world submitted by the

² See *Official Records of the General Assembly, Seventeenth Session, Annexes*, agenda item 77, documents A/5338 and Add.1-2.

³ See *Official Records of the Disarmament Commission, Supplement for January 1961 to December 1962*, document DC/205, annex 1, sect. B.

⁴ Also issued as document A/C.1/867; see *Official Records of the General Assembly, Seventeenth Session, Annexes*, agenda item 90.

United States on 18 April 1962 (ENDC/30 and Corr.1).⁵

On 10 December 1962, at the 90th meeting, the United States submitted a draft treaty article (article 5) for stage I, under "Reduction of armaments" (ENDC/69).

IV. Measures aimed at lessening international tension, consolidating confidence among States and facilitating general and complete disarmament

Although there have been no meetings of the Committee of the Whole, the Committee continued consideration in its plenary meetings of such measures as could be agreed on prior to and as would facilitate the achievement of general and complete disarmament.

On 12 December 1962, at the 91st meeting, the United States submitted a working paper on reduction of the risk of war through accident, miscalculation or failure of communication (ENDC/70). On 12 February 1963, at the 96th meeting, the USSR submitted a draft declaration on renunciation of the use of foreign territories for stationing strategic means of delivery of nuclear weapons (ENDC/75). On 20 February 1963, at the 100th meeting, the USSR submitted a draft non-aggression pact between the States parties to the Warsaw Treaty and the States parties to the North Atlantic Treaty (ENDC/77).

V. Meetings of the Co-Chairmen

During the period covered by this report, the representatives of the United States of America and of the Union of Soviet Socialist Republics, in their capacity as Co-Chairmen, have held numerous meetings. They discussed the schedule of and procedure for the work of the Conference, general and complete disarmament, the cessation of nuclear weapon tests, and measures aimed at lessening international tension, consolidating confidence among States and facilitating general and complete disarmament.

VI. Conference documents

Transmitted herewith as annex 2 to this report¹ is a list, for the period 26 November 1962 to 10 April 1963, of all Conference documents and of the verbatim records of the plenary meetings of the Committee and the meetings of the Sub-Committee on a Treaty for the Discontinuance of Nuclear Weapon Tests.

This report is submitted by the Co-Chairmen on behalf of the Conference of the Eighteen-Nation Committee on Disarmament.

10 April 1963

(Signed) S. K. TSARAPKIN
Union of Soviet Socialist Republics
 Charles C. STELLE
United States of America

⁵ See *Official Records of the Disarmament Commission, Supplement for January 1961 to December 1962*, document DC/203, annex 1, section F. For amendments submitted on 6 August 1962 (ENDC/30/Add.1) and 8 August 1962 (ENDC/30/Add.2), see *ibid.*, document DC/205, annex 1, sections E and F.

DOCUMENT A/5488-DC/208⁶

Fourth interim progress report of the Conference of the Eighteen-Nation Committee on Disarmament

[Original text: English and Russian]
[5 September 1963]

1. The Conference of the Eighteen-Nation Committee on Disarmament transmits herein to the Disarmament Commission and to the General Assembly at its eighteenth session its fourth interim progress report, which covers its deliberations on all questions before it for the period 17 April to 1 September 1963.

2. Representatives of the following States continued their participation in the work of the Committee: Brazil, Bulgaria, Burma, Canada, Czechoslovakia, Ethiopia, India, Italy, Mexico, Nigeria, Poland, Romania, Sweden, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland and United States of America.

I. Nuclear test ban

3. The Committee considered the problem of a nuclear weapon test ban at a number of plenary meetings while it was in session between 17 April and 21 June 1963.

4. On 10 June 1963, at the 142nd meeting, a memorandum on the question of the cessation of nuclear weapon tests was submitted by the delegations of Ethiopia, Nigeria and the United Arab Republic (ENDC/94).

5. A working paper containing a synopsis of suggestions made between 12 February and 10 June 1963 by the non-aligned members of the Committee concerning a treaty on the discontinuance of nuclear weapon tests was prepared by the secretariat and circulated on 19 June 1963 at the request of the delegation of Sweden (ENDC/96).

6. On 10 June 1963, it was announced that it had been agreed between Mr. Khrushchev, Chairman of the Council of Ministers of the USSR, Mr. Kennedy, President of the United States of America, and Mr. Macmillan, Prime Minister of the United Kingdom of Great Britain and Northern Ireland, that the discussions on the cessation of nuclear weapon tests should resume in the middle of July in Moscow with the participation of the representatives of the three countries.

7. On 12 June 1963, at the 143rd meeting, the United States submitted excerpts from an address on peace delivered by the President of the United States in Washington on 10 June 1963, which included the announcement of the July discussions in Moscow (ENDC/95).

8. The Soviet Union submitted excerpts from an address by the Chairman of the Council of Ministers of the USSR, delivered in Berlin on 2 July 1963, in which he expressed the readiness of the Soviet Government to conclude an agreement banning nuclear weapon tests in the atmosphere, in outer space and under water (ENDC/112).

⁶ Annexes 1 and 2 to this report are not reproduced here. References in parentheses in the text of the report to document symbols in the ENDC/- series are to Conference documents which, except where otherwise stated, are included in annex 1. For the annexes, see *Official Records of the Disarmament Commission, Supplement for January to December 1963*, document DC/208.

9. As a result of the discussions held in Moscow between the representatives of the USSR, the United States and the United Kingdom, agreement was reached on the text of a treaty banning nuclear weapon tests in the atmosphere, in outer space and under water (ENDC/100/Rev.1), which was initialled on 25 July by Mr. Gromyko, Minister for Foreign Affairs of the Union of Soviet Socialist Republics, Mr. Harriman, Under Secretary of State for Political Affairs of the United States, and Lord Hailsham, Lord President of the Council and Minister for Science and Technology of the United Kingdom.

10. On 30 July 1963, the United States submitted the text of an address delivered to the nation by the President of the United States on 26 July 1963 (ENDC/102), reporting on the Treaty.

11. On 30 July and 1 August 1963, at the 148th and 149th meetings, all the participants in the Conference expressed satisfaction with the results of the Moscow conference on a nuclear test ban, and with the aims proclaimed by the negotiating parties in the preamble to the Treaty.

12. The Treaty banning nuclear weapon tests in the atmosphere, in outer space and under water⁷ was signed at Moscow on 5 August 1963 by Mr. Gromyko, Minister for Foreign Affairs of the Union of Soviet Socialist Republics, Mr. Rusk, Secretary of State of the United States of America, and Lord Home, Secretary of State for Foreign Affairs of the United Kingdom.

13. At the 150th meeting, on 12 August 1963, the representatives of the Soviet Union, the United Kingdom and the United States paid tribute to the contribution made by the Conference to the successful conclusion of the Treaty, and a statement to this effect was included in the communiqué issued by the Conference at the conclusion of that meeting.

14. Members of the Committee noted with satisfaction the large number of States that had adhered to the Treaty or expressed their intention to do so.

II. General and complete disarmament

15. The Committee has continued consideration of general and complete disarmament and, in accordance with the agreed agenda (ENDC/1/Add.3),⁸ discussed measures of the first stage of a treaty on general and complete disarmament regarding: nuclear weapon delivery vehicles, conventional armaments, nuclear disarmament, and military bases and armed forces at such bases or elsewhere in foreign territories, together with appropriate control measures. These discussions continued to give primary consideration to a revised draft treaty on general and complete disarmament submitted by the Soviet Union on 26 November 1962 (ENDC/2/Rev.1 and Rev.1/Corr.1)⁹ and to the outline of basic provisions of a treaty on general and complete disarmament.

⁷ United Nations, *Treaty Series*, vol. 480 (1963), No. 6964.

⁸ See footnote 3.

⁹ See footnote 4.

ment in a peaceful world submitted by the United States on 18 April 1962 (ENDC/30 and Corr.1).¹⁰

16. On 18 June 1963, the resolution on general disarmament adopted by the Summit Conference of Independent African States, held at Addis Ababa from 22 to 25 May 1963, was submitted by the delegations of Ethiopia, Nigeria and the United Arab Republic (ENDC/93/Rev.1).

17. On 14 August 1963, at the 151st meeting, the United States submitted an amendment, relating to nuclear disarmament in stage I, to its outline of basic provisions of a treaty on general and complete disarmament in a peaceful world (ENDC/30/Add.3). At the same meeting the United States also submitted draft treaty articles (articles 6 to 12) relating to nuclear disarmament measures in stage I (ENDC/109).

18. On 14 August 1963, Canada submitted a document entitled "A comparison of United States and USSR disarmament proposals" (ENDC/36/Rev.1).

III. *Measures aimed at lessening international tension, consolidating confidence among States and facilitating general and complete disarmament*

19. The Committee continued consideration in its plenary meetings of such measures as could be agreed on prior to and as would facilitate the achievement of general and complete disarmament.

20. By agreement between the Governments of the United States and the Soviet Union, representatives of the two countries held a number of meetings, beginning on 6 May 1963, on the question of the establishment of a direct communications link between their Governments for use in time of emergency.

21. As a result of these negotiations, on 20 June 1963 representatives of the Union of Soviet Socialist Republics and the United States of America signed a memorandum of understanding regarding the establishment of a direct communications link between the two Governments for use in time of emergency (ENDC/97).

22. On 6 May 1963, at the 128th meeting, Brazil and Mexico submitted a declaration on the denuclearization of Latin America issued on 29 April 1963 by the Presidents of Bolivia, Brazil, Chile, Ecuador and Mexico (ENDC/87).¹¹

23. On 27 May 1963, at the 137th meeting, the Soviet Union submitted the text of a note which it had presented to the Government of the United States of America on the denuclearization of the Mediterranean (ENDC/91 and Corr.1).

24. On 21 June 1963, at the 147th meeting, Mexico submitted a working paper for the Committee's consideration containing a draft treaty prohibiting the placing in orbit and the stationing in outer space of nuclear weapons (ENDC/98).

25. The Soviet Union submitted excerpts from a statement made by Mr. Khrushchev, Chairman of the

Council of Ministers of the USSR, on 19 July 1963 in Moscow (ENDC/113), and answers given by Mr. Khrushchev, on 27 July 1963, to questions put to him by correspondents of *Pravda* and *Izvestia*, containing the proposals of the Soviet Union regarding measures for the lessening of international tension and facilitating general and complete disarmament (ENDC/103).

26. On 16 August 1963, at the 152nd meeting, Canada submitted a comparison of some significant developments in United States and USSR proposals made between 1958 and 1963 concerning the reduction of the risk of war through accident, miscalculation, failure of communications or surprise attack (ENDC/110).

IV. *Meetings of the Co-Chairmen*

27. During the period covered by this report, the representatives of the United States of America and of the Union of Soviet Socialist Republics, in their capacity as Co-Chairmen, have held numerous meetings. They discussed the schedule of and procedure for the work of the Conference, general and complete disarmament, the cessation of nuclear weapon tests and measures aimed at lessening international tension, consolidating confidence among States, and facilitating general and complete disarmament.

V. *Procedural arrangements*

28. Thirty-six plenary meetings were held between 17 April and 1 September 1963.

29. At its 145th meeting, on 17 June 1963, the Conference decided to recess from 21 June to 30 July 1963.

30. At its 149th meeting, upon the recommendation of the Co-Chairmen, the Conference decided to recess from 2 August to 12 August 1963, in connexion with the signing of the Treaty banning nuclear weapon tests in the atmosphere, in outer space and under water.

31. At its 156th meeting, on 29 August 1963, the Conference agreed to a recess beginning 1 September 1963. The two Co-Chairmen were empowered to set, after consultation with the members of the Committee, a date for reconvening at Geneva no later than one week following the termination of the consideration of the items on the agenda of the eighteenth session of the General Assembly relating to nuclear testing and general and complete disarmament.

VI. *Conference documents*

32. Transmitted herewith as annex 2 to this report⁶ is a list for the period 17 April to 1 September 1963, of all Conference documents and of the verbatim records of the plenary meetings of the Committee.

33. This report is submitted by the Co-Chairmen on behalf of the Conference of the Eighteen-Nation Committee on Disarmament.

29 August 1963

(Signed) S. K. TSARAPKIN
Union of Soviet Socialist Republics

Charles C. STELLE
United States of America

¹⁰ See footnote 5.

¹¹ For the text of the declaration, see *Official Records of the General Assembly, Eighteenth Session, Annexes*, agenda item 74, document A/5415/Rev.1.

DOCUMENTS A/5571 AND ADD.1

Report of the First Committee

DOCUMENT A/5571

Report of the First Committee (part I)

[Original text: English and Spanish]
[16 October 1963]

1. Pursuant to resolution 1767 (XVII) of 21 November 1962, the item "Question of general and complete disarmament: report of the Conference of the Eighteen-Nation Committee on Disarmament" was included in the provisional agenda of the eighteenth session of the General Assembly.

2. In its report of 19 September 1963 (A/5530), the General Committee recommended the inclusion of the item in the agenda and its allocation to the First Committee. At its 1210th plenary meeting, on 20 September, the General Assembly approved the recommendation of the General Committee and referred the item to the First Committee for consideration and report.

3. At its 1309th meeting, on 15 October, the First Committee decided to consider the question of general and complete disarmament as the second item on its agenda.

4. At the 1310th meeting, on 15 October, the representative of Mexico, speaking on a point of order, proposed that the Committee should give urgent consideration to a draft resolution submitted by Brazil, Bulgaria, Burma, Canada, Czechoslovakia, Ethiopia, India, Italy, Mexico, Nigeria, Poland, Romania, Sweden, the Union of Soviet Socialist Republics, the United Arab Republic, the United Kingdom of Great Britain and Northern Ireland and the United States of America (A/C.1/L.324), by which the General Assembly would: (1) welcome the expressions by the Union of Soviet Socialist Republics and the United States of America of their intention not to station in outer space any objects carrying nuclear weapons or any other kinds of weapons of mass destruction; (2) solemnly call upon all States: (a) to refrain from placing in orbit around the earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, installing such weapons on celestial bodies, or stationing such weapons in outer space in any other manner; (b) to refrain from causing, encouraging or in any way participating in the conduct of the foregoing activities.

5. At the same meeting, the First Committee decided to consider the seventeen-Power draft resolution as a matter of urgency at its meeting on 16 October.

6. At the 1311th meeting, on 16 October, the Committee adopted the seventeen-Power draft resolution (A/C.1/L.324) by acclamation.

Recommendation of the First Committee

7. The First Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

DOCUMENT A/5571/ADD.1

Report of the First Committee (part II)

[Original text: English and Spanish]
[20 November 1963]

1. At its 1310th meeting, on 15 October 1963, the First Committee decided to adjourn its debate on agenda item 73 (Urgent need for suspension of nuclear and thermo-nuclear tests) to consider as a matter of urgency one aspect of agenda item 26. Following the adoption at its 1311th meeting, on 16 October, of draft resolution A/C.1/L.324 (see A/5571, para. 7), the Committee continued the debate on item 73.

2. At its 1319th meeting, on 28 October, the First Committee resumed consideration of item 26, which was discussed at the 1319th to 1332nd, 1335th, 1337th and 1338th meetings.

3. On 5 November, Israel submitted a document (A/C.1/891 and Corr.1) containing a declaration on the question of disarmament signed on 18 February 1963 by a large number of members of the international scientific community attending the United Nations Conference on the Application of Science and Technology for the Benefit of Less Developed Areas, which had been presented to the Co-Chairmen of the Conference of the Eighteen-Nation Committee on Disarmament at Geneva.

4. At the 1329th meeting, on 6 November, the representative of Nigeria introduced a draft resolution (A/C.1/L.328) submitted by Afghanistan, Algeria, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Burma, Ceylon, Chile, Colombia, Ecuador, Ethiopia, Ghana, India, Indonesia, Iran, Ireland, Jamaica, Japan, Kuwait, Lebanon, Liberia, Malaysia, Mali, Mauritania, Mexico, Nepal, the Netherlands, New Zealand, Nigeria, Peru, Sudan, Sweden, Thailand, Turkey, Uganda, the United Arab Republic, Venezuela, Yemen and Yugoslavia. Subsequently the Philippines, Syria, Tanganyika and Trinidad and Tobago (A/C.1/L.328/Add.1) and Morocco (A/C.1/L.328/Add.2) were added to the list of sponsors.

5. The draft resolution read as follows:

"The General Assembly,

"Conscious of its responsibility under the Charter of the United Nations for disarmament and the consolidation of peace,

"Convinced that the goal of general and complete disarmament under effective international control is the surest safeguard for world peace and national security,

"Recognizing that mankind demands with increasing urgency that decisive measures be taken towards the realization of that goal,

"Recalling its resolution 1378 (XIV) of 20 November 1959,

"Reaffirming its resolutions 1722 (XVI) of 20 December 1961 and 1767 (XVII) of 21 November 1962,

"Having considered the report of the Conference of the Eighteen-Nation Committee on Disarmament of 29 August 1963 (A/5488-DC/208),

"Noting that the parties concerned have brought about certain changes and modifications in relation to their respective disarmament plans, and that a certain accommodation has occurred on important issues pertaining to disarmament, all of which have the effect of narrowing the differences and of improving the prospects of constructive negotiation,

"Expressing its satisfaction that agreement has been reached on a partial test ban treaty and on the establishment of a direct communications link between Moscow and Washington, and its satisfaction over the expressions of intention recorded in its resolution 1884 (XVIII) of 17 October 1963 not to station in outer space or place in orbit any objects carrying nuclear weapons or other kinds of weapons of mass destruction,

"Noting that all signatories to the partial test ban treaty have proclaimed in its preamble, as 'their principal aim, the speediest possible achievement of an agreement on general and complete disarmament under strict international control', and that they have emphasized the advisability that the partial test ban should be followed by other initial steps,

"Noting further that the Eighteen-Nation Committee, in fulfilment of paragraph 3 of General Assembly resolution 1767 (XVII), has under consideration various proposals for other collateral measures,

"I

"1. Calls upon the Conference of the Eighteen-Nation Committee on Disarmament to resume, with energy and determination, its negotiations on general and complete disarmament under effective international control, in accordance with the joint statement of agreed principles for disarmament negotiations and in a spirit of goodwill and mutual accommodation;

"2. Recommends the Eighteen-Nation Committee to continue to encourage the widening of the areas of basic agreement or similarity in the principal parties' approaches to the fundamental issues of general and complete disarmament;

"II

"1. Calls upon the Committee, meanwhile, to pursue its objective of giving urgent and sustained attention to the study of the various collateral measures which, for technical or other reasons, seem promising of early agreement, thereby contributing to alleviating international tension and setting in motion the process of disarmament;

"2. Urges the continuation of efforts to seek agreement on measures aiming at reducing the risk of war by accident or by surprise attack, as well as on measures intended to prevent the proliferation of nuclear weapons;

"3. Requests the Committee to submit to the General Assembly an interim report on the progress of its work at an early appropriate date, and a comprehensive report not later than 1 September 1964;

"4. Commends the Secretariat of the United Nations for its services to the Committee and requests the Secretary-General to continue to make available to the Committee the necessary assistance and services."

6. At the 1338th meeting, on 15 November, Nigeria introduced a revised draft resolution (A/C.1/L.328/Rev.1) on behalf of the sponsors, who had been joined by Cyprus, Madagascar and Sierra Leone.

7. The representative of Afghanistan announced that his delegation had not been consulted about the revision of the draft resolution and had therefore withdrawn its sponsorship.

8. The preamble of the revised draft resolution (A/C.1/L.328/Rev.1) was the same as that of the original draft resolution, except for the deletion of the seventh paragraph. The operative part of the revised draft resolution read as follows:¹²

"The General Assembly,

". . .

"I

"1. Calls upon the Conference of the Eighteen-Nation Committee on Disarmament to resume, with energy and determination, its negotiations on general and complete disarmament under effective international control, in accordance with the joint statement of agreed principles for disarmament negotiations and in a spirit of goodwill and mutual accommodation;

"2. Recommends the Eighteen-Nation Committee to continue to encourage the widening of the areas of basic agreement or similarity in the principal parties' approaches to the fundamental issues of general and complete disarmament;

"II

"Urges the Eighteen-Nation Committee to make efforts to seek agreement on measures which could serve to reduce international tension, lessen the possibility of war and facilitate agreement on general and complete disarmament;

"III

"1. Requests the Eighteen-Nation Committee to submit to the General Assembly an interim report on the progress of its work at an early appropriate date and a comprehensive report not later than 1 September 1964;

"2. Commends the Secretariat of the United Nations for its services to the Eighteen-Nation Committee and requests the Secretary-General to continue to make available to the Committee the necessary assistance and services."

9. At the same meeting, the representative of Albania orally proposed (1) the deletion from the new seventh preambular paragraph of the words "that agreement had been reached on a partial test ban treaty and on the establishment of a direct communications link between Moscow and Washington, and"; and (2) the

¹² A suggestion made by the Chairman concerning the numbering of the operative paragraphs of the revised draft resolution (see 1338th meeting, para. 5) was accepted by the sponsors and incorporated in the final text of document A/C.1/L.328/Rev.1, which is reproduced here.

deletion of the following preambular paragraph of the revised draft resolution.

10. In response to an appeal from Algeria, Albania agreed to withdraw its amendments and announced that it would not participate in the vote.

11. At its 1338th meeting, on 15 November 1963, the First Committee adopted the revised draft resolution (A/C.1/L.328/Rev.1) by acclamation.

Recommendation of the First Committee

12. The First Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1244th plenary meeting, on 17 October 1963, the General Assembly adopted the draft resolution submitted by the First Committee in part I of its report (A/5571, para. 7). For the final text, see resolution 1884 (XVIII) below.

At its 1265th plenary meeting, on 27 November 1963, the General Assembly adopted the draft resolution submitted by the First Committee in part II of its report (A/5571/Add.1, para. 12). For the final text, see resolution 1908 (XVIII) below.

Resolutions adopted by the General Assembly

1884 (XVIII). QUESTION OF GENERAL AND COMPLETE DISARMAMENT

The General Assembly,

Recalling its resolution 1721 A (XVI) of 20 December 1961, in which it expressed the belief that the exploration and use of outer space should be only for the betterment of mankind,

Determined to take steps to prevent the spread of the arms race to outer space,

1. *Welcomes* the expressions by the Union of Soviet Socialist Republics and the United States of America of their intention not to station in outer space any objects carrying nuclear weapons or other kinds of weapons of mass destruction;

2. *Solemnly calls upon* all States:

(a) To refrain from placing in orbit around the earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, installing such weapons on celestial bodies, or stationing such weapons in outer space in any other manner;

(b) To refrain from causing, encouraging or in any way participating in the conduct of the foregoing activities.

*1244th plenary meeting,
17 October 1963.*

1908 (XVIII). QUESTION OF GENERAL AND COMPLETE DISARMAMENT

The General Assembly,

Conscious of its responsibility under the Charter of the United Nations for disarmament and the consolidation of peace,

Convinced that the goal of general and complete disarmament under effective international control is the surest safeguard for world peace and national security,

Recognizing that mankind demands with increasing urgency that decisive measures be taken towards the realization of that goal,

Recalling its resolution 1378 (XIV) of 20 November 1959,

Reaffirming its resolutions 1722 (XVI) of 20 December 1961 and 1767 (XVII) of 21 November 1962,

Having considered the report of the Conference of the Eighteen-Nation Committee on Disarmament of 29 August 1963 (A/5488-DC/208),

Expressing its satisfaction that agreement has been reached on a partial test ban treaty and on the establishment of a direct communications link between Moscow and Washington, and its satisfaction over the expressions of intention recorded in its resolution 1884 (XVIII) of 17 October 1963 not to station in outer space or place in orbit any objects carrying nuclear weapons or other kinds of weapons of mass destruction,

Noting that all signatories to the partial test ban treaty have proclaimed in its preamble, as their principal aim, the speediest possible achievement of an agreement on general and complete disarmament under strict international control, and that they have emphasized the advisability that the partial test ban should be followed by other initial steps,

Noting further that the Eighteen-Nation Committee, in fulfilment of paragraph 3 of General Assembly resolution 1767 (XVII), has under consideration various proposals for other collateral measures,

I

1. *Calls upon* the Conference of the Eighteen-Nation Committee on Disarmament to resume, with energy and determination, its negotiations on general and complete disarmament under effective international control, in accordance with the joint statement of agreed principles for disarmament negotiations¹⁸ and in a spirit of goodwill and mutual accommodation;

2. *Recommends* the Eighteen-Nation Committee to continue to encourage the widening of the areas of basic agreement or similarity in the principal parties' approaches to the fundamental issues of general and complete disarmament;

II

Urges the Eighteen-Nation Committee to make efforts to seek agreement on measures which could serve to reduce international tension, lessen the possibility of war and facilitate agreement on general and complete disarmament;

¹⁸ *Official Records of the General Assembly, Sixteenth Session, Annexes, agenda item 19, document A/4879.*

III

1. *Requests* the Eighteen-Nation Committee to submit to the General Assembly an interim report on the progress of its work at an early appropriate date, and a comprehensive report not later than 1 September 1964;

2. *Commends* the Secretariat of the United Nations for its services to the Eighteen-Nation Committee and requests the Secretary-General to continue to make available to the Committee the necessary assistance and services.

*1265th plenary meeting,
27 November 1963.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 26 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/5415/Rev.1	Letter dated 14 November 1963 from the representatives of Bolivia, Brazil, Chile, Ecuador and Mexico, addressed to the Secretary-General	<i>Official Records of the General Assembly, Eighteenth Session, Annexes, agenda item 74</i>
A/C.1/891 and Corr.1	Letter dated 5 November 1963 from the representative of Israel to the Chairman of the First Committee	Mimeographed
A/C.1/L.324	Brazil, Bulgaria, Burma, Canada, Czechoslovakia, Ethiopia, India, Italy, Mexico, Nigeria, Poland, Romania, Sweden, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution	Adopted without change. See A/5571, para. 7
A/C.1/L.328 and Add.1-2	Afghanistan, Algeria, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Burma, Ceylon, Chile, Colombia, Ecuador, Ethiopia, Ghana, India, Indonesia, Iran, Ireland, Jamaica, Japan, Kuwait, Lebanon, Liberia, Malaysia, Mali, Mauritania, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Peru, Philippines, Sudan, Sweden, Syria, Tanganyika, Thailand, Trinidad and Tobago, Turkey, Uganda, United Arab Republic, Venezuela, Yemen and Yugoslavia: draft resolution	See A/5571/Add.1, para. 5
A/C.1/L.328/Rev.1	Algeria, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Burma, Ceylon, Chile, Colombia, Cyprus, Ecuador, Ethiopia, Ghana, India, Indonesia, Iran, Ireland, Jamaica, Japan, Kuwait, Lebanon, Liberia, Madagascar, Malaysia, Mali, Mauritania, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Peru, Philippines, Sierra Leone, Sudan, Sweden, Syria, Tanganyika, Thailand, Trinidad and Tobago, Turkey, Uganda, United Arab Republic, Venezuela, Yemen and Yugoslavia: revised draft resolution	Adopted without change. See A/5571/Add.1, para. 12



Agenda item 27: Question of convening a conference for the purpose of signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons: report of the Secretary-General*

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* For the discussion of this item, see *Official Records of the General Assembly, Eighteenth Session, First Committee*, 1334th to 1337th and 1339th to 1341st meetings; and *ibid.*, *Plenary Meetings*, 1265th meeting.

DOCUMENT A/5518
Report of the Secretary-General

[Original text: English]
 [17 September 1963]

The General Assembly, having considered at its seventeenth session the report of the Secretary-General concerning his consultation with the Governments of Member States on the question of convening a conference for the purpose of signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons,¹ adopted resolution 1801 (XVII) of 14 December 1962, in which it requested the Secretary-General to consult further the Governments of Member States to ascertain their views, and to report on the results of such consultation to the General Assembly at the eighteenth session.

Accordingly, in a circular note dated 8 February 1963, the Secretary-General requested those Member Governments concerned to state their views.

As at 17 September 1963, twelve replies were received. They have been reproduced in annex II to this report.

ANNEX I

Resolution 1801 (XVII) adopted by the General Assembly at its 1192nd plenary meeting, on 14 December 1962

The General Assembly,

Having considered the report of the Secretary-General on the question of convening a conference for the purpose of signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons,

Having regard to the usefulness of further consultation with Governments of Member States on this question,

Requests the Secretary-General to consult further the Governments of Member States to ascertain their views on the possi-

¹ *Official Records of the General Assembly, Seventeenth Session, Annexes*, agenda item 26, documents A/5174 and Add.1-2. Annexed to that report were the sixty-two replies received during 1962.

bility of convening a special conference for signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons for war purposes, and to report on the results of such consultation to the General Assembly at its eighteenth session.

ANNEX II

Replies by Governments of Member States

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AUSTRIA

[Original text: English]
 [7 June 1963]

The Acting Permanent Representative of Austria to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to acknowledge receipt of the latter's note, PO 134/51 of 8 February 1963, concerning the inquiry as to the views of the Austrian Government on the possibility of convening a special conference for signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons for war purposes.

The Austrian Government shares the conviction of all Member States of the United Nations that all possible steps should be taken in order to arrive at practicable solutions to the problem of general and complete disarmament and in this way to exclude the dangers of nuclear warfare. It was with these considerations in mind that Austria repeatedly co-sponsored resolutions urging the States concerned to reach agreement, as soon as possible, on the cessation of tests of nuclear weapons, and to refrain from further test explosions, pending the conclusion of such agreements.

Any initiative in the field of disarmament is consequently warmly welcomed by the Austrian Government. The project of convening a conference for signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons for war purposes should therefore be given most earnest and careful consideration. Austria feels, however, that the preparations for a conference of this scope and importance must be carried out with particular care and thoroughness. They must furthermore warrant the hope that the conference will bring about positive results. Failure to do so would—in view of the world-wide publicity which this undertaking would undoubtedly receive—almost certainly cause concern and disquiet amongst the peoples of the world and might, in the end, lead to even more intensified nuclear armament.

In order to ensure the success of this undertaking it would seem indispensable to have agreement amongst the major Powers, particularly the nuclear powers, on the basic issues to be discussed and eventually resolved at the conference. If it should prove impossible to reach an agreement of this kind between the major countries concerned prior to the conference, it would seem the more urgent that disarmament discussions be continued and speeded up in order to arrive as soon as possible at the goal of general and complete disarmament.

In view of the prevailing international situation, the Austrian Government would not consider it appropriate at the present time to convene a special conference with the purpose of considering the signing of a convention on the prohibition of the use of nuclear weapons.

BURMA

[Original text: English]
[9 August 1963]

I have the honour to refer to your note No. PO 134/51 of 8 February 1963 addressed to the Minister for Foreign Affairs of the Union of Burma, in implementation of General Assembly resolution 1801 (XVII) which requests the Secretary-General to consult further the Governments of Member States to ascertain their views on the possibility of convening a special conference for signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons for war purposes, and to report on the results of such consultation to the General Assembly at its eighteenth session.

I am instructed by my Government to reaffirm its support for any action which has for its objective the prohibition of the use of weapons of mass destruction, such as those utilizing nuclear and thermo-nuclear energy. Consequently, this question is receiving the close attention of my Government which feels, however, that a final decision should be deferred pending the results of the work of the Conference of the Eighteen-Nation Committee on Disarmament.

(Signed) James BARRINGTON
Permanent Representative of Burma
to the United Nations

CAMEROON

[Original text: French]
[12 March 1963]

In reply to your letter PO 134/51, I have the honour to inform you that the Federal Republic of Cameroon has consistently stated, both in its own territory and from the rostrum of the United Nations, that it is irrevocably opposed to all

nuclear tests, no matter who carries them out or where they take place.

Consequently, the Government of the Federal Republic of Cameroon favours the convening of a special conference for signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons for war purposes.

(Signed) Nzo EKHAH-NGHAKY
Deputy Foreign Minister

DAHOMY

[Original text: French]
[1 July 1963]

The Ministry of Foreign Affairs presents its compliments to the United Nations Secretariat and, with reference to the Secretariat's note No. PO 134/51 of 8 February 1963, has the honour to inform it of the views of the Government of Dahomey regarding the possibility of convening a special conference for the purpose of signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons for war purposes.

The Government of the Republic of Dahomey is very favourably disposed to the principle of the holding of such a conference, which could not fail to serve the cause of peace by helping to restrict, if not to eliminate altogether, the danger of a nuclear or thermo-nuclear war with its frightful consequences for mankind.

However, the Government of Dahomey considers that no decision should be taken in this matter pending the outcome of the current "eighteen-Power" talks at Geneva, the aims of which are much the same as those that the projected special conference would seek to achieve.

DOMINICAN REPUBLIC

[Original text: Spanish]
[27 May 1963]

I have the honour to refer to your communication of 8 February 1963, referring to the operative paragraph of resolution 1801 (XVII), adopted by the General Assembly at its 1192nd meeting held on 14 December 1962, in pursuance of which you request the views of the Government of the Dominican Republic on the possibility of convening a special conference for signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons for war purposes.

I am instructed to inform you that my Government is in favour of convening such a conference in the hope that it will culminate in an effective instrument for the prohibition of the use of these weapons of mass destruction which constitute the most serious threat which mankind has ever faced in the course of its history.

In view of the manifest goodwill of the States which are in favour of convening the conference, and the interest shown by the majority which voted for resolution 1801 (XVII) adopted by the General Assembly on 14 December 1962, my Government believes that the basic aims of the proposed conference can be achieved if a practical approach is taken in seeking to give effect to the spirit and principles underlying the basic idea of the proposed meeting.

In supporting the proposal for the convening of a special conference to sign a convention on the prohibition of the use of nuclear and thermo-nuclear weapons, my Government shares the serious concern of the peoples of the world over the existence of such weapons whose use, in the event of war, by the great Powers possessing them would not only affect the actual belligerents but would extend its destructive effects to all other nations, thus endangering the very survival of mankind on earth.

My Government supports the convening of the conference on the understanding that its activities and results should in no way prejudice the negotiations for an agreement on balanced disarmament which is now being considered by the Conference of the Eighteen-Nation Committee on Disarmament.

The Government of the Dominican Republic expresses the hope that the proposed conference will result in a convention that will afford mankind the peace and security it needs in order to fulfil its destiny and rid itself of the uncertainty, fear and anxiety which is oppressing it.

(Signed) Andrés A. FREITES
Minister for External Relations

ETHIOPIA

[Original text: English]
[20 March 1963]

On the instruction of my Government, I have the honour to transmit its views on resolution 1801 (XVII)—Question of convening a conference for the purpose of signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons—as follows:

1. A cursory examination of the report of the Secretary-General^a reveals that of those Governments who submitted their views pursuant to paragraph 2 of resolution 1653 (XVI), the majority are clearly in favour of convening a conference for the purpose of signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons. We believe, therefore, that the response thus far is positively in favour of the conference.

2. No less encouraging is the fact that those Governments which did not favour the convening of a conference did not deny the usefulness of the contemplated steps; they simply expressed concern lest the envisaged conference detract from the work of the Conference of the Eighteen Nation Committee on Disarmament at Geneva. Some doubted the effectiveness of the type of convention advocated since, in their view, the convention would be only morally binding. In this connexion, it is necessary to observe that, short of war, the binding force of all international agreements does, in fact, rest partly on moral compulsion and partly on vicarious interests. And since the Charter of the United Nations itself is basically and rightly founded on moral compulsion, and since the substance of the contemplated convention will be subject to the same rules for effectiveness, it is hard to detect wherein the weakness of the latter lies.

3. The convention envisaged in resolution 1653 (XVI) was never meant to replace negotiations on general and complete disarmament; nor will it in any way detract from the efforts of the Eighteen-Nation Committee meeting in Geneva. On the contrary, it would substantially contribute to the reaching of an early agreement on the difficult problem of general and complete disarmament. For this paramount reason the Ethiopian Government, like many others, fully supports the idea of convening a conference for the purpose of signing a convention envisaged in resolution 1653 (XVI).

(Signed) Tesfaye GEBRE-EGZY
Permanent Representative of Ethiopia
to the United Nations

HONDURAS

[Original text: Spanish]
[28 June 1963]

I have the honour to acknowledge receipt of your note No. PO 134/51, of 8 February 1963, addressed to the Secretary of State for Foreign Affairs of Honduras, in connexion with General Assembly resolution 1801 (XVII) of 14 December 1962, in which the Secretary-General is requested to consult further the Governments of Member States to ascertain their views on the possibility of convening a special conference for signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons for war purposes, and to report on the results of such consultation to the General Assembly at its eighteenth session.

In this connexion, I take pleasure in reproducing for your information the relevant portion of a note sent by the Minister for Foreign Affairs of Honduras, which reads as follows:

“With regard to this matter, my Government attaches the greatest importance to the conclusion of a convention pro-

hibiting the use of nuclear and thermo-nuclear materials for purposes of mass destruction. It is fully aware of the consequences of the use of such weapons in warfare, and in that respect is in complete agreement with the idea of convening a special conference for the purpose of signing a convention which will definitely prohibit the use of such weapons.

“The constant threat to mankind resulting from the possible future use of nuclear and thermo-nuclear weapons for war purposes has convinced my Government of the need to take a decision such as the proposal referred to, that might help to solve this grave international problem.”

(Signed) Guillermo CÁCERES-PINEDA
Chargé d'affaires a.i.

IRAQ

[Original text: English]
[15 March 1963]

The Permanent Representative of Iraq to the United Nations presents his compliments to the Secretary-General and with reference to his note No. 134/51 of 8 February 1963 has the honour to inform him that the Government of Iraq agrees to the convening of a special conference for signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons for war purposes.

LIBYA

[Original text: English]
[8 June 1963]

The Permanent Mission of the Kingdom of Libya presents its compliments to the Secretary-General of the United Nations and pursuant to General Assembly resolution 1801 (XVII) has the honour to inform him that the Libyan Government welcomes the idea of convening a special conference for signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons for war purposes.

SOUTH AFRICA

[Original text: English]
[4 June 1963]

The Permanent South African Mission to the United Nations presents its compliments to the Secretary-General and has the honour to refer to the latter's note No. PO 134/51 dated 8 February 1963 relating to the possibility of convening a special conference for signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons for war purposes. While the South African Government is in favour of holding such a conference, it feels that the timing of the proposed conference must depend on the prior attainment of a much greater measure of agreement amongst the great Powers on the general question of nuclear disarmament.

SYRIA

[Original text: French]
[1 April 1963]

I refer to your note PO 134/51 dated 8 February 1963, addressed to the Minister for Foreign Affairs of my country.

In accordance with the instructions I have received, I have the honour to inform you that the Government of the Syrian Arab Republic, in keeping with its policy of defending peace, fully supports the proposal to convene a special conference for signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons for war purposes.

(Signed) Salah El Dine TARAZI
Permanent Representative of Syria
to the United Nations

UNITED ARAB REPUBLIC

[Original text: English]
[10 May 1963]

I wish to refer to General Assembly resolutions 1653 (XVI) and 1801 (XVII), which requested the Secretary-General to

^a *Ibid.*

ascertain the views of Member States on the possibility of convening a special conference for signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons for war purposes.

While the Government of the United Arab Republic welcomes the convening of a special conference for the aforementioned purpose, it is relevant to indicate that this position is motivated by our declared policy regarding disarmament and the prohibition of nuclear weapons—a policy which during the last three years gained momentum and widespread support.

Having taken this position which stems from our firm belief in the necessity of an early agreement to prohibit the use of nuclear and thermo-nuclear weapons, the Government of the United Arab Republic believes that when that conference is convened it should draw from the experience gained during the discussions which took place at the Conference of the Eighteen-Nation Committee on Disarmament at Geneva.

(Signed) Mahmoud RIAD
Permanent Representative of
the United Arab Republic to
the United Nations

DOCUMENT A/5617

Report of the First Committee

[Original text: English and Spanish]
[20 November 1963]

1. Pursuant to General Assembly resolution 1801 (XVII) of 14 December 1962, the item "Question of convening a conference for the purpose of signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons" was included in the provisional agenda of the eighteenth session.

2. The report of the Secretary-General (A/5518) was submitted to the General Assembly on 17 September 1963.

3. The General Committee recommended the inclusion of this item in the agenda and its allocation to the First Committee (A/5530). At its 1210th plenary meeting, on 20 September, the General Assembly approved the recommendation of the General Committee and referred the item to the First Committee for consideration and report.

4. At its 1309th meeting, on 15 October, the First Committee decided to consider the question as the fourth item on its agenda. The debate took place at the 1334th to 1337th and 1339th to 1341st meetings, between 12 and 19 November 1963.

5. On 12 November 1963, a draft resolution was submitted by Algeria, Cameroon, Ethiopia, Ghana, Guinea, Ivory Coast, Liberia, Mali, Niger, Nigeria, Somalia, Sudan, Tanganyika and the United Arab Republic (A/C.1/L.330). Mauritania, Morocco, Rwanda, Sierra Leone and Togo subsequently joined the sponsors (A/C.1/L.330/Add.1 and Add.2). By the draft resolution the General Assembly would (1) request the Conference of the Eighteen-Nation Committee on Disarmament to study urgently the question of convening a conference for the purpose of signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons and to report to the General Assembly at its nineteenth session; (2) request the Secretary-General to transmit the text of the resolution and all other relevant documents to the Eighteen-Nation Committee.

6. At its 1341st meeting, on 19 November 1963, the First Committee adopted the draft resolution (A/C.1/L.330 and Add.1-2) by a roll-call vote of 54 to 17, with 24 abstentions.² The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Ceylon, Chad, Chile, Congo (Brazzaville), Cuba, Cyprus, Czechoslovakia, Dahomey, Ethiopia, Gabon, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Iraq, Ivory Coast, Jordan, Kuwait, Laos, Liberia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Poland, Romania, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tanganyika, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Yugoslavia.

Against: Australia, Belgium, Canada, France, Greece, Ireland, Italy, Luxembourg, Netherlands, Nicaragua, Portugal, South Africa, Spain, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Austria, Burma, China, Colombia, Costa Rica, Denmark, Dominican Republic, El Salvador, Finland, Iran, Israel, Japan, Lebanon, Madagascar, Malaysia, New Zealand, Norway, Panama, Paraguay, Peru, Philippines, Sweden, Venezuela.

Recommendation of the First Committee

7. The First Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

² The representative of the Central African Republic subsequently informed the Chairman that if he had been present when the vote was taken he would have abstained.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1265th plenary meeting, on 27 November 1963, the General Assembly adopted the draft resolution submitted by the First Committee (A/5617, para. 7). For the final text, see resolution 1909 (XVIII) below.

Resolution adopted by the General Assembly

1909 (XVIII). QUESTION OF CONVENING A CONFERENCE FOR THE PURPOSE OF SIGNING A CONVENTION ON THE PROHIBITION OF THE USE OF NUCLEAR AND THERMO-NUCLEAR WEAPONS

The General Assembly,

Recalling the declaration on the prohibition of the use of nuclear and thermo-nuclear weapons, contained in its resolution 1653 (XVI) of 24 November 1961,

Cognizant that the subject can be speedily and effectively studied by the Conference of the Eighteen-Nation Committee on Disarmament in Geneva,

1. *Requests* the Conference of the Eighteen-Nation Committee on Disarmament to study urgently the question of convening a conference for the purpose of signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons, and to report to the General Assembly at its nineteenth session;

2. *Requests* the Secretary-General to transmit the text of the present resolution and all other relevant documents to the Eighteen-Nation Committee.

*1265th plenary meeting,
27 November 1963.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 27 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/C.1/L.330 and Add.1-2	Algeria, Cameroon, Ethiopia, Ghana, Guinea, Ivory Coast, Liberia, Mali, Mauritania, Morocco, Niger, Nigeria, Rwanda, Sierra Leone, Somalia, Sudan, Tanganyika, Togo and United Arab Republic: draft resolution	Adopted without change. See A/5617, para. 7



Agenda item 28: International co-operation in the peaceful uses of outer space:*

- (a) Report of the Committee on the Peaceful Uses of Outer Space;
(b) Report of the Economic and Social Council (chapter VII, section IV)

C O N T E N T S

<i>Document No.</i>	<i>Title</i>	<i>Page</i>
First Committee:		
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A/5549 and Add.1	Report of the Committee on the Peaceful Uses of Outer Space	6
Fifth Committee:		
A/C.5/1002	Financial implications of draft resolution II submitted by the First Committee in document A/5656: note by the Secretary-General	24
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* For the discussion of this item, see *Official Records of the General Assembly, Eighteenth Session, First Committee*, 1342nd to 1346th meetings; *ibid.*, *Fifth Committee*, 1054th meeting; and *ibid.*, *Plenary Meetings*, 1280th meeting.

DOCUMENT A/5482

Letter dated 22 August 1963 from the Permanent Representatives of the Union of Soviet Socialist Republics and the United States of America to the United Nations, addressed to the Secretary-General

[Original text: English and Russian]
[26 August 1963]

We have the honour to submit documents relating to the first memorandum of understanding to implement the bilateral space agreement of 8 June 1962,¹ for which circulation as a United Nations document was requested on 5 December 1962. The memorandum resulted from a series of meetings between Dr. Hugh Dryden of the National Aeronautics and Space Administration of the United States and Academician A. A. Blagonravov of the Academy of Sciences of the Union of Soviet Socialist Republics.

We request that the enclosed be circulated to all Members of the United Nations as an official United Nations document.

(Signed) N. FEDORENKO (Signed) A. STEVENSON
Permanent Representative Permanent Representative
of the Union of Soviet of the United States
Socialist Republics of America to the
to the United Nations United Nations

LETTER DATED 8 JULY 1963 FROM DR. HUGH L. DRYDEN, DEPUTY ADMINISTRATOR OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION OF THE UNITED STATES, TO ACADEMICIAN A. A. BLAGONRAVOV OF THE ACADEMY OF SCIENCES OF THE UNION OF SOVIET SOCIALIST REPUBLICS

In my letter of 7 May 1963, I indicated that the National Aeronautics and Space Administration had no changes to propose concerning the text of the "First memorandum of understanding to implement the bilateral space agreement of 8 June 1962 between the Academy of Sciences of the USSR and the National Aeronautics and Space Administration of the United States", agreed to by us in Rome on 20 March of this year. It is now my pleasure to inform you similarly with regard to the text of the mutual understandings reached by us in Geneva on 24 May concerning the new section IV, "Magnetic field survey through the use of artificial satellites".

I propose, therefore, that the first memorandum of understanding, incorporating the new section IV, and the changes to section IV also agreed to by us in Geneva on 24 May, become effective as of the date of your

¹ *Official Records of the General Assembly, Seventeenth Session, Annexes*, agenda item 27, document A/C.1/880.

response to this letter, confirming approval by the Soviet Academy of Sciences. I hope that by this time your Academy has already approved both the original Rome document and the subsequent Geneva text, and I shall look forward to hearing from you in this regard.

(Signed) Hugh L. DRYDEN

LETTER DATED 1 AUGUST 1963 FROM ACADEMICIAN A. A. BLAGONRAVOV OF THE ACADEMY OF SCIENCES OF THE UNION OF SOVIET SOCIALIST REPUBLICS TO DR. HUGH L. DRYDEN, DEPUTY ADMINISTRATOR OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION OF THE UNITED STATES

The Academy of Sciences of the USSR has instructed me to inform you of its consent to the recommendations on the questions of implementing the bilateral agreement on outer space between the National Aeronautics and Space Administration of the United States of America and the Academy of Sciences of the USSR, which were presented during the Soviet-American talks on the peaceful exploration of outer space on 20 March 1963 in Rome, taking into account section IV of the text of the recommendations (Magnetic field survey through the use of artificial satellites), which were prepared on 24 May 1963 at Geneva.

The Academy of Sciences of the USSR expresses its hope that the agreement on peaceful exploration and use of outer space which has been reached will promote further co-operation between Soviet and American scientists in this worthy cause in the name of scientific progress and the strengthening of peace on earth.

(Signed) A. A. BLAGONRAVOV

FIRST MEMORANDUM OF UNDERSTANDING TO IMPLEMENT THE BILATERAL SPACE AGREEMENT OF 8 JUNE 1962 BETWEEN THE ACADEMY OF SCIENCES OF THE USSR AND THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION OF THE UNITED STATES (NASA)

I. PREAMBLE

The purpose of the present memorandum of understanding is to begin the implementation of the sections of the bilateral space agreement of 8 June 1962 dealing with a co-ordinated meteorological satellite programme, a world magnetic survey using satellites, and a passive communication satellite experiment. It also provides for future discussions by the scientists of both countries of scientific results obtained from deep space probes (Mariner II and Mars I).

II. CO-ORDINATED METEOROLOGICAL SATELLITE PROGRAMME

A. Exchange of meteorological satellite data

The bilateral space agreement of 8 June 1962 provided that the exchange of meteorological satellite data between Moscow and Washington be of approximately equivalent interest to the two countries.

The following sections describe the data to be exchanged. It is agreed that, in general, the data exchange is to be completed within six hours of the observation time so that it will be useful in weather analysis and forecasting.

In all of the joint activities relating to meteorological satellites and exchange of meteorological data, the per-

tinent recommendations of the World Meteorological Organization shall be given due consideration.

1. *Cloud photographs*

(a) Selection of photographs

Cloud photographs will be exchanged; the selection of those to be transmitted will be based on the following criteria:

- (i) Areas of the earth having few conventional observations;
- (ii) Pictures along active international air routes, particularly oceanic;
- (iii) Pictures containing patterns of meteorological significance such as fronts, vortices, cloud bands and streets.

(b) Accuracy of location

- (i) Positions of identifiable cloud elements in the pictures will be located with an accuracy of about 200 km. Where landmarks are available, this accuracy should be about 100 km. It is expected that this accuracy will be improved later;
- (ii) The pictures will include latitude and longitude grids at 2° intervals.

(c) Brightness levels

- (i) At the satellite receiving stations, six to ten brightness (grey) levels* will be contained in the pictures.
- (ii) The pictures as received at the end of the communications link will contain five to six brightness levels, if possible.
- (iii) To aid in the interpretation of cloud images, copies of some of the original pictures transmitted over the link will be mailed to the other country.

(d) Resolution

The ground resolution provided by the pictures initially will be about 2.5 km and is expected to improve to about 1 km.

(e) Field of view

The minimum field of view, on the earth's surface, of each picture will be about 1,000 km on a side.

2. *Nephanalyses*

(a) Nephanalyses will be transmitted for all pictures received by the meteorological satellites.

(b) Wherever possible, format, representation and map projections will follow World Meteorological Organization recommendations.

(c) Polar stereographic projection will be used, except in equatorial areas where Mercator projection will be used.

(d) A map scale of 1:20,000,000 or 1:15,000,000 will be used as convenient to the transmitting country.

3. *Other satellite observations*

As satellite observation techniques are developed to the point where they provide new useful information for weather forecasting, the data obtained will be considered for inclusion in this exchange programme.

* Brightness levels should be clearly distinguishable by eye, such as the ratio of the intensities of adjacent steps being equal to the square root of two.

B. Exchange of techniques and results of scientific research

To assist in making maximum use of the satellite data in weather analysis and forecasting, there will be an exchange, on a basis of mutual interest, of techniques of interpretation and analysis.

It is also desirable to exchange scientific literature and data for research purposes, and to organize co-operative symposia.

C. Exchange of conventional meteorological data

The establishment of a facsimile quality communications link between Washington and Moscow for the exchange of satellite data provides an opportunity, when it is not being used for the transmission of satellite data, for the exchange of related data obtained by conventional means of observation, and related maps, which will allow for improved correlation between satellite and conventional observations. Each country will indicate which of these data, available in the other, it wishes to receive and determine the priority of transmission. Some details of the exchange of the conventional data are given in an appendix and others are expected to be clarified, as they arise, by an appropriate working group.

D. Establishment of communication link

With the understanding that the regular exchange of meteorological data obtained from meteorological satellites will commence in the beginning of the second half of 1964, NASA and the Academy of Sciences of the USSR consider it desirable, in the beginning of the first half of 1964, to start the occasional exchange of conventional meteorological data and experimental satellite data and for this purpose to establish the communication link between Moscow and Washington provided in the agreement of 8 June 1962.

1. Characteristics of the communication link

The communication link shall be arranged on a four-wire basis, for full-time use, allowing simultaneous transmission of facsimile telegraphy information in both directions. Technical parameters of the communication link shall conform to the series T recommendations of the International Telegraph and Telephone Consultative Committee (CCITT).

The link shall be equipped for non-simultaneous voice use to allow technical and meteorological co-ordination as necessary.

2. Characteristics of terminal equipment

Terminal equipment used for transmission of weather maps and charts shall conform with WMO recommendation 10.6.17/I "Standardization of international meteorological transmissions by facsimile—Equipment characteristics". The preferred index of co-operation will be 576. The drum speed shall be 60, 90, or 120 rpm, depending upon the results of the technical tests.

Additional requirements for the terminal equipment for transmitting information obtained from meteorological satellites shall be determined during 1963. Each party shall provide and operate its own terminal equipment.

3. Routing of communication link

The circuit for the link shall be routed Washington-New York-London or Paris-Berlin-Poland-Moscow,

assuming first that adequate facilities (circuits) are available over this route and second, that tests prove this routing to be technically acceptable to both NASA and the Academy of Sciences of the USSR. Technical arrangements for those sections of the link from Washington to Berlin shall be made by NASA. Technical arrangements for those sections of the link from Berlin to Moscow shall be made by the Academy of Sciences of the USSR.

Joint technical tests of the communication link along the selected route shall be conducted during January 1964, and after this the communication link will be put into regular operation.

4. Cost of the communication link

NASA and the Academy of Sciences of the USSR shall, within one month, agree upon a suitable mechanism for the handling of charges over the entire link in such a way as to provide for equal sharing of cost of the whole line by the two parties.

5. Reception of meteorological data by weather services of other countries

The desire of weather services of other countries to bridge the line on a receive-only basis in order to obtain meteorological data for their own use will be welcomed with the condition that each such weather service will make a proportional contribution to the total expenses of the communication link.

6. Co-ordination

NASA and the Academy of Sciences of the USSR shall, within 60 days, designate representatives for continuing direct technical co-ordination of details concerning this link.

E. Co-ordinated launchings of weather satellites

The bilateral space agreement of 8 June 1962 provided, among other things, for the co-ordinated launching of operational weather satellites. It is considered desirable to initiate co-ordinated launchings of weather satellites towards the end of the experimental period in order to gain experience with such co-ordination and to provide for more frequent receipt and exchange of data of both experimental and operational value.

The Academy of Sciences of the USSR and NASA therefore agree to convene a suitable Joint Working Group by the end of 1963, so that arrangements may be made, consistent with the provisions of the 8 June 1962 agreement, for mutually agreeable launching schedules.

III. ARRANGEMENTS FOR PASSIVE COMMUNICATIONS SATELLITE EXPERIMENTS

A. General

The National Aeronautics and Space Administration of the United States and the Academy of Sciences of the USSR agree to participate jointly in passive communications experiments using a large reflector satellite, Echo II (referred to as "Echo A-12" in the agreement of 8 June 1962), which NASA is expected to launch prior to the middle of 1964.

B. Satellite characteristics

The satellite to be used in these experiments shall be approximately 44 metres in diameter and shall be constructed of a material having a radio wave reflectivity

of 98 per cent. It will carry two telemetry transmitters (approximately 136 Mc/s) to be used as tracking aids. The intended orbit will be inclined about 82° to the equator and will be roughly circular at an altitude of 1,290 km.

C. Frequencies and route

Communications experiments shall be carried out at frequencies of approximately 162 Mc/s between the USSR (Zemenki Observatory, Gorky State University) and the United Kingdom (Jodrell Bank Observatory, University of Manchester).

In view of the technical desirability of carrying out communications experiments with a passive satellite using higher frequencies, NASA and the Academy of Sciences of the USSR shall consider, within three months following the date of this agreement, the possibility of extending these tests into the microwave region of the radio frequency spectrum. The possibility of arranging radar and optical observations of the Echo II satellite sphere during the period of its inflation and thereafter shall be considered within the same period.

D. Arrangements

The Academy of Sciences of the USSR shall make necessary arrangements for use of the Gorky State University facilities. NASA shall make necessary arrangements for the use of the facilities of the University of Manchester at Jodrell Bank. Within sixty days NASA and the Academy of Sciences of the USSR shall appoint representatives to begin and carry on continuing technical co-ordination with respect to the experiments at approximately 162 Mc/s. NASA will request the appointment of a corresponding technical representative of the University of Manchester.

In case the question of using higher frequencies for carrying out the passive satellite experiments is settled positively, NASA shall arrange, through the General Post Office of the United Kingdom, for the use of the Goonhilly Downs Station and shall request that technical representatives also be appointed by the General Post Office. The technical representatives for NASA and the Academy of Sciences of the USSR, referred to in the preceding paragraph, shall also serve to carry on continuing technical co-ordination for these experiments, or other representatives may be named for this purpose.

It is understood that there will be no mutual money reimbursements between NASA and the Academy of Sciences of the USSR for the use of any facilities.

E. Orbital information

NASA shall provide a prediction of the expected initial orbital elements at least two months prior to launching of the satellite. Actual orbital elements based on tracking information will be supplied for the duration of the experimental period, at intervals of approximately once per week, or as necessary for adequate pointing of the communication antennae. The Academy of Sciences of the USSR shall provide tracking data on orbits that are visible in the USSR but not in the USA in a form to be mutually agreed on by the technical representatives.

F. Planned types of transmission

The passive Echo II satellite experiments shall basically consist of measurements of the quality of

transmission over the circuit between the USSR and the UK for the following kinds of transmissions:

- (a) Unmodulated carrier;
- (b) Single frequency modulation;
- (c) Telegraphy;
- (d) Facsimile and voice if feasible.

It shall also be an objective of these experiments to test the feasibility of direct communication between the United States and the USSR using the Echo II satellite as a part of the link. For this purpose NASA will arrange for the part of the link from the United States to the United Kingdom.

G. Exchange of observational data

The results of the experiments and observations shall be promptly exchanged between NASA and the Academy of Sciences of the USSR, and be made generally available to the scientific and technical community. Information about the equipment used for the experiments shall be exchanged to the extent necessary for the interpretation of these data.

H. Future plans

NASA and the Academy of Sciences of the USSR will continue experimental research with active communications satellites under their national programmes; after the completion of preliminary national tests, negotiations will be continued to discuss the possibility of joint experiments of mutual interest with active communications satellites.

IV. MAGNETIC FIELD SURVEY THROUGH THE USE OF ARTIFICIAL SATELLITES

1. Objectives

It shall be the aim of the co-operative effort at this stage to produce a mapping of the earth's magnetic field by using United States and USSR satellites launched during the International Year of the Quiet Sun (IQSY).

2. Satellite orbits

The forms of orbits, their altitudes and inclination to the equator will be selected by the satellite-launching country, in accordance with the objective of the experiment. It is agreed that the accuracy of determining space and time co-ordinates for the separate magnetic measurements on the satellite be such that after necessary processing by the satellite-launching country the magnetic data would not contain errors greater than plus or minus 10 gammas.

3. Times of satellite launchings

The times of satellite launchings will be determined by the satellite-launching country and will take place during the IQSY. It is recommended that launchings take place in 1965 since one may expect, in 1965, that the ground-based magnetic observatory programmes of all countries participating in the IQSY will be in full operation.

4. Lifetime of satellites

It is agreed that the lifetime of each satellite be such that the minimum density of magnetic measurements from each satellite correspond to no less than one per 200-kilometre square on the earth's surface.

5. *Satellite apparatus*

It is agreed that absolute magnetometers of various types be used, such as optical pumping and proton precession magnetometers. It is recommended that the sensitive elements of magnetometers be located on the satellites in such a way as to minimize the effects of magnetic fields from the space craft.

6. *Time variation corrections*

In view of the desirability of working out a common method of introducing time variation corrections into the results of observations from satellites, it is agreed that each side conduct research in this direction and exchange results with the other side. The following possibilities should be considered:

(a) Comparison of satellite magnetic measurements taken at different times but corresponding to the same region of space within a diameter of 10-20 kilometres;

(b) Comparison between experimental data obtained from satellites with those from ground-based magnetic observatories.

For the compilation of a magnetic map it is agreed that the results of satellite measurements made on magnetically quiet days be utilized.

In connexion with the above, an exchange is recommended between the Academy of Sciences of the USSR and NASA, namely: microfilm copies of magnetograms and tables of hourly averages of magnetic elements. In addition, copies of magnetograms shall be accompanied by data on the preliminary base line values, scale values, temperature coefficients, and types of instruments.

It is agreed that these data be exchanged no later than three months after the month of observation from the following observatories:

USSR	United States
Yakutsk	Sitka College
Sverdlovsk	Fredericksburg
Irkutsk	Tucson
Odessa	San Juan
Tashkent	Guam

It is agreed that the final base line values be exchanged on a quarterly basis.

7. *Exchange of satellite magnetic measurements*

It is agreed to exchange results of magnetic measurements from satellites in the form of scientific articles or reports containing information on the satellite equipment, the data, its accuracy, methods of processing, introduced corrections, and estimates of the accuracy achieved judged necessary by the authors of the experiment.

It is agreed that each side if necessary will furnish by mail to the other side any additional data which may help to clarify the questions which arise in the use of the data received by exchange, in order to remove the difficulties in the utilization of those data.

8. *Exchange of data from magnetic surveys of other types*

It is agreed to exchange comparable amounts of data from magnetic surveys which may be necessary for the compilation of a magnetic map and which are made

without using satellites (ground, sea, aerial surveys) in the form of maps or of reports with attachments giving the results of surveys in tabular form, indicating co-ordinates and the times to which these data refer.

9. *International co-operation*

It is agreed that appropriate organizations under the International Council of Scientific Unions, including the International Union of Geodesy and Geophysics and the Committee on Space Research (COSPAR), concerned with the World Magnetic Survey be kept informed of the proposed joint US-USSR contributions to the World Magnetic Survey and of analysis of the results. Scientific data resulting from this work which are suitable for storage and dissemination through the World Data Centres will be supplied in a timely way.

V. OTHER QUESTIONS OF CO-OPERATION

Representatives of the Academy of Sciences of the USSR and NASA consider it to be useful for further progress in the space sciences to exchange scientific data received as a result of the launching in the USSR of an automatic space station towards the planet of Mars and the launching in the United States of a space station towards the planet of Venus. For this purpose it is desirable to conduct meetings of scientists of the two countries to discuss the results of those experiments in outer space. The preliminary discussion of these questions will be held during the next meeting of COSPAR in June 1963 in Warsaw. Additional meetings may be arranged at a later date, dependent on progress in analysing the data received from Mars I and Mariner II by the scientists of both countries.

VI. EFFECTIVE DATE

The recommendations proposed in the present document have a preliminary character and will be presented by both parties to the Academy of Sciences of the USSR and the National Aeronautics and Space Administration of the United States for final consideration. If either of the two parties finds it necessary to make any corrections, additions, or deletions in the text of the prepared documents, then all of these changes should be made in the shortest possible time after the conclusion of discussions concerning the conduct of a world magnetic survey by means of artificial satellites, by correspondence, which will be sent to the following address in Moscow:

Academy of Sciences of the USSR
Leninski Prospekt 14
Moscow
USSR.

and to the following address in Washington:

National Aeronautics and Space Administration
Attention: Dr. Hugh L. Dryden
400 Maryland Avenue, S. W.
Washington 25, D. C.
USA

If in this final consideration there is failure to agree on any of the three major areas, the recommendations in the other major areas will continue in effect.

Rome and Geneva,
20 March and 24 May 1963.

Appendix

EXCHANGE OF CONVENTIONAL METEOROLOGICAL DATA

*Types of conventional data*1. *Computer processed and checked upper air data*

(a) It is not anticipated that all conventional data would be processed and transmitted but rather the data for a few selected upper air levels that are particularly significant for analysis and forecasting. Criteria for the extent of this kind of data exchange would be based on the following:

- (i) It will be limited to those stations from which the original upper air reports are received within three to four hours at Moscow or Washington. (This amounts to a "Regional" collection.);
- (ii) Original reports will be subjected to rapid computer processing in order to eliminate and/or correct erroneous reports and to arrange the data in a convenient and systematic form for transmission;
- (iii) The upper air levels useful for numerical weather prediction are 1,000 mb, 850 mb, 700 mb, 500 mb, 300 mb, and 200 mb;
- (iv) At the levels indicated above, the following data will be transmitted: temperature, geopotential height, dew point and wind;
- (v) The areas and network of stations for which the data are to be transmitted will be determined later.

2. *Conventional weather charts*

Charts prepared by objective numerical techniques in graphical form should receive priority for exchange on the communications link. The types of charts that would contribute to improved world weather analyses and predictions are:

(a) Northern hemispheric analyses of the 1,000 mb and several upper air levels such as the 500 mb, 300 mb, and 200 mb levels;

(b) Northern hemispheric predictions for 24 hours with the possibility of extending the period of forecast to 72 hours in the future, for 500 mb, 300 mb, and 200 mb;

(c) It is desirable in the future to exchange extended period forecasts of five days or longer and a selection of the important working charts or diagrams that may be used in generating these forecasts;

(d) In order to co-ordinate satellite and conventional observations associated with important weather developments, available detailed analyses and satellite photographs for specific areas will be transmitted on request as soon as possible.

3. *Timing and frequency of exchanges*

To be of maximum operational value, all information should be submitted as early as practical. Suggested items are:

(a) Processed upper air data within 4-5 hours of observation (twice per day);

(b) Analyses within 6 hours of observation (twice per day);

(c) Prognoses within 6-9 hours of observation (twice per day).

4. *Map scales and projections*

(a) Polar stereographic projections will be used for all chart exchanges;

(b) Analysis and prognostic charts having a scale of 1:30,000,000 or 1:40,000,000 will be used;

(c) Special charts exchanged on request would be on scales most convenient for the transmitting country.

DOCUMENTS A/5549 AND ADD.1

Report of the Committee on the Peaceful Uses of Outer Space

DOCUMENT A/5549

[Original text: English]
[24 September 1963]

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I. INTRODUCTION

1. The third and fourth sessions of the Committee on the Peaceful Uses of Outer Space were held at United Nations Headquarters, New York, from 25 Feb-

ruary to 18 March 1963 and from 9 to 13 September 1963, respectively, under the chairmanship of Mr. Franz Matsch (Austria). Mr. Mihail Haseganu (Romania) served as Vice-Chairman and Mr. Geraldo de Carvalho Silos (Brazil) as Rapporteur.

2. At its third session, the Committee held three meetings, the records of which were circulated as documents A/AC.105/PV.17-19. An interim report on the work of the session was circulated on 28 March 1963 (A/AC.105/9). An extract from this report is reproduced in annex I below.

3. The second session of the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space was held at United Nations Headquarters, New York, between 16 April and 3 May 1963 under the chairmanship of Mr. Manfred Lachs (Poland). The second session of the Scientific and Technical Sub-Committee was held at the European Office of the United Nations, Geneva, between 14 and 29 May 1963 under the chairmanship of Mr. D. F. Martyn (Australia).

4. At its fourth session, the Committee held four meetings, the records of which were circulated as documents A/AC.105/PV.20-23.

5. At the first meeting of the session the Committee adopted the following agenda:

- (1) Opening statement by the Chairman.²
- (2) General debate.
- (3) Report of the Scientific and Technical Sub-Committee on the work of its second session (A/AC.105/14) and the reports prepared by the World Meteorological Organization (E/3794 and Corr.1) and the International Telecommunication Union (E/3770).
- (4) Report of the Legal Sub-Committee on the work of its second session (A/AC.105/12 and Corr.1).
- (5) Report of the Committee to the General Assembly.

6. In the course of the general debate, statements were made by the representatives of Australia, Austria, Czechoslovakia, France, Hungary, India, Italy, Poland, Romania, the Union of Soviet Socialist Republics, the United Arab Republic, the United Kingdom and the United States of America. The statements, which contain a number of concrete suggestions concerning international co-operation in the peaceful uses of outer space, are reproduced in the records of the 20th, 21st and 22nd meetings. The Committee also heard statements by the Secretary-General of the International Telecommunication Union (ITU), by the representatives of the World Health Organization (WHO) and of the World Meteorological Organization (WMO), and by the representative of the Committee on Space Research (COSPAR) of the International Council of Scientific Unions, who attended the session as observers.

7. In considering the third and fourth items of its agenda, the Committee had before it, in addition to the reports of the two Sub-Committees and the reports of WMO and ITU, an informal working paper prepared by its officers to facilitate the discussion.

II. RECOMMENDATIONS BASED ON THE REPORT OF THE SCIENTIFIC AND TECHNICAL SUB-COMMITTEE AND THE REPORTS PREPARED BY THE INTERNATIONAL TELECOMMUNICATION UNION AND THE WORLD METEOROLOGICAL ORGANIZATION

8. At its 22nd meeting, on 13 September 1963, the Committee approved the recommendations set out below and presents them for consideration by the General Assembly.

Exchange of information

9. The Committee, in view of the mutual benefits they would derive from keeping each other informed about national space activities,

(a) Calls the attention of all Member States to the requests in General Assembly resolutions 1721 (XVI) and 1802 (XVII) for voluntary submission of information on national space programmes;

(b) Invites those Member States that have not yet done so to provide the Committee with information on their national activities in the peaceful exploration and uses of outer space, for circulation to all Member States.

10. The Committee notes:

(a) That at the present stage of space exploration and its peaceful uses, various reports submitted to COSPAR and the World Data Centres for Rockets and Satellites constitute another useful channel for the exchange of information about national space research programmes and the scientific results of space exploration;

(b) The importance of promoting, where appropriate, the exchange of scientific and technical information through those channels.

11. Because of the growing interest in benefits to be derived from international co-operation in the exploration and use of outer space, the Committee, in co-operation with the Secretary-General and making full use of the functions and resources of the Secretariat, will prepare a working paper on the activities and resources of the United Nations, of the specialized agencies, and of other competent international bodies relating to the peaceful uses of outer space.

12. The Committee, having considered the feasibility of preparing a summary of national and of co-operative international space activities on the basis of these reports and information available from other reliable sources, will prepare this summary for circulation to Member States after due approval and in co-operation with the Secretary-General and making full use of the functions and resources of the Secretariat.

13. In view of the value to Member States of being able to make rapid searches of the space literature so as to locate quickly all available information in a specific area of interest, the Committee, in co-operation with the Secretary-General and making full use of the functions and resources of the Secretariat, will prepare for circulation to Member States a list of the sources of available bibliographies and abstracting services covering the scientific and technical results and publications in space and space-related areas.

Encouragement of international programmes

Programme for international co-operation in the field of space communication

14. The Committee, noting with interest the second report of ITU (E/3770) on studies which it has conducted on telecommunications in the peaceful uses of outer space in the period from May 1962 to April 1963 in response to General Assembly resolutions 1721 (XVI) and 1802 (XVII),

(a) Draws the attention of Member States and specialized agencies to:

- (i) The successful achievements of ITU in the field of space communications; and

² Reproduced as annex II.

- (ii) The necessity for a careful study of the various programmes and suggestions put forward in the second report of ITU;
- (b) Reiterates that international space communications should be available for the use of all countries on a global non-discriminatory basis;
- (c) Urges that due consideration should be given to the technical recommendations of ITU in the development of space communications;
- (d) Recommends that all Member States, in accordance with the recommendations contained in the report of the Committee on the Peaceful Uses of Outer Space to the General Assembly at its seventeenth session (A/5181),³ take further appropriate steps, using to the fullest extent the possibilities offered by the technical co-operation programmes, to develop and extend terrestrial communication systems in various parts of the world so that all Member States, regardless of the level of their economic, scientific and technological development, will be able to benefit from international space communications;
- (e) Invites the specialized agencies and other competent international organizations to assist in the development and extension of such terrestrial systems.

Programme of international co-operation in satellite meteorology

15. The Committee:

- (a) Takes note of the arrangements made by the Fourth Congress of WMO for the preparation of detailed programmes on the research aspects of meteorological satellites, providing for research on a very wide range of subjects (E/3794 and Corr.1);
- (b) Notes that in the programme on the research aspects of meteorological satellites, particular emphasis is placed on the need to establish a World Weather Watch, to develop meteorological observations from ground stations and to undertake research using information from meteorological satellites and conventional meteorological observations simultaneously;
- (c) Recognizes that all countries of the world are interested in the establishment of the World Weather Watch, using information from meteorological satellites as well as conventional meteorological observations of all kinds;
- (d) Urges Member States to facilitate the development of extensive international co-operation in the establishment of the World Weather Watch, with particular emphasis on comprehensive studies on improving the World Weather Watch system and on the need for improved facilities for the exchange of data from meteorological satellites and conventional meteorological observations.

International sounding rocket launching facilities

16. The Committee, in reviewing action undertaken in connexion with this item:

- (a) Approves the establishment, at the request of the Government of India, of a group of five scientists, drawn from States members of the Committee and familiar with space research activities and facilities, to visit the sounding rocket launching site at Thumba in November or the latter half of December 1963 and to advise the Committee on its eligibility for United Nations sponsorship in accordance with the basic prin-

ciples approved by the Committee in 1962, the scientists to be named, after consultation with the Scientific and Technical Sub-Committee and with COSPAR, by the officers of the Committee in agreement with the Committee members;

(b) Invites COSPAR to review the geographic distribution of sounding rocket launching facilities and their capabilities, from information about them given on a voluntary basis, and advise the Scientific and Technical Sub-Committee from time to time on desirable locations and important topics of research, taking into account the need to avoid duplication of effort;

(c) Urges that, where there is shown to be a need, Member States in appropriate locations, either singly or in co-operative groups, consider the establishment of such a launching facility following the basic principles approved by the Committee.

Education and training

17. The Committee,

Noting the value of international co-operation in the field of education training and assistance in space activities,

Recognizing the many successful international and bilateral co-operative activities already in being and taking into account General Assembly resolution 1721 (XVI), which stated that the exploration and use of outer space should be for the benefit of States, irrespective of the stage of their economic and scientific development,

Believing in the fundamental importance of education and training in achieving this objective,

Recalling the important role played by the Technical Assistance Board and the specialized agencies in this field,

In co-operation with the Secretary-General and making full use of the functions and resources of the Secretariat, will compile and organize in co-operation with the United Nations Educational, Scientific and Cultural Organization (UNESCO), for circulation to Member States, reviews of information on facilities for education and training in basic subjects related to the peaceful uses of outer space in universities and other places of learning,

Invites attention to the importance of scholarships, fellowships and other means of technical assistance in appropriate fields related to the exploration and the various peaceful uses of outer space, and to the value of encouraging initiatives in this respect;

Invites Member States to give favourable consideration to requests of countries desirous of participating in the peaceful exploration of outer space, for appropriate training and technical assistance, on a bilateral basis or on any other basis they see fit;

Invites Member States to consider the possibility of using such international sounding rocket facilities as may be set up in the future, sponsored by the United Nations, for training in appropriate fields of peaceful exploration of outer space, at the discretion of the host country.

Potentially harmful effects of space experiments

18. The Committee,

Considering that certain experiments conducted in space may affect present or future scientific activities in this or other fields,

³ Official Records of the General Assembly, Seventeenth Session, Annexes, agenda item 27.

Considering that mankind, being concerned about potentially harmful effects of such experiments, seeks to be scientifically assured that such experiments will not adversely change the space environment or adversely affect other experiments in space,

Considering that international understanding and co-operation are important in the carrying out of such experiments,

Recognizing the need for careful preparation for, and conduct of, activities in the exploration and use of outer space in order to avoid potentially harmful interference with other such activities, and recognizing the scientific difficulty in and the competence required for, assessing properly the nature and possibilities of such interference,

Noting that the COSPAR Consultative Group on Potentially Harmful Effects of Space Experiments is composed of authoritative scientists and specialists on an international basis, and that their assistance is available to the members of COSPAR, the international scientific unions and bodies of the United Nations,

Encouraged by the successful conclusion in Moscow of the Treaty banning nuclear weapon tests in the atmosphere, in outer space and under water,

Recognizes the importance of the problem of preventing potentially harmful interference with peaceful uses of outer space.

III. REPORT OF THE LEGAL SUB-COMMITTEE

19. The Committee noted that at the second session of the Legal Sub-Committee a very useful and constructive exchange of views had taken place.⁴ The results could be summarized as follows:

- (1) On the question of general principles governing the activities of States relating to the exploration and use of outer space, agreement was reached that they should take the shape of a declaration. However, no agreement was reached as to the character of the document in which these principles were to be embodied, some delegations favouring a treaty-type document, others a General Assembly resolution.
- (2) As to the particular principles proposed for inclusion in the suggested declaration and the manner of their formulation, they could be divided into three groups:
 - (a) Those on which there were no differences of view;
 - (b) Those on which there had been a certain rapprochement of points of view;
 - (c) Those on which differences of view remained.
- (3) With regard to two specific issues—namely, rescue of astronauts and space vehicles making emergency landings, and liability for space vehicle accidents—a certain rapprochement and clarification of ideas was recorded and agreement was reached that the relevant instruments should take the shape of international agreements.

20. The Committee notes with gratification that as a result of the work of its Legal Sub-Committee and subsequent exchanges of views, there has been a narrowing of differences, which has been reflected in the Com-

mittee, and expresses the hope that a wider consensus may be achieved by the time this report is considered by the General Assembly during its eighteenth session. The Committee recommends that contacts and exchanges of views, which have been initiated, should continue for the purpose of reaching agreement on questions which have not yet been settled.

IV. REGISTRATION

21. In conformity with the provisions of paragraphs 1 and 2 of General Assembly resolution 1721 B (XVI), the Committee has continued to receive information from the USSR and from the United States concerning objects launched into outer space. The information has been placed in the public registry maintained by the Secretary-General in accordance with resolution 1721 B (XVI) and has been circulated in document A/AC.105/INF.17-44.

ANNEX I

Extract from the interim report of the Committee on the Peaceful Uses of Outer Space, circulated on 28 March 1963

...

3. At its 17th meeting, on 25 February 1963, the Committee approved the following agenda:

- (1) Organization of the work of the Committee in 1963.
- (2) Question of the establishment of an international equatorial sounding rocket facility (A/AC.105/8).
4. With regard to the first item on its agenda, the Committee agreed to instruct its Legal Sub-Committee to continue its consideration of legal questions connected with the peaceful uses of outer space, in the light of section I of General Assembly resolution 1802 (XVII) of 14 December 1962. The Committee agreed also that its Scientific and Technical Sub-Committee should continue its study of the scientific and technical aspects of international co-operation in the peaceful uses of outer space, in conformity with the resolutions of the General Assembly and the recommendations made by the Committee at its first and second sessions.
5. The Committee agreed that its Legal Sub-Committee would meet at United Nations Headquarters from 16 April to 3 May and that its Scientific and Technical Sub-Committee would meet at the European Office of the United Nations from 14 to 31 May. Having in mind General Assembly resolution 1851 (XVII), the Committee further agreed that the Sub-Committees would meet away from United Nations Headquarters during 1964.

6. The delegation of the Union of Soviet Socialist Republics stated that it did not object to the convening of the Legal Sub-Committee in New York in 1963 as an exception, and that this should not constitute a precedent for the future.

7. The representative of the United Arab Republic suggested that the Scientific and Technical Sub-Committee should undertake a study of the question of providing the developing countries with technical assistance in the field of the peaceful uses of outer space with particular emphasis on the training of nationals of the countries concerned. Statements on this point were made by the representatives of the United States, India, the Union of Soviet Socialist Republics and Australia. The Committee agreed to the suggestion of the Chairman that the records of the session be transmitted to the Scientific and Technical Sub-Committee so that the members of the Sub-Committee would be informed of the views expressed on the question of training facilities.

8. With regard to the second item on the Committee's agenda, the representative of India made a statement concerning the steps taken by his Government with a view to the establishment in India of an international equatorial sounding rocket facility. Statements were also made by the representa-

⁴ For the texts of the proposals submitted to the Legal Sub-Committee at its second session, see annex III below.

tives of the United States of America and the Union of Soviet Socialist Republics.

9. The Committee welcomed the initiative taken by the Government of India in offering to be the host Government for an international equatorial sounding rocket facility under United Nations sponsorship and took note of the memorandum of the Government of India (A/AC.105/8) concerning the establishment of such a facility. The Committee further agreed to endorse the procedure outlined in paragraph 5 of the memorandum, in which the Government of India states that it will take appropriate steps to request the Committee on the Peaceful Uses of Outer Space to review the arrangements made by the Government of India and assure itself of compliance with the principles set out by it, with a view to recommending to the General Assembly that the facility in question be given United Nations sponsorship. The facility would be available for use by other countries as appropriate, and complete information about it and experiments at the site would be available to scientists and technicians of all Member States.

10. In connexion with this item the Committee also noted the statement made by the representative of Italy at its meeting on 25 February 1963 regarding the development of the San Marco project, a preliminary description of which was circulated to the Committee in document A/AC.105/4 dated 23 May 1962. The facilities and the results of experiments conducted would be made available to the international scientific community.

...

ANNEX II

Opening statement by the Chairman, made at the 20th meeting of the Committee, on 9 September 1963

Since its third session, in March 1963, the Committee has received, besides information from the USSR and the United States containing registration data concerning objects launched into outer space, four reports: the second report of the Scientific and Technical Sub-Committee (A/AC.105/14), the second report of the Legal Sub-Committee (A/AC.105/12 and Corr.1), a second report by ITU (E/3770) and a second report by WMO (E/3794 and Corr.1).

The Scientific and Technical Sub-Committee, under the chairmanship of Mr. Martyn (Australia), has presented to our Committee a unanimously agreed report containing a number of substantial recommendations to lay the groundwork for increased international co-operation in outer space. These recommendations fall under the following five topics:

(a) *Exchange of information.* In view of the mutual benefits which Member States would derive from keeping each other voluntarily informed about national space activities, the Sub-Committee recommends ways and means for the exchange of information about national and co-operative international space research programmes and about the scientific results of space exploration. Thus greater co-ordination between programmes of international co-operation would be facilitated.

(b) *Encouragement of international programmes.* Having considered the second ITU report on studies conducted in the last year on telecommunications in the peaceful uses of outer space, in particular telecommunication satellites, and on the steps taken by ITU in compliance with General Assembly resolutions 1721 (XVI) and 1802 (XVII), the Sub-Committee recommends that the attention of all Member States be called to these ITU actions and especially that all Member States be urged to participate in the Extraordinary Administrative Radio Conference to allocate frequency bands for outer space radio communication purposes convened for 7 October 1963 at Geneva. The Economic and Social Council has endorsed these recommendations and commended the ITU report in section I of resolution 980 C (XXXVI) of 1 August 1963. The Sub-Committee recommends also that all Member States take further steps to develop and extend communications systems in various parts of the world so that all Member States, regardless of the level of their development, will be able to benefit from international space communications. The Sub-Committee, after having been informed by a representative of WMO of the

progressive steps taken by that agency in pursuance of General Assembly resolution 1802 (XVII)—these progress details were later published in the second WMO report—recommends that our Committee take note of the arrangements made by the Fourth Congress of WMO for the preparation of programmes on the research aspects of meteorological satellites and urges Member States to co-operate in establishing the World Weather Watch system outlined in the first WMO report.

(c) *International sounding rocket launching facilities.* At its spring session the Committee welcomed the offer of the Indian Government to be host Government for an international equatorial sounding rocket facility under United Nations sponsorship. The Indian Government submitted two informative memoranda concerning this space facility. The Committee is invited by the Sub-Committee to establish a group of space scientists to be named by the Scientific Sub-Committee to visit the Indian station and advise our Committee on the acceptance of United Nations sponsorship.

(d) *Training.* The Sub-Committee recommends that our Committee, in co-operation with the Secretary-General and making full use of the Secretariat, compile and organize in co-operation with UNESCO, for circulation to Member States, reviews of information on facilities for education and training in basic subjects related to the peaceful uses of outer space in universities and other places of learning. In addition, initiatives in establishing relevant scholarships, fellowships and other means of technical assistance are recommended. The Sub-Committee recalls that requests by countries to participate in space exploration, requests for training and requests for technical assistance could be met on a bilateral basis also; in the future, international sounding rocket facilities sponsored by the United Nations would be made available for training of space scientists at the discretion of the host country.

(e) *Potentially harmful effects of space experiments.* The Sub-Committee recognized the need for careful preparation for, and conduct of, activities in the exploration and use of outer space in order to avoid potentially harmful interference with other such activities and recognized the scientific difficulty in, and the competence required for, assessing properly the nature and possibilities of such interference. The Sub-Committee noted that the assistance of a special co-operative consultative group of authoritative scientists is available to the members of COSPAR, the international scientific unions and bodies of the United Nations. Therefore, the Sub-Committee invited the attention of our Committee to the urgency and the importance of the problem of preventing potentially harmful interference with peaceful uses of outer space. Since the Sub-Committee met in May one important aspect of harmful space interference, namely by nuclear weapon tests in outer space, was brought closer to a solution when the USSR, the United Kingdom and the United States agreed on a treaty to ban such test explosions in outer space.

In order to facilitate our work, the officers of the Committee have submitted a working paper containing these unanimously agreed recommendations of the Scientific and Technical Sub-Committee, for discussion when agenda item 3 is taken up.

With regard to the second session of the Legal Sub-Committee, the Sub-Committee's Chairman, Mr. Lachs, stated in his résumé that the Sub-Committee's deliberations had been useful and constructive. As to general principles governing the outer space activities of States, agreement was reached that they should take the shape of a declaration. However, it was not agreed whether to embody these principles in a treaty or in a General Assembly resolution.

As to the particular principles proposed, Mr. Lachs stated that there were principles with no differences of view, those as to which a certain rapprochement emerged and those as to which differences remained.

The fact that some of the legal issues under discussion also contain military aspects makes it more difficult to reach agreement on such principles. Nevertheless, the Committee should continue its efforts to find solutions in the legal field in order to match the continuous scientific and technological progress in outer space.

In two specific issues discussed by the Sub-Committee, namely, the question of the rescue of astronauts and space vehicles making emergency landings and the question of liability for space vehicle accidents, a certain clarification of ideas was recorded and agreement reached that the relevant instruments should take the shape of international agreements.

The second ITU report submitted to our Committee in response to General Assembly resolution 1802 (XVII) is a progress report on the activities undertaken by ITU in the field of outer space. I have already referred to this report in so far as the Scientific and Technical Sub-Committee has submitted certain relevant recommendations. The ITU Administrative Council, at its spring session, completed the agenda for the Extraordinary Administrative Radio Conference, and substantial progress emerged in preparing technical bases on which tentative plans for frequency allocations may be established. The second ITU report mentions a new branch of astronomy, namely radio astronomy, which has already broadened our knowledge of the universe and which shares many problems of communication satellites systems in that the receiving stations on earth are called upon to receive extremely weak signals coming from points far out in space, such as space probes or even the sun itself. Thirty-eight recommendations on this subject will be submitted to the Extraordinary Administrative Radio Conference in October 1963. In list of these texts is contained in annex 2 of the ITU report.

This list shows that there were many important problems connected with space communication systems which have to be investigated and solved before a world-wide space telecommunication system as envisaged by General Assembly resolution 1721 (XVI) could be established.

In general, it can be seen with satisfaction from the report that ITU is tackling all technical aspects of space communications until step by step, over a period of years, space telecommunications will be fully developed.

According to the second WMO report, the Fourth World Meteorological Congress (April 1963) has established the general policy of the organization in satellite meteorology for the next four years. The concept of an over-all world weather service involving the use of conventional and satellite data and the establishment of national, regional and world centres has been endorsed. Advanced satellite technology now makes it possible for any country to receive certain meteorological data directly from satellites.

The WMO report refers also to the considerable progress made by continued bilateral discussions between the United States and the USSR this year in the co-ordination of meteorological satellite programmes and exchange of data obtained therefrom, and to the fact that interested countries may obtain the data from a special communications link for meteorological purposes between Moscow and Washington.

The WMO report demonstrates that the agency has taken appropriate organizational and financial steps to meet the responsibilities assigned to WMO under General Assembly resolutions 1721 (XVI) and 1802 (XVII). The Economic and Social Council has already expressed its appreciation of WMO's activities in section II of resolution 980 C (XXXVI) of 1 August 1963. Since the WMO report was distributed, the United States of America and the Soviet Union have circulated the text of this year's bilateral agreement (A/5482) on the implementation of the co-ordinated meteorological satellite programme, on the world magnetic survey using satellites, on a passive communication satellite experiment and on future bilateral discussions by scientists of both countries of scientific results obtained from deep space probes towards Mars and Venus.

This résumé would not be complete without mentioning the fact that since the Committee's last session in March, great progress has been achieved in the penetration of outer space and in the exploration of its mysteries. Among other achievements, the orbits of Major Cooper, the team space flight of Miss Tereshkova and Colonel Bykovsky and the launching of Luna IV and Syncom II are undoubtedly outstanding results.

The Committee welcomes the presence of the Secretary-

General. I should also like to welcome and introduce to the Committee the new Under-Secretary for Political and Security Council Affairs, Mr. Vladimir Suslov, who is in charge of outer space matters in the Secretariat.

ANNEX III

Proposals submitted to the Legal Sub-Committee at its second session

A

UNION OF SOVIET SOCIALIST REPUBLICS: DRAFT DECLARATION OF THE BASIC PRINCIPLES GOVERNING THE ACTIVITIES OF STATES IN THE EXPLORATION AND USE OF OUTER SPACE

The Governments of the States whose representatives have signed this Declaration,

Inspired by the great prospects opening up before mankind as a result of penetration into outer space,

Recognizing the common interest of all mankind in the progress of the exploration and use of outer space for peaceful purposes,

Believing that the exploration and use of outer space should be for the betterment of mankind and for the benefit of States irrespective of their degree of economic or scientific development,

Desiring to promote broad international co-operation in the exploration and use of outer space for peaceful purposes,

Believing that such co-operation will contribute to the development of mutual understanding and to the strengthening of friendly relations between nations and peoples,

Taking into consideration General Assembly resolutions 1721 (XVI) and 1802 (XVII), approved unanimously by all the States Members of the United Nations,

Noting the interrelationship of the technical and legal aspects of the activities of States in outer space,

Solemnly declare that in the exploration and use of outer space they will be guided by the following principles:

1. The exploration and use of outer space shall be carried out for the benefit and in the interests of the whole of mankind.

2. Outer space and celestial bodies are free for exploration and use by all States; sovereignty over outer space or celestial bodies cannot be acquired by use or occupation or in any other way.

3. All States have equal rights to explore and use outer space.

4. The activities of States pertaining to the conquest of outer space shall be carried out in accordance with the principles of the United Nations Charter and with other generally recognized principles of international law in the interests of developing friendly relations among nations and of maintaining international peace and security.

5. The use of outer space for propagating war, national or racial hatred or enmity between nations shall be prohibited.

6. Co-operation and mutual assistance in the conquest of outer space shall be a duty incumbent upon all States; the implementation of any measures that might in any way hinder the exploration or use of outer space for peaceful purposes by other countries shall be permitted only after prior discussion of and agreement upon such measures between the countries concerned.

7. All activities of any kind pertaining to the exploration and use of outer space shall be carried out solely by States. If States undertake activities in outer space collectively, either through international organizations or otherwise, each State participating in such activities has a responsibility to comply with the principles set forth in this Declaration.

8. States shall retain their sovereign rights over objects they launch into outer space. Rights of ownership in respect of objects launched into outer space and their components remain unaffected while they are in outer space and upon their return to the earth.

9. The use of artificial satellites for the collection of intelligence information in the territory of a foreign State is

incompatible with the objectives of mankind in its conquest of outer space.

10. States shall regard cosmonauts as envoys of mankind in outer space and shall render all possible assistance to space ships and their crews which may make an emergency landing on the territory of a foreign State or on the high seas; space ships, satellites or capsules found beyond the limits of the launching State shall be returned to that State.

11. A State undertaking activities in outer space bears international responsibility for damage done to a foreign State or to its physical or juridical persons as a result of such activities.

The Governments of the States signatories to this Declaration call upon all the States of the world to accede to it.

B

UNION OF SOVIET SOCIALIST REPUBLICS: DRAFT INTERNATIONAL AGREEMENT ON THE RESCUE OF ASTRONAUTS AND SPACE SHIPS MAKING EMERGENCY LANDINGS

[For the text, see Official Records of the General Assembly, Seventeenth Session, Annexes, agenda item 27, document A/5181, annex III, B.]

C

UNITED STATES OF AMERICA: DRAFT PROPOSAL ON ASSISTANCE TO AND RETURN OF SPACE VEHICLES AND PERSONNEL

[For the text, see Official Records of the General Assembly, Seventeenth Session, Annexes, agenda item 27, document A/5181, annex III, C.]

D

UNITED STATES OF AMERICA: DRAFT PROPOSAL ON LIABILITY FOR SPACE VEHICLE ACCIDENTS

[For the text, see Official Records of the General Assembly, Seventeenth Session, Annexes, agenda item 27, document A/5181, annex III, D.]

E

UNITED ARAB REPUBLIC: DRAFT CODE FOR INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE

[For the text, see Official Records of the General Assembly, Seventeenth Session, Annexes, agenda item 27, document A/5181, annex III, E.]

F

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND: DRAFT DECLARATION OF BASIC PRINCIPLES GOVERNING THE ACTIVITIES OF STATES PERTAINING TO THE EXPLORATION AND USE OF OUTER SPACE

[For the text of the draft declaration, see Official Records of the General Assembly, Seventeenth Session, Annexes, agenda item 27, document A/C.1/879.]

G

UNITED STATES OF AMERICA: DRAFT DECLARATION OF PRINCIPLES RELATING TO THE EXPLORATION AND USE OF OUTER SPACE

The General Assembly,

Recalling its resolution 1721 (XVI) of 20 December 1961,

Recognizing the common interest of all mankind in furthering the peaceful exploration and use of outer space,

Believing that the exploration and use of outer space should be for the betterment of mankind and to the benefit of States irrespective of the stage of their economic or scientific development,

Considering the great importance of international co-operation in this field of human activity,

Believing that such co-operation will contribute to the development of mutual understanding and to the strengthening of friendly relations among nations and peoples,

Commends to States for their guidance in the exploration and use of outer space the following declaration of principles:

1. Outer space and celestial bodies are free for exploration and use by all States, on the basis of equal rights, in conformity with international law.

2. In the exploration and use of outer space and celestial bodies, States are bound by the relevant rules of international law and the relevant provisions of international treaties and agreements including the Charter of the United Nations.

3. Outer space and celestial bodies are not subject to national appropriation.

4. States shall render all possible assistance to the personnel of space vehicles who may be the subject of accident or experience conditions of distress, or may land by reason of accident, distress or mistake. Space vehicle personnel who make such a landing shall be safely and promptly returned to the launching authority.

5. States shall return to the launching authority any space vehicle or part that has landed by reason of accident, distress or mistake. Upon request, the launching authority shall furnish identifying data prior to return.

6. A State or international organization from whose territory or with whose assistance or permission a space vehicle is launched bears international responsibility for the launching, and is internationally liable for personal injury, loss of life or property damage caused by such vehicle on the earth or in air space.

7. Jurisdiction over a space vehicle while it is in outer space shall be retained by the State or international organization which had jurisdiction at the time of launching. Ownership and property rights in a space vehicle and its components remain unaffected in outer space or upon return to the earth.

H

BELGIUM: WORKING PAPER ON THE UNIFICATION OF CERTAIN RULES GOVERNING LIABILITY FOR DAMAGE CAUSED BY SPACE VEHICLES

Article 1. Field of application

(a) The following provisions shall apply to compensation for damage caused to persons or property by one or more space vehicles except where much damage is caused on the territory of the State where the launching of the vehicle or vehicles takes place, the State whose flag the vehicle or vehicles fly or the State or States claiming ownership or co-ownership of the vehicle or vehicles.

(b) By "damage" shall be understood any loss for which compensation may be claimed under the national law of the injured person, including judicial and legal costs and interest.

By "person" shall be understood any natural or legal person in public or private law.

By "property" shall be understood any movable or immovable property.

By "territory of a State" shall be understood its land areas, its territorial and adjacent waters, ships flying its flag and aircraft registered by it.

By "space vehicle" shall be understood any device which is intended to move in space, remaining there by means other than the reaction of the air.

Article 2. States which are liable

The following shall be held liable for damage within the meaning of article 1 at the choice of the plaintiff, there being no joint liability or solidarity:

The State on whose territory the space vehicle was launched;

The State whose flag the space vehicle flies; or

The State or States claiming ownership or co-ownership of the space vehicle.

By "plaintiff" shall be understood the State which has been injured or whose nationals or residents have been injured.

Article 3. Nature of the liability

The occurrence of the event causing the damage shall entail an obligation to give compensation once proof has been given that there is a relationship of cause and effect between the damage, on the one hand, and the launching, motion or descent of all or part of the space vehicle, on the other hand.

The presence or absence of a relationship of cause and effect shall be determined in accordance with the national law of the person injured.

Article 4. Extent of liability

The extent of the obligation to give compensation shall be determined in accordance with the provisions of the ordinary law of the country of the person injured.

Article 5. Procedure for bringing action for liability

(a) Within twelve months of the occurrence of the damage, the plaintiff State shall submit, through the diplomatic channel, to the State considered liable under article 1 all claims for compensation relating to the State itself or to its nationals or residents.

If the State which is liable does not take a decision considered satisfactory by the plaintiff State within six months, the latter shall be entitled to take the claims for compensation before the International Court of Justice. The plaintiff State must act within six months of being notified of the decision in question.

The States ratifying or acceding to these articles undertake to comply with the judgement given by the International Court of Justice within three months of being notified thereof.

(b) There may be no interruption or suspension of the periods specified in paragraph (a) above.

(c) There shall be joinder of actions when there is more than one plaintiff in respect of damage due to one and the same event or when more than one State is liable if more than one space vehicle was responsible for the damage.

Article 6

These articles shall enter into force between the Contracting States on the date of the deposit of the instruments of ratification or accession at United Nations Headquarters, irrespective of the number of States which have ratified them or acceded to them.

DOCUMENT A/5549/ADD.1**Additional report**

[Original text: English]
[27 November 1963]

1. The fifth session of the Committee on the Peaceful Uses of Outer Space was convened at United Nations Headquarters, New York, on 22 November 1963, under the chairmanship of Mr. Franz Matsch (Austria). Mr. Mihail Haseganu (Romania) served as Vice-Chairman and Mr. Geraldo de Carvalho Silos (Brazil) as Rapporteur.

2. The Committee held one meeting, the record of which was circulated as document A/AC.105/PV.24 and is annexed to the present report.

3. At the outset of the session the Committee adopted the following agenda:

- (1) Opening statement by the Chairman.
- (2) Consideration of working paper, "Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space".
- (3) Additional report of the Committee to the General Assembly.

4. The Chairman recalled that section of the Committee's earlier report (A/5549) which pertained to the report of the Legal Sub-Committee, and in particular, the expression of the hope, in paragraph 20, "that a wider consensus may be achieved by the time this report is considered by the General Assembly during its eighteenth session", and the Committee's recommendation, "that contacts and exchanges of views, which have been initiated, should continue for the purpose of reaching agreement on questions which have not yet been settled". He noted that as a result of consultations between members of the Committee a working paper had been prepared for circulation and consideration by the Committee. The Chairman, in consultation with members of the Committee, had convened the Committee for the purpose of considering the draft declaration of legal principles.

5. In the course of the general debate statements were made by the representatives of Poland, the United States, Canada, Australia, France, the United Kingdom, Austria, Italy, Japan, Brazil, India, Lebanon and the Union of Soviet Socialist Republics. The verbatim text of these statements, including the reservations and viewpoints of several delegations, is reproduced in the annex to the present report.

6. At its 24th meeting, on 22 November 1963, the Committee unanimously decided to submit to the General Assembly the following draft declaration of legal principles governing the activities of States in the exploration and use of outer space, recognizing that the draft declaration represents the maximum area of agreement possible at this time:

Draft declaration of legal principles governing the activities of States in the exploration and use of outer space

The General Assembly,

Inspired by the great prospects opening up before mankind as a result of man's entry into outer space,

Recognizing the common interest of all mankind in the progress of the exploration and use of outer space for peaceful purposes,

Believing that the exploration and use of outer space should be carried on for the betterment of mankind and for the benefit of States irrespective of their degree of economic or scientific development,

Desiring to contribute to broad international co-operation in the scientific as well as in the legal aspects of exploration and use of outer space for peaceful purposes,

Believing that such co-operation will contribute to the development of mutual understanding and to the strengthening of friendly relations between nations and peoples,

Recalling its resolution 110 (II) of 3 November 1947, which condemned propaganda designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression, and considering that the aforementioned resolution is applicable to outer space,

Taking into consideration its resolutions 1721 (XVI) of 20 December 1961 and 1802 (XVII) of 14 December 1962, adopted unanimously by the States Members of the United Nations,

Solemnly declares that in the exploration and use of outer space States should be guided by the following principles:

1. The exploration and use of outer space shall be carried on for the benefit and in the interests of all mankind,

2. Outer space and celestial bodies are free for exploration and use by all States on a basis of equality and in accordance with international law.

3. Outer space and celestial bodies are not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means.

4. The activities of States in the exploration and use of outer space shall be carried on in accordance with international law including the Charter of the United Nations, in the interest of maintaining international peace and security and promoting international co-operation and understanding.

5. States bear international responsibility for national activities in outer space, whether carried on by governmental agencies or by non-governmental entities, and for assuring that national activities are carried on in conformity with the principles set forth in the present Declaration. The activities of non-governmental entities in outer space shall require authorization and continuing supervision by the State concerned. When activities are carried on in outer space by an international organization, responsibility for compliance with the principles set forth in this Declaration shall be borne by the international organization and by the States participating in it.

6. In the exploration and use of outer space, States shall be guided by the principle of co-operation and mutual assistance and shall conduct all their activities in outer space with due regard for the corresponding interests of other States. If a State has reason to believe that an outer space activity or experiment planned by it or its nationals would cause potentially harmful interference with activities of other States in the peaceful exploration and use of outer space, it shall undertake appropriate international consultations before proceeding with any such activity or experiment. A State which has reason to believe that an outer space activity or experiment planned by another State would cause potentially harmful interference with activities in the peaceful exploration and use of outer space may request consultation concerning the activity or experiment.

7. The State on whose registry an object launched into outer space is carried shall retain jurisdiction and control over such object, and any personnel thereon while in outer space. Ownership of objects launched into outer space, and of their component parts, is not affected by their passage through outer space or by their return to the earth. Such objects or component parts found beyond the limits of the State of registry shall be returned to that State, which shall furnish identifying data upon request prior to return.

8. Each State which launches or procures the launching of an object into outer space, and each State from whose territory or facility an object is launched, is internationally liable for damage done to a foreign State or to its natural or juridical persons by such object or its component parts on the earth, in air space, or in outer space.

9. States shall regard astronauts as envoys of mankind in outer space, and shall render to them all possible assistance in the event of accident, distress, or emergency landing on the territory of a foreign State

or on the high seas. Astronauts who make such a landing shall be safely and promptly returned to the State of registry of their space vehicle.

ANNEX

Verbatim record of the 24th meeting of the Committee, held on 22 November 1963^a

ADOPTION OF THE AGENDA

The agenda was adopted.

OPENING STATEMENT BY THE CHAIRMAN

The CHAIRMAN: The Committee will recall that when we discussed the report of the Legal Sub-Committee at our last meeting in September, the Committee noted with gratification that, as a result of the Legal Sub-Committee's work and the subsequent exchange of views, there had been a narrowing of differences, and this has been reflected in the Committee. However, the Committee expressed the hope that a wider consensus might be achieved by the time this report would be considered by the General Assembly during its eighteenth session. The Committee therefore recommended that contacts and the exchange of views should continue for the purpose of reaching agreement on questions which have not yet been settled. I understand that such contacts and exchange of views have taken place recently.

I notice the presence among us of the Chairman of the Legal Sub-Committee, Mr. Lachs. I would therefore now invite the representative of Poland, Mr. Lachs, to take the floor as the first speaker in our debate.

CONSIDERATION OF WORKING PAPER "DECLARATION OF LEGAL PRINCIPLES GOVERNING THE ACTIVITIES OF STATES IN THE EXPLORATION AND USE OF OUTER SPACE"

Mr. LACHS (Poland): Members of this Committee will recall the continuous efforts made in the Legal Sub-Committee in order to reach agreement on the basic legal principles governing the activities of States in the exploration and use of outer space and on two specific issues—namely, the liability for space vehicle accidents, and assistance to and return of astronauts and space vehicles—as well as on other legal problems involved.

At the last meeting of the Sub-Committee, we had a very thorough and interesting discussion. Yet all we could agree upon was the conclusion that with regard to the principles involved there were some on which there was no difference of views, some as to which there has been a certain rapprochement of points of view and others as to which differences of views remain. A certain rapprochement and clarification of ideas was recorded with regard to the two specific issues involved. This did not carry us very much forward in the work we were called upon to perform, and no one regretted it more than I did, being a servant of the Legal Sub-Committee.

Members will also recall that in the last report of the Sub-Committee, covering the second session, the delegations taking part in its work recommended "that contacts and exchanges of views should continue, on which further action by the Committee and the Sub-Committee will depend".

Mr. Chairman, the Committee, which met afterwards, under your chairmanship, did not produce any substantial results either. As all members know, some further negotiations did take place and, as a result of them, we face today a new situation. We have before us a draft declaration of legal principles governing the activities of States in the exploration and use of outer space.

The preamble to this document contains a series of noteworthy elements. It confirms what I feel is the belief of

^a The provisional verbatim record of the 24th meeting was issued as document A/AC.105/PV.24; the text reproduced here is the final record, containing the corrections submitted by delegations.

all of us—the great prospects opening up before mankind as a result of man's entry into outer space. It recognizes the common interest of all mankind in the progress of the exploration and use of outer space for peaceful purposes. It links the exploration and use of outer space with the great cause of the betterment of mankind, and indicates that it should be carried out "for the benefit of States irrespective of their degree of economic or scientific development". It stresses further the need for co-operation in the scientific as well as the legal aspects of the exploration and use of outer space for peaceful purposes. It emphasizes their importance for mutual understanding, as well as the need for strengthening friendly relations between nations and peoples.

By doing so the draft declaration confirms General Assembly resolutions 1721 (XVI) and 1802 (XVII). It may be worth recalling that the first of them stressed the common interest of mankind in furthering the peaceful use of outer space. Both of them are mentioned in the new draft. The preamble also recalls General Assembly resolution 110 (II) concerning propaganda designed or likely to provoke or encourage any threat to the peace, breach of the peace or act of aggression, and considers that this very resolution is applicable to outer space. It thus extends the peaceful use of outer space to human action in this field.

Turning to the operative part, we find a series of principles the importance of which in the elaboration of what we visualize as the law of outer space cannot be underestimated. I would hardly attempt to submit to the Committee a detailed and thorough analysis of this document here and now. What I wish to do, however, is to confine myself to stressing some of the important issues involved. The first four paragraphs of the draft make it clear that the exploration and use of outer space shall be carried on for the benefit and in the interest of all mankind; that the activities of States in that area are subjected to the basic principles that outer space celestial bodies will be free for exploration and use by all States; that they will therefore be barred from appropriating or claiming sovereignty to outer space and celestial bodies on whatever legal title it may be. It contains further the all-embracing clause that States will be guided in this sphere by international law, including the Charter of the United Nations. The over-all objective is international peace and security and the promotion of international co-operation and understanding.

As I said, one cannot underestimate the value of these principles once they are adopted in a solemn declaration by the General Assembly of the United Nations.

They obviously constitute a framework which will have to be filled in by detailed stipulations. The remaining provisions refer to specific issues with which members of this Committee are very familiar. They include State responsibility for national activities in outer space, by whomever they may be conducted.

In paragraph 6, account is taken of a conclusion reached by the Scientific and Technical Sub-Committee at its last session, when it invited the attention of the Committee on the Peaceful Uses of Outer Space to the urgency and the importance of the problem of preventing potentially harmful interference with the peaceful uses of outer space.

The draft deals further with the problem of jurisdiction and control over objects in outer space, and their return, deals with the question of responsibility for damage caused by them, and, finally, deals with the issue of assistance to and return of astronauts in the event of accident or emergency. Thus the draft as a whole takes into account the many useful and constructive proposals made by the members of the Legal Sub-Committee during its deliberations. May I stress how valuable some of these suggestions were. Some of them are reflected in annex I of the Sub-Committee's last report. One can therefore state that the work of the Sub-Committee carried on during the last two years, though to many of us it may have looked disappointing at first sight, has produced its rewards.

It is worth mentioning that the Institute of International Law, at its last session held in Brussels this year, unanimously adopted on 11 September a resolution concerning the legal régime of outer space which contains a series of principles,

some of which are reflected in the draft declaration presented to us. All this, I submit, is gratifying, and our efforts have produced some results which will be of great importance for the future work of the legal Sub-Committee.

Outer space cannot be a legal vacuum. That is why it is so essential that rules and principles of international law binding States of earthly dimensions be recognized wherever applicable to the domain of outer space. We are entering a process similar to that which established legal principles for air navigation and finally resulted in a network of treaties and conventions binding States in that area. From this point of view, the draft declaration is an important measure and a good augury for our work in the future. Many of the principles involved will have to be elaborated upon, and some of the detailed issues will have to be translated into the language of treaties and conventions.

In saying this, I wish to stress that the draft declaration does not reflect all the proposals and suggestions made on the subject. In this and in a wider context, I think it ought to be made clear that the principles as enumerated do not constitute a closed chapter. After this declaration has been adopted, some of the proposals and suggestions which have been made, and some others which may be made in the future, will require further consideration and negotiations in the future. But I humbly submit that we have to bear in mind that law-making is a long and painstaking process. It is a continuous process in which the lawmakers must remain watchful, facing the existing and changing requirements of life.

We have to welcome what has been achieved and strive for further agreement. The law of outer space is in its formative stage only. We must proceed with prudence and care, take full benefit from the agreements reached, work on them, extend them, make them a living reality, and continue with our efforts for further agreement.

This is how I look upon the draft declaration which has been submitted today for our consideration. The draft, once adopted by the General Assembly, could and should become a guiding document of basic importance for our future efforts to facilitate international co-operation, to regulate and offer the protection of law to the great achievement of man's genius in outer space for the benefit of our generation and those who will succeed us.

The CHAIRMAN: The Chair understands that a working paper has been distributed containing the draft declaration of legal principles governing the activities of States in the exploration and use of outer space, which represents the results of consultations among members of the Committee.

Mr. PLIMPTON (United States of America): Two years ago the General Assembly made a definite beginning in conscious international efforts to shape and develop law for outer space. The Assembly's resolution 1721 (XVI) is a United Nations landmark in the history of outer space law. In that resolution the General Assembly commended to States for their guidance legal principles on the freedom of outer space and celestial bodies and on the applicability of international law, including the United Nations Charter, to activities in outer space.

In the same resolution the General Assembly asked the Committee on the Peaceful Uses of Outer Space to study legal questions arising in the exploration of space. In the ensuing two years, this Committee and our Legal Sub-Committee have held extended and thorough discussions in pursuance of the Assembly's mandate.

From an early stage in those discussions, it was recognized that any attempt at a comprehensive codification of legal rules for outer space would not at this stage be appropriate. The world's experience in exploring outer space has been entirely too brief to make any such codification possible yet. Instead, attention was focused on proposals for a study of specific topics, such as liability for space vehicle accidents, and rescue and return of astronauts and space vehicles. At the same time, there were proposals for setting down a statement of broad general principles, on which a consensus might be obtained, designed to govern the activities of States in outer space.

We are now at the point of recording progress in the field of outer space law. We have before us a draft declaration of legal principles. This declaration is the outcome of a long process of international debate and inter-governmental consultation. During previous meetings, drafts of general principles were presented by several delegations. These drafts were extensively debated. Numerous positions were set forth, clarified and modified. Areas of agreement were identified, and as time went on differences of view on other matters were narrowed.

This fall, in pursuance of recommendations included both in the report of the Legal Sub-Committee and in the report made by this Committee in September, further consultations were held among delegations in order to produce a text which could be generally agreed and supported. These efforts were, we believe, crowned with success, and the agreed paper which emerged is now before us in the form of a proposed "Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space." The United States delegation would like to offer a few comments on the proposal.

First, it will be seen that paragraphs 1 through 4 of the draft declaration are drawn from General Assembly resolution 1721 (XVI) of two years ago. They state broad principles which by now have become familiar in the international community. The first is that the exploration and use of outer space shall be carried on for the benefit and in the interests of all mankind. The second principle states the freedom of outer space and celestial bodies for exploration and use by all States, on the basis of equality and in accordance with international law. The third principle asserts the proposition that outer space and celestial bodies are not subject to national appropriation in any form or by any means. The fourth principle proclaims that the activities of States in outer space shall be carried on in accordance with international law, including the Charter of the United Nations.

Paragraph 5 of the draft declaration asserts the principle that States are internationally responsible for all national activities in outer space, whether these are carried on by agencies of government or by non-governmental entities. In the case of private enterprise in outer space, government authorization and continuing governmental supervision are required. This part of the declaration also recognizes that States may sometimes conduct activities in outer space through an international organization. When they do so, both the participating States and the international organization itself bear responsibility for the activities undertaken. The principle of State responsibility applies also where outer space activities are carried on by two or more States co-operatively, even if they do not act through a formally established international organization.

The next part of the draft declaration—paragraph 6—deals with the use of international consultation to guard against any outer space activities or experiments that would cause potentially harmful interference with the activities of other States in the peaceful exploration and use of outer space. The provisions of paragraph 6 are twofold. First, if a State has reason to believe that one of its own outer space activities or experiments would cause potentially harmful interference with the activities of other States, the first State shall undertake appropriate international consultations before proceeding with the activity or experiment. Second, if a State has reason to believe that an activity or experiment planned by another State would cause potentially harmful interference, the first State may request consultation. Paragraph 6 is a statement of principle; it does not specify the manner in which consultations are to be held. As the United States has indicated in the past, we regard the Consultative Group of COSPAR as an appropriate forum for consultation. But in a statement of general principles it would be inappropriate to specify one particular mode exclusively and for all time.

Paragraph 7 of the draft declaration deals with the status of objects launched into outer space. First, the paragraph provides that jurisdiction and control over such objects, and any personnel thereon, are retained by the State of registry while an object is in outer space. This provision parallels some precedents that are familiar in the fields of maritime and aviation law. Paragraph 7 next provides that ownership of objects launched

into outer space is not affected by their transit through space or by return to the earth. The paragraph concludes with a statement that space objects, or component parts of such objects, which are found outside the State of registry shall be returned to that State, upon the furnishing of identifying data prior to return, if such data are requested.

I should emphasize here that paragraph 7, like the other parts of the draft, is a broad statement of general principles. It does not seek to cover every conceivable situation, and it does not contain details for precise application. Such matters will need to be given further study, and elaboration will be required in subsequent instruments.

Paragraph 8 states the principle of international liability for damage done in a space vehicle accident. The principle is broadly framed. It covers personal injury, loss of life and property damage. It covers accidents occurring on the earth, in air space or in outer space.

The draft declaration recognizes the liability of international organizations, as well as of the States participating in them, for damage caused by space activities in which international organizations engage. This is made clear by the last sentence of paragraph 5, which sets forth the following broad principle, covering liability along with other matters:

"When activities are carried on in outer space by an international organization, responsibility for compliance with the principles set forth in this Declaration shall be borne by the international organization and by the States participating in it."

It is thus clear that both the international organization itself and the members participating in it may be called upon to bear liability.

Details of the application of paragraph 8 and the last sentence of paragraph 5, relating to liability, will need to be spelled out in an appropriate international agreement.

The concluding paragraph of the draft declaration sets forth the humanitarian principle of assistance to astronauts in the event of accident, distress or emergency landing—whether on the territory of a foreign State or on the high seas. Astronauts who make such landings are to be safely and promptly returned to the State of registry of their space vehicle.

In our view, by taking favourable action on this draft declaration we shall not be completing but only beginning our work in the development of law for outer space. The declaration of legal principles is not the last word: it is one of the first. In the future, the United Nations may wish to formulate additional principles, as experience accumulates. We believe also that work should be undertaken in the immediate future to enlarge upon two of the individual principles so that they may be given practical application and effect in the form of detailed international agreements. We think there is wide agreement that the Committee should next take up as a matter of first priority in the legal area the task of preparing international agreements on the subjects of, first, international liability for space vehicle accidents and, second, assistance to and return of astronauts and space vehicles.

We believe, moreover, that we should arrange our work programme when we next meet in accordance with this priority.

Mr. TREMBLAY (Canada): My delegation is pleased that the Committee on the Peaceful Uses of Outer Space is meeting to consider the draft declaration of legal principles governing the exploration and use of outer space before it is submitted to the General. For the very reason that the draft declaration does not give complete satisfaction to any one point of view, we regard it as important that we should have this opportunity to express our opinions on it within this body, which played such a significant role in setting the stage for the most recent consultations which led to the elaboration of the draft declaration. My delegation considers that the statements made today, attached to the report of the Committee to the General Assembly, will serve as a valuable commentary on this declaration.

We meet today with our hopes of last summer largely realized. At that time, during the meetings of the Legal Sub-Committee, my delegation, along with other members of the Committee, spoke of the desirability of recording agreement on those legal

principles governing the exploration and use of outer space on which there was general accord, leaving for future development those principles on which differences of opinion existed.

The elaboration of a draft declaration of legal principles has been made possible because all members of our Committee have now accepted the view that progress in harmonizing different interests and points of view can be achieved only through compromise. It is in this spirit that my delegation approaches the draft declaration of legal principles which is before us this morning. I am sure that all of us consider it to be deficient in one respect or another. We may believe that it omits principles which we should wish to see included in such a declaration of principles, or we may believe that some of the principles included in the draft declaration are too general and do not provide for every possible situation. But my delegation does not think that such deficiencies provide a sufficient basis for not supporting the declaration in its present form. Only if the declaration included unacceptable principles should we consider opposing it.

For that reason, and in spite of two specific deficiencies which I shall explain, my delegation supports the draft declaration.

The Canadian delegation wishes to draw the Committee's attention to two principles where we should have preferred a more elaborate draft. I deal first with principle 6, concerning experiments in outer space. Under that principle the States accept an obligation to undertake appropriate international consultation if "an outer space activity or experiment planned by it or its nationals would cause potentially harmful interference with activities of other States in the peaceful exploration and use of outer space". We note that a State is not specifically asked to undertake consultation if an experiment planned by it or its nationals might involve a risk of modifying the natural environment of the earth in a manner likely to be prejudicial to the well-being of human life or the interests of another State. I am confident that any State considering an experiment which could have these consequences would spontaneously undertake consultation. Moreover, I understand that it is considered that any experiment which would affect the earth's environment would also interfere with activities of other States in outer space, so that States planning an experiment would for this latter reason be under an obligation to consult internationally. While the principle as drafted seems therefore to be sufficient, it could surely have been improved if it had also specified that States had an obligation to consult in the event an experiment were being planned which might have the effect of influencing the earth's environment. We trust that when it proves possible to elaborate this principle, this important omission might be rectified.

I wish now to comment on principle 5, which refers to the international responsibility of States for national activities in outer space. It refers to the responsibility of international organizations for outer space activities. It does not, however, refer specifically to joint responsibility for co-operative activities by States. Having conducted joint space activities with the United States, we in Canada are undoubtedly especially interested in this point. We recognize that joint responsibility is an accepted legal concept. Nevertheless, Canada would have preferred that joint responsibility for space activities had been specifically provided for in this principle.

In spite of these small deficiencies in the draft declaration, my delegation is gratified by the important fact that it has proved possible to draft a declaration of principles which represents the maximum area of agreement now possible. My delegation, accordingly, supports the draft declaration and urges the Committee to recommend its adoption by the General Assembly.

Mr. HAY (Australia): Australia warmly welcomes the tabling of the draft declaration of legal principles governing the activities of States in the exploration and use of outer space which is now before us. It is the result of the "contacts and exchanges of views" which this Committee urged on its members two months ago, and it embodies that "wider consensus" all of us were seeking.

The Australian delegation has three particular reasons for welcoming the appearance of this draft declaration. First, from the outset of the consideration of the question—in the Legal Sub-Committee in Geneva in May 1962—the Australian delega-

tion was among those who agreed that it would be desirable to formulate a declaration of basic legal principles applicable to the activities of States in the exploration and use of outer space. We expressed the view at that time, however, as we have done since and do now, that the task of preparing such a declaration needed to be approached both with a proper idea of the bounds of this Committee's competence and also with caution, since the usefulness of the declaration would depend largely on its prospects of securing general adoption. This attitude led us to urge in the succeeding eighteen months that this Committee accept the fact of certain disagreements but adopt a text embodying the elements on which agreement did exist.

That approach, which we shared with many around this table, has now I think been accepted by all, and it is the second of our particular reasons for welcoming the draft before us: for without such an approach there would be no draft, and without its continued acceptance there will be no unanimously adopted Declaration.

The third reason is that Australia is actively engaged in the exploration and use of outer space. What we are doing is, of course, only a very small part of the total international effort. Nevertheless, largely because of its situation in the Southern hemisphere, and the very extensive range facilities that have been built up at Woomera, in Australia, Australia's role is an important one. Australia is itself a launching State, which has designed and built its own sounding rockets. The Woomera range also launches rockets on behalf of the United Kingdom and of the United States. Finally, Australia is to be the "launching State" for the European Launcher Development Organization (ELDO), which is building a three-stage, satellite-orbiting rocket, the first stage of which is already at Woomera and is to undergo preliminary trials next year.

Precisely because legal principles applicable to the activities of States in outer space have a special practical significance to Australia, we have taken a close interest in the subject and have concerned ourselves particularly with the draft which is now before us. Our attention has naturally been directed largely to the way in which the draft declaration has dealt with the matter of international liability for damage done by objects launched into outer space. It will not, I trust, be charged against us that we are introducing a "note of dissonance" if I comment shortly on principles 5 and 8 of the draft.

The Australian delegation accepts, in the first place, that each State which launches or procures the launching of an object into outer space is internationally liable for damage done by such object. That seems to us as it should be; and I spend no more time on it. But it is not so obvious to us that a State which has simply lent its territory or facility for the launching of an object by another State should bear international liability. In such a case—which we take to be the second of the cases dealt with in principle 8—we feel that there are arguments for the "lending" State's not bearing any international responsibility for subsequent damage. The Australian delegation is nevertheless prepared to accept the proposition that some liability may properly rest with the "lending" State, though in that case the primary responsibility would be on the State or States launching or procuring the launching of the object. We would have preferred that this position be spelled out in the declaration. But we can accept principle 8 as it stands because it does not preclude that position, and because it does not prejudice the right of a "lending" State to enter into agreements with the "launching" or "procuring" States on the division of liability.

Another point which is not spelled out as clearly as the Australian delegation would have liked relates to the liability of international organizations, such as ELDO. We would much have preferred that the declaration recognize expressly that when an international organization is involved in launching an object which causes international damage, then the international organization itself bears liability—as, of course, do its constituent States. This the declaration does not in terms do. Nevertheless, we agree entirely with what the United States representative has just said—that it is clear enough from the final sentence of principle 5, when read together with prin-

principle 8, that the declaration does recognize that an international organization is itself liable, just as are the States participating in it. The final sentence of principle 5 reads:

“When activities are carried on in outer space by an international organization, responsibility for compliance with the principles set forth in this Declaration shall be borne by the international organization and by the States participating in it.”

It is apparent from its very terms that this sentence is in no way limited in its operation to principle 5, but is rather related to all the principles set forth in the declaration. That sentence is thus something in the nature of an interpretative clause applying to the whole of the declaration. When, therefore, principle 8 talks of States being liable, it must be taken to mean, in the light of the final sentence of principle 5, that international organizations as well as their constituent States are liable.

It is on these understandings, then, that the Australian delegation accepts the principles dealing with liability. We are the more prepared to do so because we realize that this declaration is a broad statement of general legal principles and that we cannot expect such an instrument to include or to treat in detail everything that all of us would like it to do. The Australian delegation recognizes that many matters will need to be given further close study and that details of the application of the declaration's principles on liability will need to be articulated in an appropriate international agreement—without, of course, prejudicing the right of States to make in the meantime specific bilateral or multilateral indemnity agreements if that should be thought necessary.

Australia would hope to be able to contribute to the drafting of such an international liability agreement, which we think should receive a top priority from the Legal Sub-Committee. In that drafting many matters referred to in the declaration in general terms will need to be given sharper definition, and other matters not here covered, or only impliedly covered, will need to be brought in. We think, for example, in addition to the points I have already raised, of questions such as the extent and nature of liability. Should it be without fault? Should damages be limited in size? What does the word “damage” in principle 8 cover? Presumably personal injury, loss of life, and property damage; but this will need to be clarified. When, for example, Woomera, staffed and entirely controlled by Australian scientists, is used for the launching of the ELDO rocket, is Australia the “launching” State, one of the “procuring” States, or simply the “lending” State? Or is it all three? Since these categories may well bear different degrees of liability, the answer may be of very practical significance.

Nor are the principles dealing with liability the only principles which may need to be looked at more closely. What is the relationship, for example, between principles 1 and 4? Both deal with the way in which “the exploration and use of outer space shall be carried on”. Is there good reason for not combining them into one principle? If there is good reason for having two principles dealing with what seems to be much the same subject, is there a purpose in separating them, as is done here, by two other, quite unrelated principles? Then again there is the point that the intention and the effect of some of the principles are not altogether clear. Some of them—principles 1 and 4 again, for example—are very general in their scope and expressed in rather broad language. These too may need to be refined in some future instrument.

For all these reasons, and particularly because some of these principles are not clearly and precisely formulated, and because they are not all suitable for application or enforcement by legal procedures, it is in the view of the Australian delegation appropriate that these principles are being set out, not in convention form or its equivalent, but in a General Assembly resolution, in the solemn and emphatic form of a declaration. I should stress here, as other Australian representatives have done before me, that while in our view a General Assembly declaration of legal principles cannot itself be creative of legal duties, it is equally not the Australian delegation's view that such a General Assembly declaration can have no part in the development or creation of international law. It is our view

that a declaration of legal principles by the General Assembly, especially if universally adopted and adhered to in practice, may be valuable evidence of international custom, which in turn is a most important source of law. And having said that, I must also emphasize that Australia for its part will continue to conduct its activities in outer space in accordance with these principles; and indeed we hope—I am sure with all others here—that the conduct enjoined in these principles will become the unvarying practice of all States.

Finally, may I say again that Australia welcomes the appearance of this draft declaration and pays tribute to the spirit of compromise and mutual accommodation by the members of this Committee which made its tabling possible. It is in no cavilling spirit that I say that probably for none of us is it a perfect instrument, either in its drafting or its coverage. All of us might like to see points added: some, perhaps, deleted; and many made clearer. But this draft, with perhaps one or two additions, appears to be the best we can get at this time. It could be that at a later stage we may be able to add to these principles, for the declaration is so to say “open-ended”, as Professor Lachs, Mr. Plimpton, and other speakers have already testified. It might also be that these principles, or some of them, could be developed in full legal form later, as experience warrants or necessity dictates. But this declaration is in itself a considerable achievement and will I am sure be considered as such by the members of this Committee, by the Member States of this Organization, and by the international community in general. It is in this spirit that the Australian delegation supports the draft declaration and hopes that it will secure the unanimous acceptance of this Committee and subsequently of the General Assembly.

Mr. ARNAUD (France) (*translated from French*): That the Committee on the Peaceful Uses of Outer Space should meet to consider a draft declaration of legal principles governing the activities of States in the exploration and use of outer space is something which ought not to cause any surprise or comment. Since, however, it was apparently suggested at one point that this text should go from the secluded places in which it was negotiated and drafted straight into the conference room of the First Committee of the General Assembly, my delegation would like to express its pleasure at seeing it make a stop in our midst. I shall set everybody's mind at ease—we shall not detain it long.

We appreciate the spirit of compromise demonstrated by its authors, though we would have preferred that their concern for preserving the equilibrium of their edifice did not go so far as to make them fear that the insertion or deletion of a single word or the moving of a single comma might lead to its collapse.

In saying this I meant—as everybody must have understood—to pay a sincere tribute to those who drafted the text submitted to us, for it amounted to saying that this document can provide a worthy basis for discussion in our Committee and, I may add, a good basis at that.

Life, however, is what it is, and a bird in the hand is worth two in the bush. Fortified by these adages my delegation, which entertains no objections of substance to the draft declaration of principles, will refrain from submitting as formal amendments the few suggestions it might have ventured to make in its desire to improve the text.

I shall therefore confine myself today to making two observations.

The first relates to the principle enunciated in paragraph 2 of the draft declaration and, more specifically, to its last words, namely “in accordance with international law”. At first glance this reference would seem to be self-explanatory. In our opinion, however, it is somewhat ambiguous. If what is meant is traditional international law whose principles in matters relating to land, sea and air are well established, we would observe that that law could not be applied as it stands in regard to outer space. This is borne out, for example, by paragraph 3 of the declaration itself, which enunciates a principle altogether at variance with the norms valid in other fields. If, on the other hand, the reference to “international law” in paragraph 2 relates specifically to the law of outer space—and this

is the interpretation given by the French delegation to that term—we would observe that the provisions of such a law are still the subject of study and of argument and that, in any event, their enunciation is far from complete. Seen in that light, the declaration of principles before us, regardless of its intrinsic merit, could not constitute a landmark. Inasmuch as it will only be the subject of a General Assembly resolution and not of international agreements, it will, in point of fact, merely represent a declaration of intent and, moreover, as the Polish representative has just told us, it does not “constitute a closed chapter”. I shall quote with no less approval the Australian representative who said the following towards the end of his interesting statement:

“...by taking favourable action on this draft declaration we shall not be completing but only beginning our work in the development of law for outer space.”

Let us say, therefore, that “international law”—if a reference to it must be made within the context of paragraph 2 of the declaration of principles—is the body of legal provisions such as they will be defined one day applicable to outer space and to celestial bodies.

My second observation relates to the principle enunciated in paragraph 8 of the draft. The French delegation would have preferred it to provide for the apportionment of liability as between international organizations and the States participating in them. However, it interprets this paragraph in the light of the principle enunciated in paragraph 5 and will consider that the absence of any reference to international organizations in paragraph 8 does not in any way absolve them from liability for damage. Incidentally, I am glad to note that other speakers before me have given the same interpretation to this text.

Lastly, it goes without saying that my delegation reserves the right to make comments of a more general nature during the discussion in the First Committee.

Miss GUTTERIDGE (United Kingdom): My delegation is very glad to note that the further discussions which have taken place since the last meeting of this Committee on a draft declaration of legal principles governing activities of States in the exploration and use of outer space have now produced fruitful results. We are particularly glad to find that the rapprochement between different points of view, of which there were signs here in the Legal Sub-Committee last spring, and which developed during the last meeting of our Committee, has now been carried several stages further, and that the result is a draft resolution containing a declaration upon which all members of this Committee should, we believe, now be able to agree.

These principles are, of course, basic principles for the guidance of States in the use and exploration of outer space. In contrast to other areas in which there already exist well recognized principles of a legal nature, outer space is a field in which there is a real need for the development of new legal principles on which further developments in the law of outer space can be based.

We were glad to note, at the last meeting of this Committee, that agreement in principle had been reached on the question of drafting international agreements on assistance to and return of space vehicles and the question of liability for space vehicle accidents. We believe that when these agreements come to be drafted, questions which are only briefly referred to in the draft declaration of principles now before us will need to be considered in much further detail. There is in the first place the question of the application of these principles to international organizations which take part in activities in outer space. This is referred to in paragraph 5 of the draft declaration; but the position of international organizations is also, of course, one that arises in connexion with other paragraphs of the draft declaration. We would concur with the representatives of the United States and Australia when they express the view that this sentence in paragraph 5 is not limited in its operation to that principle, but is rather related to all the principles set forth in the draft declaration. My Government would, in any case, consider that there is nothing in the declaration which should be regarded as prejudicing in any way the question of international organizations engaged in space activities. We

would, indeed, have been glad to see the declaration completed by a paragraph on the lines of article 7 of the 1958 Convention on the High Seas^b which, it will be recalled, provides that:

“The provisions of the preceding articles do not prejudice the question of ships employed on the official service of an inter-governmental organization flying the flag of the organization.”

It is, for example, obvious that when the agreement on liability comes to be drafted, there will need to be further and more detailed provisions relating to the liability of international organizations, particularly for the purpose of confirming what is already implicit in the draft declaration, namely, that international organizations as well as their constituent States can be internationally liable for damage of the kind referred to in paragraph 8 of the draft declaration.

As I have already said, the draft declaration which is now before us is a declaration of principles and cannot, therefore, by definition, go into all the details of the subject. As we have previously indicated both in the Legal Sub-Committee and in this Committee, there is no doubt that the legal problems concerning liability for damage and questions of jurisdiction are extremely complicated and will subsequently need to be considered in much more detail. For example, paragraph 7 of the present draft declaration refers to the “State on whose registry an object launched into outer space is carried”. The draft declaration itself does not make any provision for registration. Similarly, paragraph 8 of the draft declaration, which deals with the question of liability, is, as I have already indicated, in very broad terms and will need considerable amplification when a detailed agreement concerning liability for space vehicle accidents comes to be drafted.

At the present time, this paragraph provides that:

“Each State which launches or procures the launching of an object into outer space, and each State from whose territory or facility an object is launched, is internationally liable for damage to a foreign State or to its natural or juridical persons...”.

The application of this principle might well give rise to certain difficulties unless, as we are certain is intended, it is in due course implemented by other bilateral and multilateral agreements.

I have made the foregoing observations because I consider it to be important to stress that the draft declaration of principles which is now before us is but a starting-point for the development of the law of outer space. As such, it is welcome to my Government and, subject to the need for the further development and amplification of some of the principles contained in it as further experience is gained, it is gladly accepted by my Government as recording the measure of agreement that it is now possible to reach on the basic legal principles which should govern the use and exploration of outer space.

Mr. MARSCHIK (Austria): We note with much pleasure the progress which has been achieved on important aspects of the work of the Legal Sub-Committee, progress which is reflected now in the working paper before us. My delegation is encouraged by these results. We should also like to say that we are not surprised that it has been possible to achieve these results.

We have had the opportunity during the discussions in the Legal Sub-Committee and again, and in particular, during the meeting of the Committee in September, to call attention to the fact that significant areas of agreement appeared to exist on several of the problems under discussion and that, in our opinion, it would be possible to arrive at agreed solutions on these aspects without much further delay. Such agreement, as a matter of fact, had appeared possible on several of the general principles proposed for inclusion in a declaration of general principles and, on other principles, acceptable compromises seemed possible. My delegation was among those that had endeavoured to show where perhaps such compromises might be found.

^b United Nations, *Treaty Series*, vol. 450 (1963), No. 6465.

We are gratified indeed that the further consultations which have taken place among members of the Committee over the past weeks have led to the elaboration of the working paper which is now before us.

The proposed draft declaration, as we see it, would comprise all those general principles governing the activities of States in the exploration and use of outer space on which agreement can at this moment be reached. We realize, of course, that the proposed declaration does not yet cover all aspects of the problem. Thus, for instance, my own delegation, in the recent discussion in the First Committee on a draft resolution designed to preclude the placing in orbit of weapons of mass destruction, stated:

"This draft resolution is entirely in harmony with the work undertaken by the Committee on the Peaceful Uses of Outer Space, and its contents should certainly be taken into account in the elaboration of the legal principles presently under study by that Committee..." (A/C.1/PV.1311, page 11.)

We regret therefore that a provision to this effect is not contained in the draft declaration before us. Yet, we do realize that universal agreement on all facets of this aspect, as of many others, has not yet been achieved to an extent which would permit its inclusion in a declaration of general principles at this moment—a fact which we regret, but which will not prevent us from accepting the draft declaration in its present form or from commending it for adoption by this Committee and, we hope, by the General Assembly. We believe that this draft declaration records the maximum agreement which can be recorded at this moment. We do not consider it as a final document, and nearly every speaker who has preceded me here has insisted on this fact. We do not consider it a final document or that it would close the door to the elaboration of further principles governing the activities of States in outer space.

As we stated in the Committee on the Peaceful Uses of Outer Space on 12 September of this year:

"It appears to us a matter of course, that, as international co-operation in the exploration and use of outer space will expand, the proposed declaration of basic principles will be supplemented by a number of further principles on which agreement will eventually have been reached." (A/AC.105/PV.21, page 11.)

At that same time, we said that we did hope, however, that the necessity of possibly prolonged negotiations on some aspects would not necessarily delay agreement on other issues where such agreement would otherwise be possible.

This position, which we urged then and which we urge now, leads the Austrian delegation to express its support for the draft declaration of legal principles contained in the working paper before us. We would hope that in the same spirit the Committee would be able to agree on the draft declaration and will recommend it for adoption by the General Assembly.

Mr. ATTOLICO (Italy): The draft declaration of legal principles governing the activities of States in the exploration and use of outer space, which is contained in the working paper before us, accurately reflects, in our view, the trend of opinion which has developed in the deliberations of the Committee on the Peaceful Uses of Outer Space during the past two years, a trend which it proved possible to crystallize in a draft only after protracted and difficult negotiations, especially between the two Powers most advanced in space science and techniques, were successfully concluded. We, on our part, are indeed gratified and appreciative that the United States and the Soviet Union should have overcome their differences, thus indicating an awareness of the general expectations that a comprehensive legal and political framework would be worked out to regulate activities in outer space. The declaration is merely a beginning, an initial step, in this direction. It incorporates the broad criteria which are to be the guiding lines for activities in outer space. These eventually will be developed further. The general principles contained in the declaration are expressed in a broad formula, intended to encompass problems and situations which surely require further detailed considera-

tion and the conclusion of international agreements, intended to cover organically and in depth specific aspects of activities in outer space. Among these are the problems of liability for damage caused by space vehicles and of assistance to and return of space vehicles and their personnel in cases of forced landing or distress. These subjects indeed require detailed regulation already in the present phase of space technology, and the consensus of opinion in this Committee has been that draft agreements should be elaborated to deal with them. Further developments in outer space activities which will be brought about by progress in science and technology will undoubtedly point to several other legal problems which will require detailed regulation.

Outer space is a new field of endeavour, subject to continued change. It will be essential to keep under constant review the realities of this development in order to ensure that, in the spirit of the draft declaration before us, the exploration and use of outer space will take place in the common interest and to the benefit of all mankind, thus contributing to mutual understanding and to the strengthening of friendly relations among all the peoples of the world. This in essence is the political objective of the declaration: that outer space serve as a forceful catalyst for international harmony and interdependence. The future task of the Committee and its subcommittee in respect of legal problems will be to pursue precisely that goal.

We are satisfied with the positive tenor of the text of the declaration. The emphasis is most appropriately placed on the peaceful character which must be the fundamental element in any activity in outer space. I will not review here in detail the principles set forth in the declaration, nor will I comment on their formulation. Suffice it for me to say that this text represents the first positive break-through in our attempts in the United Nations to work out a general basic framework for man's peaceful conquest of the cosmos and for the orderly exploration in the common interest of the practical possibilities afforded by the entry of man and man-made devices into outer space.

Therefore it is the earnest hope of my delegation that the draft declaration will be adopted and will be submitted to the General Assembly. If the General Assembly will in turn sanction it, the declaration will constitute a generally accepted set of international legal principles which could not be disregarded. My country for one would be scrupulously guided by it in any undertaking in outer space. Furthermore, the declaration, when it is approved by the General Assembly, will be a clear and unequivocal basis for the development of international binding regulations for activities in outer space.

Mr. MATSUI (Japan): For a number of years the Japanese delegation has stressed the need to establish certain basic principles which would regulate the activities of mankind in outer space and would ensure that such activities would be conducted peacefully and openly and in an orderly manner for the benefit of all mankind. This conviction of ours is based upon the fact that outer space is a fairly new area of human activity in which, fortunately, no nation as yet has established vested interests; on the other hand, outer space activities are developing day by day with great rapidity. Accordingly, before undesirable *faits accomplis* can accumulate, we must take the fullest possible advantage of the present situation and strive hard to ensure that the exploration and use of outer space will take place in accordance with law and order and under a peaceful régime, so that the welfare of man would be the prime objective of all outer space activities.

After two years of hard effort, frustrating as it has been for most of the time, our Committee on the Peaceful Uses of Outer Space now has before it a draft of a set of legal principles to guide the space activities of nations, as the first fruit born of all our past efforts.

My delegation pays tribute to all the countries concerned for their statesmanship and willingness to meet the need to develop basic principles. We welcome this achievement as a first step towards our goal, a first step embodying a set of principles that can be agreed upon by all, including the so-called space Powers, to the extent that is practicable at this

stage. However, in offering our sincere congratulations to those concerned, I think I should mention at the same time our view that the set of principles before us is not comprehensive, final and complete. We feel that these principles should in the future be expanded or supplemented and, where necessary, elaborated or revised. No one has cast any doubt on this, and we are gratified to note that our view is generally shared by Committee members, including the delegations which have been directly involved in the production of the draft declaration containing the proposed principles. This is very clearly demonstrated in the statements of all the preceding speakers.

With this general understanding, my delegation now wishes to make two specific reservations on the draft declaration. We should like them to be put clearly on record, leaving more detailed comments on these and other points to appropriate later opportunities.

Our first reservation concerns the position we have always taken—and I should like to reiterate it now—that the use and exploration of outer space should be limited to peaceful purposes only. As I mentioned at the outset of my statement, outer space is a fairly new area of human activity, and therefore we feel it essential that agreement should be reached at an early stage limiting the use and exploration of outer space to peaceful purposes. We are constrained to state very clearly our reservation that the adoption by this Committee at this time of the proposed set of principles, which contains no explicit mention of this aspect, should not prejudice the future position of my delegation in this regard.

Our second reservation concerns the provisions in principle 7 of the draft declaration, which deals with the return of objects launched into outer space. Members of the Committee may recall that I raised a question in this regard at the meeting of the Legal Sub-Committee held on 24 April 1963. With your permission, I should like to read a part of the statement I made at that meeting:

“Would it be reasonable and appropriate to expect a non-launching State, within whose territory a space vehicle or its parts might land, to return such objects without having been given in advance any knowledge about what sort of vehicles would be in transit or in orbit that might come down suddenly and without warning on its territory? Would it be proper to place upon sovereign States an obligation to return objects which fall within their national boundaries, without giving them at the same time the right to know what such objects might be?”

“Surely, in our view, any principle concerning the return of space vehicles should cover both points, namely, the obligation of launching States to provide adequate information in advance, as well as the corresponding obligation of non-launching States to return space vehicles. These two points should be conditional upon each other.

“The Japanese delegation, for its part, believes that the launching of an object into space should be made known by the launching State either in advance or as soon as possible after the launching—certainly, well before the object might possibly land on the territory of other States. The information to be supplied should be broad enough to cover the purpose of launching and the contents of the object.

“The questions I have raised could perhaps appropriately be answered by providing for the furnishing of information through bilateral channels or by improving the system of registration with the United Nations under General Assembly resolution 1721 (XVI), in terms both of the timing and of the content of registration, or by other appropriate means.”

To sum up what I said last April, our position is that an object launched into outer space, or its components, that land on the territory of a non-launching State, might reasonably be returned if a prior registration or notification had been given on the launching of that object, together with adequate information about it. We wish to reserve this position and to have it clearly placed on record.

In this regard we were pleased to note the statement of the United States representative made this morning on paragraph 7 of the draft declaration:

“I should emphasize here that paragraph 7, like the other parts of the draft, is a broad statement of general principles. It does not seek to cover every conceivable situation, and it does not contain details for precise application. Such matters will need to be given further study, and elaboration will be required in subsequent instruments.”

I have set forth the understanding and the reservations that my delegation holds with regard to the proposed declaration of legal principles and to the adoption of the Committee's report which is to be presented to the General Assembly. I have done so in our sincere desire to see that the set of principles now to be recommended for approval by the General Assembly will in due course be improved upon by being, as I stated earlier, expanded, supplemented, elaborated or revised, and in our earnest hope that outer space and its use and exploration will truly be ensured for the benefit and in the interests of all mankind.

With the above understanding and reservations, my delegation is happy to support adoption of the report of the Committee which would recommend to the General Assembly approval of the proposed declaration of legal principles.

Mr. DE CARVALHO SILOS (Brazil): On behalf of the Brazilian delegation I should like to state briefly the position of my Government on the draft resolution before us. This draft embodies a declaration of principles designed to govern the activities of States in outer space.

My delegation would be prepared to vote for the draft resolution, but it could not be a co-sponsor since the draft declaration has not incorporated some principles that we consider to be essential in order to provide the exploration of outer space with a meaningful legal framework.

The delegation of Brazil would like to make the following reservations concerning the draft declaration. First, the idea contained in the third paragraph of the preamble—namely, that “the exploration and use of outer space should be carried on for the betterment of mankind and for the benefit of States irrespective of their degree of economic or scientific development”—should belong in paragraph 1. Secondly, the declaration should incorporate the principle that outer space will be used only for peaceful purposes, thus completing the task already begun by General Assembly resolution 1884 (XVIII). Thirdly, the declaration should also incorporate a ban on the utilization of a communication system based on satellites for purposes of encouraging national, racial or class rivalries and a reference to some international scrutiny of global satellite communication. Fourthly, the system of consultation provided for in paragraph 6 should be made more binding and more precise. Brazil has also some doubts as to the unqualified extension to outer space of the United Nations Charter and of international law.

As a member of the Committee on the Peaceful Uses of Outer Space, Brazil has repeatedly stressed the importance of incorporating these principles in a declaration of principles. We shall continue to strive for these principles in this Committee and in its Legal Sub-Committee.

Finally, I wish to congratulate the Soviet Union and the United States for having agreed on the draft declaration before us. We consider this draft, in spite of its shortcomings, to be a constructive step. Moreover, the Brazilian delegation understands this text as being a dynamic set of principles, as a document that will be revised and completed by future decisions of the General Assembly.

Mr. CHAKRAVARTY (India): The agreed legal principles contained in the working paper represent a major advance towards the formulation of a space code. Many of the points in dispute between the space Powers have been cleared up and an agreed paper is now before us.

There is also agreement in regard to the form which the legal principles should take. They are first to be formulated as a declaration in a General Assembly resolution, and then in the future, as appropriate, to be translated into international agreements.

We are happy to find that the agreement also reflects some of the suggestions made in the earlier meetings of the Com-

mittee, and my delegation would like to congratulate the space Powers for the spirit of compromise which they have shown in presenting this agreed paper.

The draft declaration would have been much more welcome to my delegation if a paragraph had been added to the preamble welcoming General Assembly resolution 1884 (XVIII) and if some reference to peaceful uses of outer space had been made in the first principle of the declaration. There is, no doubt, a reference to the use of outer space for peaceful purposes in the preamble, but all such reference has been omitted from the draft declaration of legal principles.

We have always held the view that legal principles concerning outer space cannot be formulated at one sitting and that these must evolve step by step. We therefore note with satisfaction the statement made this morning by the representative of the United States:

"The declaration of legal principles is not the last word: it is one of the first. In the future, the United Nations may wish to formulate additional principles, as experience accumulates."

From the working paper it is, however, clear that a legal principle which would declare unambiguously that outer space should be reserved for peaceful purposes only is unacceptable at present. But our view is that, in any document which the Committee on the Peaceful Uses of Outer Space submits to the General Assembly, we should not give the impression that we have dropped our insistence on a legal principle that would reserve outer space for peaceful purposes only. We cannot accept the view that this Committee is not competent to discuss such a principle or that such a discussion would have an adverse effect on the disarmament negotiations.

The Committee will recall that in resolution 1884 (XVIII), adopted earlier during this session by acclamation, it was agreed that States would not place any objects carrying nuclear weapons or any other kind of weapons carrying weapons of mass destruction in outer space, including celestial bodies. We feel that it should have been possible to accept a corresponding legal principle in the document before us. While we can appreciate the reluctance of the space Powers immediately to accept a general principle outlawing military uses of outer space, we cannot understand why they could not accept a limited principle which, in substance, would not have gone beyond what they have already agreed to. While, therefore, we welcome the agreement that has so far been reached, we regret that references to the peaceful uses of outer space and to resolution 1884 (XVIII) have been left out of the draft declaration of legal principles now under consideration. We reserve our right to press for this and other legal principles during future deliberations in the Committee, in the light of future developments in the exploration of outer space.

Mr. HAKIM (Lebanon): I would like to put on record the position of the delegation of Lebanon with regard to the proposed declaration of legal principles governing the activities of States in the exploration and use of outer space as contained in the working paper before the Committee.

I would like first to express my congratulations to the authors of this document for their spirit of compromise. The delegation of Lebanon considers this declaration as an important step forward in the formulation of international law for the peaceful uses of outer space. My delegation approves the provisions of the draft declaration so far as they go and is prepared to vote for it.

However, it is our view that this declaration is not complete and could be improved upon. We believe that there are other important legal principles which should govern the activities of States in the exploration and use of outer space. This position of Lebanon in this regard was defined in the statement which I made at the last session of the Legal Sub-Committee. In particular, I wish to emphasize our view that international co-operation should promote the peaceful uses of outer space. We would like to stress our position that a basic principle should be developed that outer space should be used for peaceful purposes only. We do not deny that this principle is related to the question of general and complete disarmament. We are

therefore particularly gratified that the General Assembly recently unanimously adopted resolution 1884 (XVIII) of 17 October 1963, in which it solemnly calls on all States:

"To refrain from placing in orbit around the earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, installing such weapons on celestial bodies, or stationing such weapons in outer space in any other manner;"

However, it is our view that the United Nations should strive to establish the general principle of the limitation of the use of outer space to peaceful purposes only so as to prevent the extension to this new field of man's endeavour of the military activities of Governments. We have in mind military activities of Governments undertaken in outer space which, in our view, should be prohibited. The establishment of a legal principle excluding non-peaceful activities of States from outer space is, in our view, essential in order to prevent the use of outer space for military purposes before such use becomes technically possible or practicable.

We recognize that agreement to this principle is not possible at this stage, but we would have welcomed a better formulation of principle 1 which would have pointed in the direction of the future adoption of the basic principle that outer space should be used for peaceful purposes only. Principle 1 states that the use of outer space shall be carried on for the benefit and in the interests of all mankind. We believe that only the use of outer space for peaceful purposes is for the benefit and in the interests of all mankind. We believe, therefore, that military activities in outer space are not in the interests of mankind. However, this is not enough, and a straightforward principle limiting the use of outer space to peaceful purposes should in due course be established.

We would reserve the right to pursue this aim for the establishment of such a principle, and would have liked to see the first principle formulated in such a way as to make it easier for such an aim to be achieved in the future.

There are other areas in which the present proposed declaration could be improved or expanded, but we shall not at this stage suggest such improvements or expansions.

We shall give our support to the draft declaration with the hope that further elaboration of legal principles in the future will enable the United Nations to make progress in this most important field of law with a view to ensuring that outer space will be used in the true interests of all mankind.

Mr. MOROZOV (Union of Soviet Socialist Republics) (*translated from Russian*): We have before us a draft declaration of legal principles governing the activities of States in the exploration and use of outer space, which it is proposed to submit on behalf of our Committee to the General Assembly for its approval.

After the statements on this subject by the many delegations that have taken part in the discussion, and particularly after the masterly presentation of the material we are now considering by the distinguished representative of Poland, who is also the Chairman of the Legal Sub-Committee of the Committee, there is indeed very little left for me to add.

As correctly noted in the Committee and in its Legal Sub-Committee, lengthy consideration has been given to the question of the elaboration of legal principles governing the activities of States in outer space. This is perfectly natural. If such principles were not developed and observed, international co-operation in the peaceful exploration and use of outer space would be considerably impeded and could not develop normally. Accordingly, the solution of this question was declared to be important and necessary, specifically in resolution 1802 (XVII) which the General Assembly adopted unanimously at its seventeenth session.

In that resolution the Assembly noted with regret that the Committee "has not yet made recommendations on legal questions". The resolution then called upon all States "to co-operate in the further development of law for outer space".

In view of the fact that the Committee at its last session in the autumn of 1963 called for continued contacts and exchanges of views for the purpose of reaching agreement on questions

which had not yet been settled, a number of delegations, including those of the Soviet Union and the United States of America, engaged in conversations concerning the text of a draft resolution for submission to the General Assembly; this is now presented in the draft which you have before you.

The draft declaration of legal principles governing the activities of States in outer space is thus not only the outcome of difficult and lengthy negotiations between the parties. As has been rightly remarked here, it represents in its way the result of almost two years of work by the Committee and its Legal Sub-Committee in this field.

Consequently, and this is not at all fortuitous, the draft took into consideration some proposals formally submitted by members of the Committee as well as certain wishes expressed during the repeated discussion of this question.

By this time it is difficult to attribute the authorship of any part of the draft to any of the delegations present in the Committee, but it may be noted that the draft reflects, specifically, certain points made by the delegations of the United Arab Republic, Austria, the United Kingdom, Canada and others.

The draft includes very important basic legal principles, which were touched upon in one form or another during the proceedings of the Committee and in the sessions of the Legal Sub-Committee. Therefore, as has already been said, the draft resolution for the General Assembly now brought to the Committee's attention will, we hope, coincide with the interests of all the States Members of the United Nations, large and small, the countries in the vanguard of scientific and technological development in this field and the countries which are laying the foundation for activity in this area.

We regard this declaration—if it is adopted by the General Assembly (and we are confident that it will be)—as another step towards the development of international co-operation in the peaceful exploration and use of outer space. We realize, of course, that this is only the very first step, which can and must be followed by other steps. In particular, the draft resolution in its present form—and this everybody knows—does not include some propositions which the Soviet Union thought it essential to include. It is impossible to overlook the fact that some aspects of the activities of States in outer space are still unregulated; this cannot but have an adverse effect on relations among States.

In this connexion, it should be noted that in the effort to reach a reasonable compromise naturally some propositions favoured by some but unacceptable to others simply could not be included in the draft declaration. This cannot be disregarded in determining one's attitude towards the documents under discussion. It must be said that the tenor of the discussion on this question in the Committee today showed a broad understanding of this factor on the part of the members of the Committee.

To continue, as a result the draft submitted was made to include, in the final analysis, whatever was calculated to unite rather than divide the Members of the United Nations at the present time and at the present stage of the discussion of this question.

The Soviet delegation realizes that, notwithstanding some shortcomings both in substance and in form, the draft declaration nevertheless represents a definite step forward.

I should now like to turn to some remarks which have been made here by the delegations of Canada, Australia, France, the United Kingdom, Austria, Italy, Japan, Brazil, India and Lebanon—certain observations and requests for additions to the text of the draft declaration.

First of all, it should be said that we quite understand these remarks. It is evident, however, that the aim of one group of observations is to anticipate decisions on certain problems which are related to outer space but which can and must be decided within the framework of the problem of general and complete disarmament.

The Soviet Union, as we have repeatedly declared, is prepared to resolve these questions affirmatively, but it cannot permit them to be divorced from the decision on other questions

of disarmament bound up with them. That has been our position, and is still our position at the present time.

Other observations concerned problems which—as will be seen if, for example, reference is made to the texts of the Soviet and United States draft declarations used as working documents and suggestions for the Committee—had already been touched upon during the discussion of the question both in the Committee and the Legal Sub-Committee, and later, I should point out, during the preliminary conversations whose outcome is the document submitted today to the Committee. We did not succeed completely, however, in reaching the desired agreement on those matters.

Lastly, a third group of wishes expressed perhaps falls outside the scope of legal principles and accordingly should and can be considered separately in due course.

That being said, I must remark with great satisfaction that the majority of the members of the Committee who took part in the debate did not challenge the propositions included in the draft declaration, and consequently it may be assumed that they are acceptable to all the members of the Committee. Therefore, giving all the remarks made here their due, I think we must assume—indeed, those who made the remarks proceeded on this assumption—that in the matter of international legal regulation it is impossible to compel any State to accept a particular proposition, if for any reason it is still not prepared to do so.

If this is true as to the formation of international law as a whole, then our action ought to be still more correct and judicious in such a new field of law as that covered by the draft declaration we are now considering—this also was properly stressed in the discussions.

On behalf of the Soviet delegation, I wish to stress the fact, which almost all, if not all, the speakers have noted that nobody here views this draft declaration as exhausting the whole topic. Additional work can and must be done on many of the propositions and questions that have been mentioned, with a view to reaching an appropriate solution, including the groundwork for the possible conclusion of international agreements.

We repeat, however, that, from our point of view, the value of the propositions on which general agreement can now be obtained is not diminished by that fact; consequently we do not depreciate the adoption of those propositions as a guide to action for States in the field to which the provisions of the draft declaration refer. This represents, in our opinion, if not the most essential measure, undoubtedly a positive step towards the further reduction of tension in international relations.

Therefore, the Soviet delegation—and I shall conclude on this note—expresses the hope that the draft declaration, in the form in which it has been submitted to the members of the Committee, will be unanimously recommended to the General Assembly for adoption.

ADDITIONAL REPORT OF THE COMMITTEE TO THE GENERAL ASSEMBLY

The CHAIRMAN: On the basis of the statements which have been heard during this meeting I feel that there is a consensus in the Committee on the draft declaration of legal principles governing the activities of States in the exploration and use of outer space, as contained in the working paper, and also that there is a consensus that this draft declaration should be transmitted to the General Assembly in the form of an additional report.

I propose that the comments and reservations made by delegations during this meeting should be reproduced *in extenso* as an annex to our report. Therefore, it is suggested that the verbatim record of this meeting should be reproduced as an annex to the additional report.

It was so decided.

The CHAIRMAN: I am sure that the Rapporteur will do his utmost so that the draft of an additional report—a short, factual report—by this Committee to the General Assembly may be circulated to members of the Committee as early as this afternoon.

If no objections to the report are communicated to the Secretariat within two or three days, the additional report will be distributed to all Members of the General Assembly. By this method we should avoid another meeting to discuss the report. This method has been applied in several instances.

Mr. FAHMY (United Arab Republic): From the Chairman's statement, I take it that he does not intend to convene the Committee to approve the report, or even to listen to the report read out by the Rapporteur.

Before I proceed any further, I should like to be clear about whether that is really the Chairman's and the Committee's intention.

The CHAIRMAN: I am in the hands of the Committee. My only thought was that we had in the past adopted this procedure to avoid another meeting and that it could be followed this time as well. However, the Committee has heard the remarks of the representative of the United Arab Republic, from which I gather that he would prefer that the Committee should have another meeting in order to discuss the report.

Mr. PLIMPTON (United States of America): I would assume that since our proceedings today have been fairly brief the Rapporteur has a rather clear idea of what a short, factual report should contain. I wonder if he would be prepared to give us at least a rough sketch, verbally, of what the report would contain. That might save another meeting and circulation of a draft report.

The CHAIRMAN: I now call on the Rapporteur.

Mr. DE CARVALHO SILOS (Brazil), Rapporteur: My intention as Rapporteur is to make a very factual, objective report.

In the first two paragraphs the date of our meeting and the names of the officers of the Committee would be given. The third paragraph would reproduce the agenda. The fourth paragraph would summarize the statement made by our Chairman this morning. The fifth and sixth paragraphs would read as follows:

"In the course of the general debate, statements were made by the representatives of . . . [and here we shall list the names of the delegations which took part in the debate]."

"The verbatim text of these statements, including the reservations of several delegations, is reproduced in the annex to the present report."

"At its 24th meeting, on 22 November 1963, the Committee unanimously decided to submit to the General Assembly the following draft declaration of legal principles governing the activities of States in the exploration and use of outer space, recognizing that the draft declaration represents the maximum area of agreement possible at this time."

That is the report which I have the intention of submitting to the General Assembly.

The CHAIRMAN: The Committee has heard the statement of the Rapporteur. If I hear no objections, I shall take it that the proposed text of the report is acceptable to the Committee.

Mr. FAHMY (United Arab Republic): I have no objection to the form in which the Rapporteur proposes to draft the report of the Committee. However, before this meeting is adjourned, I should like to make the following reservation.

The silence of the delegation of the United Arab Republic should not be construed as acquiescence, but, rather, as a full reservation concerning the contents of the draft report which the Rapporteur will submit to the General Assembly and on which my delegation will make the position of its Government clear when the report is taken up in the General Assembly under the item relating to international co-operation in the peaceful uses of outer space.

The CHAIRMAN: This reservation made by the representative of the United Arab Republic will be included in the verbatim record and will therefore be part of the report of the Committee to the General Assembly.

Mr. COOK (Australia): I have a comment in relation to the proposed paragraph 5, the second sentence of which, I think, the Rapporteur read out, as follows: "The verbatim text of these statements, including the reservations of several delegations . . .". I am not sure if that is meant to include what the Australian delegation said. If it is, I think we would prefer something like: "The verbatim text of these statements setting out the viewpoints of several delegations is reproduced in the annex . . .".

The CHAIRMAN: The representative of Australia has made a suggestion. I wonder whether the Rapporteur could accept this change of the word "reservations" to be replaced by the word "viewpoints".

Mr. DE CARVALHO SILOS (Brazil), Rapporteur: I do not think I would be in a position to accept this proposal because the inclusion of this word "reservations" reflects actually what happened. But I think I could make a compromise, and add the words "and viewpoints of several delegations".

The CHAIRMAN: Is this acceptable to the representative of Australia? I see that he accepts it.

If the Chair does not hear any further comments, I will take it that the Committee has accepted the procedure as to how we shall produce the additional report to the Assembly. I repeat, if the Secretariat does not receive any objections to the text—because only the last paragraph was read out, the four other paragraphs have not been read out—within two or three days, this additional report will be considered as agreed, and circulated to the General Assembly.

The meeting rose at 12.55 p.m.

DOCUMENT A/C.5/1002

Financial implications of draft resolution II submitted by the First Committee in document A/5656

Note by the Secretary-General

*[Original text: English]
[6 December 1963]*

1. Under the terms of operative paragraph 1 of section II of draft resolution II submitted by the First Committee in its report (A/5656, para. 9), the General Assembly would endorse the recommendations in chapter II of the report of the Committee on the Peaceful Uses of Outer Space (A/5549), and in operative paragraph 2 (e) would welcome the establishment, at the request of the Government of India, of a group of six scientists to visit the sounding rocket launching facility at Thumba and to advise the Committee on its

eligibility for United Nations sponsorship in accordance with the basic principles endorsed by the General Assembly in resolution 1802 (XVII).

2. The First Committee was informed, in accordance with rule 154 of the rules of procedure of the General Assembly, that the adoption of the draft resolution by the General Assembly would give rise to additional expenditure estimated at \$12,800 for the travel and related expenses of the six scientists from the capitals of their home countries (Argentina, Brazil,

Japan, Sweden, the United States and the Union of Soviet Socialist Republics) to New Delhi and return, and of one staff member from Headquarters to accompany the group.

3. If the draft resolution is adopted, it would be the intention of the Secretary-General to meet the above costs out of the total appropriations for 1964 under section 3 (Salaries and wages), chapter III (Other temporary assistance), items iii (Individual experts and consultants) and iv (*Ad hoc* expert groups), and under section 5 (Travel of staff), chapter II (Travel of staff on other official business).

4. By section V of the draft resolution recommended by the First Committee the General Assembly would request the Committee on the Peaceful Uses of Outer Space to continue its work as set forth in General Assembly resolutions 1472 (XIV), 1721 (XVI) and 1802 (XVII) and to report to the General Assembly at its nineteenth session on the activities of the Committee.

5. Provision has already been made in the 1964 budget estimates, under section 2 (Special meetings and Conferences) and section 3, for the Committee on the Peaceful Uses of Outer Space and its two sub-committees to continue their work.

DOCUMENT A/5648

Financial implications of draft resolution II submitted by the First Committee in document A/5656

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[9 December 1963]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the note by the Secretary-General (A/C.5/1002) containing a statement of the financial implications of draft resolution II submitted by the First Committee in its report (A/5656, para. 9).

2. Under the terms of operative paragraph 2 (*e*) of section II of the draft resolution, the General Assembly would welcome the decision of the Committee on the Peaceful Uses of Outer Space to undertake the establishment, at the request of the Government of India, of a group of six scientists to visit the sounding rocket launching facility at Thumba in the State of Kerala, India, and to advise the Committee on its eligibility for United Nations sponsorship in accordance with the basic principles endorsed by the Assembly in resolution 1802 (XVII).

3. The Secretary-General indicates that the implementation of this particular decision would give rise to additional expenditure estimated at \$12,800 for the travel and related expenses of the six scientists from the capitals of their home countries (Argentina, Brazil, Japan, Sweden, the United States and the Union of Soviet Socialist Republics), to New Delhi and return, and of one staff member from Headquarters to accom-

pany the group, but that it would be his intention to meet the above costs from within the total appropriations for 1964 under section 3 (Salaries and wages), chapter III (Other temporary assistance), and section 5 (Travel of staff), chapter II (Travel of staff on other official business).

4. Under section V of the draft resolution, the General Assembly would request the Committee on the Peaceful Uses of Outer Space to continue its work and to report to the General Assembly at its nineteenth session. This, however, would not entail any additional expenditures since provision has already been made under section 2 (Special meetings and conferences) and section 3 of the 1964 budget estimates for the Committee on the Peaceful Uses of Outer Space and its two sub-committees to continue their work.

5. The Advisory Committee recommends that the Fifth Committee should inform the General Assembly that adoption of the draft resolution approved by the First Committee would give rise to additional expenditure estimated at \$12,800, it being understood that the Secretary-General would meet such expenses from within the credits available in 1964 under section 3, chapter III, and section 5, chapter II, of the 1964 budget estimates.

DOCUMENT A/5656

Report of the First Committee

[Original text: English and Spanish]
[10 December 1963]

1. In accordance with General Assembly resolutions 1721 (XVI) of 20 December 1961 and 1802 (XVII) of 14 December 1962, the item "International co-operation in the peaceful uses of outer space: report of the Committee on the Peaceful Uses of Outer Space" was included in the provisional agenda of the eighteenth session of the General Assembly.

2. At its 153rd and 154th meetings, on 18 September 1963, the General Committee decided to recommend the inclusion of the item in the agenda as item 28 and its allocation to the First Committee, and approved

the recommendation of the Secretary-General that chapter VII, section IV—entitled "International co-operation in the peaceful uses of outer space"—of the report of the Economic and Social Council (agenda item 12) should be considered by the First Committee. It agreed, on the proposal of the representative of the United States, that item 28 and the relevant portion of item 12 should be merged under the title "International co-operation in the peaceful uses of outer space", becoming sub-items (*a*) and (*b*) respectively.

3. At its 1210th plenary meeting, on 28 September 1963, the General Assembly approved the above recommendations of the General Committee contained in its report of 19 September (A/5530), and referred the item to the First Committee for consideration and report.

4. The First Committee considered the question at its 1342nd to 1346th meetings.

5. Representatives of the World Meteorological Organization (WMO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Health Organization (WHO) and the International Atomic Energy Agency (IAEA), as well as the representative of the Committee on Space Research (COSPAR) of the International Council of Scientific Unions participated in the discussions as observers and made statements.

6. The Committee had the following documents before it:

(a) A letter dated 22 August 1963 from the Permanent Representatives of the Union of Soviet Socialist Republics and the United States of America to the United Nations, addressed to the Secretary-General, transmitting the first memorandum of understanding to implement the bilateral space agreement of 8 June 1962 between the Academy of Sciences of the USSR and the United States National Aeronautics and Space Administration, together with related documents (A/5482);

(b) Report of the Committee on the Peaceful Uses of Outer Space (A/5549 and Add.1);

(c) Second Report by the International Telecommunication Union on Telecommunication and the Peaceful Uses of Outer Space (E/3770);

(d) Second Report on the Advancement of Atmospheric Sciences and their Application in the Light of Developments in Outer Space, prepared by the World Meteorological Organization (E/3794 and Corr.1);

(e) Report of the Economic and Social Council (chapter VII, section IV) (A/5503);

(f) A draft declaration of legal principles governing the activities of States in the exploration and use of outer space, submitted by the Committee on the Peaceful Uses of Outer Space (A/5549/Add.1, para. 6).

7. On 4 December 1963, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Chad, Czechoslovakia, France, Hungary, India, Iran, Italy,

Japan, Lebanon, Mexico, Mongolia, Morocco, Poland, Romania, Sierra Leone, Sweden, the Union of Soviet Socialist Republics, the United Arab Republic, the United Kingdom of Great Britain and Northern Ireland and the United States of America introduced a draft resolution (A/C.1/L.332), which was later revised (A/C.1/L.332/Rev.1). The only difference between the original draft resolution and the revised text was in paragraph 2 (e) of section II, which in the original draft resolution (A/C.1/L.332) read as follows:

“(e) The establishment, at the request of the Government of India, of a group of five scientists to visit the sounding rocket launching facility at Thumba and to advise the Committee on its eligibility for United Nations sponsorship in accordance with the basic principles endorsed by the General Assembly in resolution 1802 (XVII);”.

In the revised draft resolution (A/C.1/L.332/Rev.1) the word “five” was changed to “six”.

8. At the 1346th meeting, on 5 December, the First Committee adopted by acclamation the draft declaration submitted by the Committee on the Peaceful Uses of Outer Space (A/5549/Add.1, para. 6) (see draft resolution I below) and the revised twenty-seven-Power draft resolution (A/C.1/L.332/Rev.1) (see draft resolution II below).

Recommendation of the First Committee

9. The First Committee therefore recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Draft declaration of legal principles governing the activities of states in the exploration and use of outer space

[Text adopted by the General Assembly without change. See “Action taken by the General Assembly” below.]

DRAFT RESOLUTION II

International co-operation in the peaceful uses of outer space

[Text adopted by the General Assembly without change. See “Action taken by the General Assembly” below.]

DOCUMENT A/5663

Financial implications of draft resolution II submitted by the First Committee in document A/5656

Report of the Fifth Committee

[Original text: English and French]
[11 December 1963]

1. In accordance with rule 154 of the rules of procedure of the General Assembly, the Fifth Committee considered the financial implications of draft resolution II submitted by the First Committee in its report (A/5656, para. 9).

2. For its consideration of the item, the Committee had before it a note by the Secretary-General (A/C.5/1002) and a report of the Advisory Committee on Administrative and Budgetary Questions (A/5648).

3. The Secretary-General indicated that operative paragraph 2 (e) of section II of the draft resolution, concerning the establishment, at the request of the Government of India, of a group of six scientists to visit the sounding rocket launching facility at Thumba in the State of Kerala, India, would give rise to additional expenditure estimated at \$12,800 for the travel and related expenses of the six scientists and of one staff member from Headquarters accompanying the

group. He proposed, however, to meet the costs out of the total appropriations for 1964 under section 3 (Salaries and wages), chapter III (Other temporary assistance), and section 5 (Travel of staff), chapter II (Travel of staff on other official business).

4. Section V of the draft resolution would not, the Secretary-General indicated, give rise to additional expenditure since provision had already been made, under section 2 (Special meetings and conferences) and section 3 of the 1964 budget estimates, for the Com-

mittee on the Peaceful Uses of Outer Space and its two sub-committees to continue their work.

5. On the recommendation of the Advisory Committee the Fifth Committee decided to inform the General Assembly that the adoption of draft resolution II submitted by the First Committee would give rise to additional expenditure estimated at \$12,800, it being understood that the Secretary-General would meet such expenses from the total appropriations already proposed under section 3, chapter III, and section 5, chapter II, of the 1964 budget estimates.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1280th plenary meeting, on 13 December 1963, the General Assembly adopted draft resolutions I and II submitted by the First Committee (A/5656, para. 9). For the final texts, see resolutions 1962 (XVIII) and 1963 (XVIII) below.

Resolutions adopted by the General Assembly

1962 (XVIII). DECLARATION OF LEGAL PRINCIPLES GOVERNING THE ACTIVITIES OF STATES IN THE EXPLORATION AND USE OF OUTER SPACE

The General Assembly,

Inspired by the great prospects opening up before mankind as a result of man's entry into outer space,

Recognizing the common interest of all mankind in the progress of the exploration and use of outer space for peaceful purposes,

Believing that the exploration and use of outer space should be carried on for the betterment of mankind and for the benefit of States irrespective of their degree of economic or scientific development,

Desiring to contribute to broad international co-operation in the scientific as well as in the legal aspects of exploration and use of outer space for peaceful purposes,

Believing that such co-operation will contribute to the development of mutual understanding and to the strengthening of friendly relations between nations and peoples,

Recalling its resolution 110 (II) of 3 November 1947, which condemned propaganda designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression, and considering that the aforementioned resolution is applicable to outer space,

Taking into consideration its resolutions 1721 (XVI) of 20 December 1961 and 1802 (XVII) of 14 December 1962, adopted unanimously by the States Members of the United Nations,

Solemnly declares that in the exploration and use of outer space States should be guided by the following principles:

1. The exploration and use of outer space shall be carried on for the benefit and in the interests of all mankind.

2. Outer space and celestial bodies are free for exploration and use by all States on a basis of equality and in accordance with international law.

3. Outer space and celestial bodies are not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means.

4. The activities of States in the exploration and use of outer space shall be carried on in accordance

with international law, including the Charter of the United Nations, in the interest of maintaining international peace and security and promoting international co-operation and understanding.

5. States bear international responsibility for national activities in outer space, whether carried on by governmental agencies or by non-governmental entities, and for assuring that national activities are carried on in conformity with the principles set forth in the present Declaration. The activities of non-governmental entities in outer space shall require authorization and continuing supervision by the State concerned. When activities are carried on in outer space by an international organization, responsibility for compliance with the principles set forth in this Declaration shall be borne by the international organization and by the States participating in it.

6. In the exploration and use of outer space, States shall be guided by the principle of co-operation and mutual assistance and shall conduct all their activities in outer space with due regard for the corresponding interests of other States. If a State has reason to believe that an outer space activity or experiment planned by it or its nationals would cause potentially harmful interference with activities of other States in the peaceful exploration and use of outer space, it shall undertake appropriate international consultations before proceeding with any such activity or experiment. A State which has reason to believe that an outer space activity or experiment planned by another State would cause potentially harmful interference with activities in the peaceful exploration and use of outer space may request consultation concerning the activity or experiment.

7. The State on whose registry an object launched into outer space is carried shall retain jurisdiction and control over such object, and any personnel thereon, while in outer space. Ownership of objects launched into outer space, and of their component parts, is not affected by their passage through outer space or by their return to the earth. Such objects or component parts found beyond the limits of the State of registry shall be returned to that State, which shall furnish identifying data upon request prior to return.

8. Each State which launches or procures the launching of an object into outer space, and each State from whose territory or facility an object is launched, is internationally liable for damage to a foreign State

or to its natural or juridical persons by such object or its component parts on the earth, in air space, or in outer space.

9. States shall regard astronauts as envoys of mankind in outer space, and shall render to them all possible assistance in the event of accident, distress, or emergency landing on the territory of a foreign State or on the high seas. Astronauts who make such a landing shall be safely and promptly returned to the State of registry of their space vehicle.

*1280th plenary meeting,
13 December 1963.*

1963 (XVIII). INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE

The General Assembly,

Recalling its resolutions 1721 (XVI) of 20 December 1961 and 1802 (XVII) of 14 December 1962 on international co-operation in the peaceful uses of outer space,

Having considered the report submitted by the Committee on the Peaceful Uses of Outer Space (A/5549 and Add.1),

Mindful of the benefits which all Member States would enjoy by participation in international programmes of co-operation in this field,

I

1. *Recommends* that consideration should be given to incorporating in international agreement form, in the future as appropriate, legal principles governing the activities of States in the exploration and use of outer space;

2. *Requests* the Committee on the Peaceful Uses of Outer Space to continue to study and report on legal problems which may arise in the exploration and use of outer space, and in particular to arrange for the prompt preparation of draft international agreements on liability for damage caused by objects launched into outer space and on assistance to and return of astronauts and space vehicles;

3. *Further requests* the Committee on the Peaceful Uses of Outer Space to report to the General Assembly at its nineteenth session on the results achieved in preparing these two agreements;

II

1. *Endorses* the recommendations contained in the report of the Committee on the Peaceful Uses of Outer Space concerning exchange of information, encouragement of international programmes, international sounding rocket facilities, education and training and potentially harmful effects of space experiments;

2. *Welcomes* the decision of the Committee on the Peaceful Uses of Outer Space to undertake, in co-operation with the Secretary-General and making full use of the functions and resources of the Secretariat:

(a) The preparation of a working paper on the activities and resources of the United Nations, the specialized agencies and other competent international bodies relating to the peaceful uses of outer space;

(b) The preparation of a summary of national and of co-operative international space activities;

(c) The preparation of a list of available bibliographic and abstracting services covering scientific and

technical results and publications in space and space-related areas;

(d) The compilation, in co-operation with the United Nations Educational, Scientific and Cultural Organization, of reviews of information on facilities for education and training in basic subjects related to the peaceful uses of outer space in universities and other places of learning;

(e) The establishment, at the request of the Government of India, of a group of six scientists to visit the sounding rocket launching facility at Thumba and to advise the Committee on its eligibility for United Nations sponsorship in accordance with the basic principles endorsed by the General Assembly in resolution 1802 (XVII);

3. *Notes with appreciation* that, in accordance with General Assembly resolution 1721 (XVI), the Secretary-General is maintaining a public registry of objects launched into orbit or beyond on the basis of information being furnished by Member States;

4. *Notes with appreciation* that certain Member States have, on a voluntary basis, provided information on their national space programmes and invites other Member States to do so;

5. *Invites* Member States to give favourable consideration to requests of countries desirous of participating in the peaceful exploration of outer space for appropriate training and technical assistance on a bilateral basis or on any other basis they see fit;

6. *Notes* the considerable measure of co-operation in the peaceful exploration and use of outer space under way among Member States;

7. *Notes* that the Union of Soviet Socialist Republics and the United States of America have reached an agreement looking towards co-operation in the fields of satellite meteorology, communications and magnetic field mapping;

8. *Encourages* Member States to continue and to extend co-operative arrangements so that all Member States can benefit from the peaceful exploration and use of outer space;

9. *Believes* that international co-operation can be beneficial in furthering the exploration of the solar system;

III

1. *Notes with appreciation:*

(a) The second report of the World Meteorological Organization on the advancement of atmospheric sciences and their application in the light of developments in outer space (E/3794 and Corr.1);

(b) The organizational and financial steps taken by the Fourth Congress of the World Meteorological Organization in response to resolution 1721 C (XVI) and resolution 1802 (XVII), section III;

2. *Endorses* efforts towards the establishment of a World Weather Watch under the auspices of the World Meteorological Organization to include the use of satellite as well as conventional data, with data centres to facilitate the effectiveness of the system;

3. *Urges* Member States:

(a) To extend their national and regional meteorological efforts to implement the expanded programme of the World Meteorological Organization;

(b) To co-operate in the establishment of the World Weather Watch;

(c) To increase research and training in the atmospheric sciences;

4. *Invites* the World Meteorological Organization to make a progress report to the Committee on the Peaceful Uses of Outer Space in 1964 relating to its activities in this field;

IV

1. *Notes with appreciation* the second report of the International Telecommunication Union on telecommunication and the peaceful uses of outer space (E/3770);

2. *Welcomes* the decisions of the Extraordinary Administrative Radio Conference, held in October and November 1963 under the auspices of the International Telecommunication Union, on the allocation of frequency bands for space communication and procedures for their use as a step in the development of space radio communications;

3. *Invites* the International Telecommunication Union to make a progress report to the Committee on the Peaceful Uses of Outer Space in 1964 relating to its activities in this field;

4. *Recognizes* the potential contribution of communications satellites in the expansion of global telecommunications facilities and the possibilities this offers for increasing the flow of information and for furthering the objectives of the United Nations and its agencies;

V

Requests the Committee on the Peaceful Uses of Outer Space to continue its work as set forth in General Assembly resolutions 1472 (XIV), 1721 (XVI) and 1802 (XVII), as well as in the present resolution, and to report to the Assembly at its nineteenth session on the activities of the Committee.

*1280th plenary meeting,
13 December 1963.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 28 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/5229	Note by the Secretary-General transmitting the "First report on the advancement of atmospheric sciences and their application in the light of developments in outer space" submitted by the World Meteorological Organization in pursuance of General Assembly resolution 1721 (XVI)	Mimeographed
A/5237	Note by the Secretary-General transmitting the "First report by the International Telecommunication Union on telecommunication and the peaceful uses of outer space" submitted in pursuance of General Assembly resolution 1721 (XVI)	Ditto
A/5503	Report of the Economic and Social Council (4 August 1962-2 August 1963)	<i>Official Records of the General Assembly, Eighteenth Session, Supplement No. 3</i>
A/AC.105/4	Letter dated 22 May 1962 from the Permanent Representative of Italy to the United Nations addressed to the Chairman of the Committee on the Peaceful Uses of Outer Space	Mimeographed
A/AC.105/8	Committee on the Peaceful Uses of Outer Space: memorandum of the Government of India concerning the establishment of an international equatorial sounding rocket facility	Ditto
A/AC.105/9	Interim report of the Committee on the Peaceful Uses of Outer Space	Ditto
A/AC.105/12 and Corr.1	Committee on the Peaceful Uses of Outer Space: report of the Legal Sub-Committee on the work of its second session (16 April-3 May 1963)	Ditto
A/AC.105/14	Committee on the Peaceful Uses of Outer Space: report of the Scientific and Technical Sub-Committee on the work of its second session (14-29 May 1963)	Ditto
A/AC.105/INF.17-44	Committee on the Peaceful Uses of Outer Space: information furnished in conformity with General Assembly resolution 1721 B (XVI) by States launching objects into orbit or beyond	Ditto
A/AC.105/PV.17-19	Verbatim records of the 17th to 19th meetings of the Committee on the Peaceful Uses of Outer Space (third session)	Ditto
A/AC.105/PV.20-23	Verbatim records of the 20th to 23rd meetings of the Committee on the Peaceful Uses of Outer Space (fourth session)	Ditto
A/C.1/L.331 and Corr.1	Committee on the Peaceful Uses of Outer Space: draft declaration of legal principles governing the activities of States in the exploration and use of outer space	For the text, see A/5549/Add.1, para. 6
A/C.1/L.332	Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Chad, Czechoslovakia, France, Hungary, India, Iran, Italy, Japan, Lebanon, Mexico, Mongolia, Morocco, Poland, Romania, Sierra Leone, Sweden, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution	Replaced by A/C.1/L.332/Rev.1. See A/5656, para. 7

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/C.1/L.332/ Rev.1	Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Chad, Czechoslovakia, France, Hungary, India, Iran, Italy, Japan, Lebanon, Mexico, Mongolia, Morocco, Poland, Romania, Sierra Leone, Sweden, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland and United States of America: revised draft resolution	Adopted without change. See A/5656, para. 9
E/3770	<i>Second Report by the International Telecommunication Union on Telecommunication and the Peaceful Uses of Outer Space</i>	International Telecommunication Union, Geneva, 1963
E/3794 and Corr.1	<i>World Meteorological Organization: Second Report on the Advancement of Atmospheric Sciences and their Application in the Light of Developments in Outer Space</i>	Secretariat of the World Meteorological Organization, Geneva, Switzerland, June 1963



Agenda item 29: The Korean question: report of the United Nations Commission for the Unification and Rehabilitation of Korea*

C O N T E N T S

<i>Document No.</i>	<i>Title</i>	<i>Page</i>
A/C.1/895	Resolution adopted by the First Committee at its 1347th meeting, on 9 December 1963	1
A/5666	Report of the First Committee	1
Action taken by the General Assembly		3
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* For the discussion of this item, see *Official Records of the General Assembly, Eighteenth Session, First Committee*, 1347th to 1351st meetings; and *ibid.*, *Plenary Meetings*, 1280th meeting.

DOCUMENT A/C.1/895

Resolution adopted by the First Committee at its 1347th meeting, on 9 December 1963

[Original text: English]
 [3 February 1964]

The First Committee,

Recalling its decision taken at the 1299th meeting, on 11 December 1962, to invite a representative of the Republic of Korea to take part in the discussion of the Korean question without right of vote (A/C.1/885),

Reaffirming its view set forth in resolutions adopted at the 1146th, 1217th and 1299th meetings that a representative of the Democratic People's Republic of Korea may participate in the discussion of the Korean question provided that it first unequivocally accepts the competence and authority of the United Nations within the terms of the Charter to take action on the Korean question, as the Republic of Korea has again done by letter dated 24 October 1963 addressed to the

Secretary-General by the Minister for Foreign Affairs of the Republic of Korea (A/C.1/894),

1. Notes that the Democratic People's Republic of Korea, in messages of 17 April 1961¹ and 19 December 1961 responding to the Committee's resolutions, and in a memorandum dated 24 November 1962, and again on 25 September 1963 in a statement of its Ministry of Foreign Affairs (A/C.1/889), has rejected the right of the United Nations to consider and take action on the Korean question;

2. Decides to invite a representative of the Republic of Korea to take part in the discussion of the Korean question without right of vote.

¹ *Official Records of the General Assembly, Fifteenth Session, Annexes*, agenda item 20, document A/C.1/838.

DOCUMENT A/5666

Report of the First Committee

[Original text: English and Spanish]
 [11 December 1963]

1. The General Assembly, at its 294th plenary meeting on 7 October 1950, adopted resolution 376 (V) on the problem of the independence of Korea, and established the United Nations Commission for the Unification and Rehabilitation of Korea (UNCURK).

2. In accordance with its terms of reference, UNCURK submitted on 23 August 1963 a report covering the period from 19 November 1962 to 23 August 1963 (A/5512 and Corr.1) and two supplementary reports covering the period from the latter date to 29 November 1963 (A/5512/Add.1).

3. At its 1210th plenary meeting, on 20 September 1963, the General Assembly decided, on the recommendation of the General Committee (A/5530), to include the item "The Korean question: report of the United Nations Commission for the Unification and Rehabilitation of Korea" in the agenda of the eighteenth session, and to allocate it to the First Committee for consideration and report.

4. The Committee had before it the following documents:

(a) Letter dated 10 September 1963 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General, forwarding a letter dated 26 July 1963 from the Minister for Foreign Affairs of the Democratic People's Republic of Korea and a memorandum dated 25 July 1963 of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea (A/C.1/887);

(b) Telegram dated 25 September 1963 from the Minister for Foreign Affairs of the Democratic People's Republic of Korea to the President of the General Assembly and the Secretary-General, transmitting a statement of the Ministry of Foreign Affairs requesting *inter alia* the participation of the Democratic People's Republic in the discussion of the Korean question at the eighteenth session of the General Assembly (A/C.1/889);

(c) Letter dated 26 November 1963 from the Minister for Foreign Affairs of the Republic of Korea to the Secretary-General, transmitting a memorandum, together with a summary, on the question (A/C.1/892);

(d) Letter dated 5 December 1963 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General, transmitting a letter from the Minister for Foreign Affairs of the Democratic People's Republic of Korea and a memorandum of the Government of the Democratic People's Republic of Korea dated 22 November 1963 (A/C.1/893);

(e) Letter dated 9 December 1963 from the Permanent Observer of the Republic of Korea to the United Nations addressed to the Secretary-General, transmitting a letter dated 24 October 1963 from the Minister for Foreign Affairs of the Republic of Korea (A/C.1/894).

5. The First Committee considered the item at its 1347th to 1351st meetings, held between 9 and 11 December 1963.

6. At the 1347th meeting, on 9 December 1963, the representative of UNCURK took a seat at the Committee table.

7. At the same meeting, the Committee had before it the following draft resolutions:

(a) A draft resolution submitted by the United States of America (A/C.1/L.333), reading as follows:

[For the text of this draft resolution, which was adopted without change, see document A/C.1/895 above.]

(b) A draft resolution submitted by Mongolia (A/C.1/L.334), reading as follows:

"The First Committee,

"Recognizing that there can be no fruitful discussion of the Korean question without the participation of representatives of the Democratic People's Republic of Korea and the Republic of Korea,

"Decides to invite representatives of the Democratic People's Republic of Korea and the Republic of Korea to participate, without the right to vote, in the discussion of this question."

8. At the 1347th meeting, on 9 December, the Committee rejected, by a vote of 52 to 13, with 30 abstentions, the proposal of the representative of Mongolia that priority be given to his draft resolution.

9. At the same meeting, the Committee voted upon the United States draft resolution (A/C.1/L.333) as follows:

(a) The first preambular paragraph was adopted by a vote of 73 to 10, with 14 abstentions;

(b) The second preambular paragraph was adopted by a vote of 64 to 11, with 23 abstentions;

(c) Operative paragraph 1 was adopted by a vote of 63 to 10, with 23 abstentions;

(d) Operative paragraph 2 was adopted by a roll-call vote of 73 to 10, with 15 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Burundi, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cyprus, Dahomey, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, France, Gabon, Greece, Guatemala, Haiti, Honduras, Iceland, India, Iran, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Liberia, Luxembourg, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Rwanda, Sierra Leone, South Africa, Spain, Sudan, Sweden, Syria, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Venezuela.

Against: Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Algeria, Burma, Cambodia, Ceylon, Finland, Ghana, Indonesia, Iraq, Jordan, Mali, Nepal, Nigeria, Senegal, United Arab Republic, Yugoslavia.

(e) The draft resolution as a whole was adopted by a vote of 64 to 10, with 24 abstentions.

10. At the same meeting, the Committee voted upon the Mongolian draft resolution (A/C.1/L.334), which was rejected by a roll-call vote of 54 to 25, with 20 abstentions. The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Ceylon, Czechoslovakia, Ethiopia, Ghana, Hungary, Indonesia, Mali, Mongolia, Morocco, Poland, Romania, Sudan, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yugoslavia.

Against: Argentina, Australia, Belgium, Bolivia, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo (Leopoldville), Costa Rica, Cyprus, Denmark, Dominican Republic, Ecuador, El Salvador, France, Gabon, Greece, Guatemala, Haiti, Honduras, Iceland, Ireland, Italy, Ivory Coast, Jamaica, Japan, Luxembourg, Madagascar, Malaysia, Mauritania, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Rwanda, South Africa, Spain, Thailand, Togo, Trinidad and Tobago, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Abstaining: Austria, Brazil, Congo (Brazzaville), Dahomey, Finland, India, Iran, Iraq, Israel, Jordan, Liberia, Nepal, Niger, Nigeria, Pakistan, Senegal, Sierra Leone, Sweden, Tunisia, Upper Volta.

11. At the 1348th meeting, on 10 December 1963, the Chairman, in accordance with the decision taken by the Committee at its previous meeting, invited the representative of the Republic of Korea to take a seat at the Committee table.

12. At the same meeting, the representative of the United States introduced a draft resolution sponsored by Australia, Belgium, Canada, Colombia, France, Greece, Luxembourg, Netherlands, New Zealand, the Philippines, Thailand, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America (A/C.1/L.335), by which the General Assembly would, in the preamble, note the report of UNCURK signed on 23 August 1963 and the addenda thereto signed on 21 and 29 November 1963; reaffirm its resolutions 112 (II) of 14 November 1947, 195 (III) of 12 December 1948, 293 (IV) of 21 October 1949, 376 (V) of 7 October 1950, 811 (IX) of 11 December 1954, 910 A (X) of 29 November 1955, 1010 (XI) of 11 January 1957, 1180 (XII) of 29 November 1957, 1264 (XIII) of 14 November 1958, 1455 (XIV) of 9 December 1959, 1740 (XVI) of 20 December 1961 and 1855 (XVII) of 19 December 1962; note that the United Nations forces which had been sent to Korea in accordance with United Nations resolutions had in greater part already been withdrawn, and that the Governments concerned were prepared to withdraw their remaining forces from Korea when the conditions for a lasting settlement laid down by the General Assembly had been fulfilled; and recall that the United Nations, under the Charter, was fully and rightfully empowered to take collective action to repel aggression, to restore peace and security and to extend its good offices to seeking a peaceful settlement in Korea. By the operative part, the Assembly would: (1) reaffirm that the objectives of the United Nations in Korea were to bring about, by peaceful means, the establishment of a unified, independent and democratic Korea under a representative form of government, and the full restoration of international peace and security in the area; (2) call upon the North Korean authorities to accept those established United Nations objectives which had been repeatedly affirmed by the General Assembly; (3) urge that continuing efforts be made to achieve those objectives;

and (4) request UNCURK to continue its work in accordance with the relevant resolutions of the General Assembly.

13. At its 1351st meeting, on 11 December 1963, the Committee adopted the fourteen-Power draft resolution (A/C.1/L.335) by a roll-call vote of 64 to 11, with 22 abstentions.² The voting was as follows:

In favour: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cyprus, Dahomey, Denmark, Dominican Republic, Ecuador, El Salvador, France, Gabon, Greece, Guatemala, Haiti, Honduras, Iceland, India, Iran, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Laos, Liberia, Luxembourg, Madagascar, Malaysia, Mexico, Netherlands, New Zealand, Nicaragua, Niger, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, South Africa, Spain, Sweden, Thailand, Togo, Trinidad and Tobago, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Venezuela.

Against: Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Hungary, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Afghanistan, Algeria, Burma, Burundi, Cambodia, Ceylon, Ethiopia, Finland, Ghana, Guinea, Indonesia, Iraq, Kuwait, Mali, Morocco, Nepal, Nigeria, Portugal, Saudi Arabia, Tunisia, United Arab Republic, Yugoslavia.

Recommendation of the First Committee

14. The First Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

² The representative of Sierra Leone subsequently informed the Secretariat that if he had been present when the vote was taken he would have voted for the draft resolution.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1280th plenary meeting, on 13 December 1963, the General Assembly adopted the draft resolution submitted by the First Committee (A/5666, para. 14). For the final text, see resolution 1964 (XVIII) below.

Resolution adopted by the General Assembly

1964 (XVIII). THE KOREAN QUESTION

The General Assembly,

Having noted the report of the United Nations Commission for the Unification and Rehabilitation of Korea signed at Seoul, Korea, on 23 August 1963 (A/5512 and Corr.1), and the addenda to the report signed at Seoul on 21 and 29 November 1963 (A/5512/Add.1),

Reaffirming its resolutions 112 (II) of 14 November 1947, 195 (III) of 12 December 1948, 293 (IV) of 21 October 1949, 376 (V) of 7 October 1950, 811 (IX) of 11 December 1954, 910 A (X) of 29 November 1955, 1010 (XI) of 11 January 1957, 1180 (XII) of 29 November 1957, 1264 (XIII) of 14 November 1958,

1455 (XIV) of 9 December 1959, 1740 (XVI) of 20 December 1961 and 1855 (XVII) of 19 December 1962,

Noting that the United Nations forces which were sent to Korea in accordance with United Nations resolutions have in greater part already been withdrawn, and that the Governments concerned are prepared to withdraw their remaining forces from Korea when the conditions for a lasting settlement laid down by the General Assembly have been fulfilled,

Recalling that the United Nations, under the Charter, is fully and rightfully empowered to take collective action to repel aggression, to restore peace and security and to extend its good offices to seeking a peaceful settlement in Korea,

1. *Reaffirms* that the objectives of the United Nations in Korea are to bring about, by peaceful means, the establishment of a unified, independent and democratic Korea under a representative form of government, and the full restoration of international peace and security in the area;

2. *Calls upon* the North Korean authorities to accept those established United Nations objectives which have been repeatedly affirmed by the General Assembly;

3. *Urges* that continuing efforts be made to achieve those objectives;

4. *Requests* the United Nations Commission for the Unification and Rehabilitation of Korea to continue its work in accordance with the relevant resolutions of the General Assembly.

*1280th plenary meeting,
13 December 1963.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 29 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/5512 and Corr.1	Report of the United Nations Commission for the Unification and Rehabilitation of Korea	<i>Official Records of the General Assembly, Eighteenth Session, Supplement No. 12</i>
A/5512/Add.1	Addenda to the report of the United Nations Commission for the Unification and Rehabilitation of Korea	<i>Ibid., Supplement No. 12A</i>
A/5641	<i>Note verbale</i> dated 29 November 1963 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General	Mimeographed
A/C.1/877	Letter dated 20 November 1962 from the Permanent Observer of the Republic of Korea to the United Nations addressed to the Secretary-General	Ditto
✓ A/C.1/887	Letter dated 10 September 1963 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General, transmitting a letter dated 26 July 1963 from the Minister for Foreign Affairs of the Democratic People's Republic of Korea and a memorandum dated 25 July 1963 of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea	Ditto
A/C.1/889	Telegram dated 25 September 1963 from the Minister for Foreign Affairs of the Democratic People's Republic of Korea to the President of the General Assembly and the Secretary-General	Ditto
✓ A/C.1/892	Letter dated 26 November 1963 from the Minister for Foreign Affairs of the Republic of Korea to the Secretary-General	Ditto
✓ A/C.1/893	Letter dated 5 December 1963 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General, transmitting a letter from the Minister for Foreign Affairs of the Democratic People's Republic of Korea and a memorandum of the Government of the Democratic People's Republic of Korea dated 22 November 1963	Ditto
A/C.1/894	Letter dated 9 December 1963 from the Permanent Observer of the Republic of Korea to the United Nations addressed to the Secretary-General, transmitting a letter dated 24 October 1963 from the Minister for Foreign Affairs of the Republic of Korea	Ditto
A/C.1/L.333	United States of America: draft resolution	Adopted without change. See A/C.1/895
A/C.1/L.334	Mongolia: draft resolution	See A/5666, para. 7 (b)
A/C.1/L.335	Australia, Belgium, Canada, Colombia, France, Greece, Luxembourg, Netherlands, New Zealand, Philippines, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution	Adopted without change. See A/5666, para. 14



Agenda item 30: The policies of apartheid of the Government of the Republic of South Africa: report of the Special Committee on the Policies of apartheid of the Government of the Republic of South Africa and replies by Members States under General Assembly resolution 1761 (XVII)**

C O N T E N T S

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A/SPC/94	Note by the Secretariat on the measures taken by Member States in pursuance of General Assembly resolution 1761 (XVII) and the Security Council resolution of 7 August 1963	1
A/5614 and Add.1-3	Report of the Secretary-General under General Assembly resolution 1881 (XVIII) of 11 October 1963	10
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* The addendum to agenda item 30 has been printed as a separated fascicle and contains the report of the Special Committee on the Policies of apartheid of the Government of the Republic of South Africa (A/5497 and Add.1).

** For the discussion of this item, see *Official Records of the General Assembly, Eighteenth Session, Special Political Committee*, 379th to 396th, 421st and 423rd meetings, and *Ibid., Plenary Meetings*, 1210th, 1238th and 1283rd meetings.

DOCUMENT A/SPC/94

Note by the Secretariat on the measures taken by Member States in pursuance of General Assembly resolution 1761 (XVII) and the Security Council resolution of 7 August 1963

[Original text: English]
[22 November 1963]

1. At the 395th meeting of the Special Political Committee on 29 October 1963, the Secretariat was requested to prepare a document on the measures taken by Member States in pursuance of General Assembly resolution 1761 (XVII) and the Security Council resolution of 7 August 1963,¹ as indicated in communications to the Secretary-General or to the Chairman of the Special Committee on the Policies of apartheid of the Government of the Republic of South Africa, or in statements before the General Assembly or the Security Council.²

¹ *Official Records of the Security Council, Eighteenth Year, Supplement for July, August and September 1963*, document S/5386.

² By resolution 1761 (XVII) of 6 November 1962, the General Assembly requested Member States to take the following measures, separately or collectively, in conformity with the Charter, to bring about the abandonment by the Government of the Republic of South Africa of its racial policies:

“(a) Breaking off diplomatic relations with the Government of the Republic of South Africa or refraining from establishing such relations;

“(b) Closing their ports to all vessels flying the South African flag;

“(c) Enacting legislation prohibiting their ships from entering South African ports;

“(d) Boycotting all South African goods and refraining from exporting goods, including all arms and ammunition, to South Africa;

2. The present document contains a brief indication of the measures reported by each Member State, together with references to documents or records in which they have been reported.

AFGHANISTAN

The Government of Afghanistan has no diplomatic or consular relations with South Africa. It neither bought from nor sold anything to South Africa. It has taken steps to enforce all the measures provided for in General Assembly resolution 1761 (XVII) (see A/5497/Add.1, A/SPC/SR.396).

“(e) Refusing landing and passage facilities to all aircraft belonging to the Government and companies registered under the laws of South Africa.”

It also requested Member States to do everything in their power to help the Special Committee on the Policies of apartheid of the Government of the Republic of South Africa to accomplish its task, and to refrain from any act likely to delay or hinder the implementation of the resolution. It invited Member States to inform the General Assembly at its eighteenth session regarding the action taken, separately or collectively, in dissuading the Government of South Africa from pursuing its policies of apartheid.

By its resolution of 7 August 1963, the Security Council solemnly called upon all States “to cease forthwith the sale and shipment of arms, ammunition of all types and military vehicles to South Africa”.

ALBANIA

The Albanian Government maintains no diplomatic or economic relations with the Government of South Africa and has no intention of doing so until that Government abandons its policies of *apartheid*. It has applied the measures called for in General Assembly resolution 1761 (XVII) (see A/5497/Add.1, A/SPC/SR.394).

ALGERIA

The Algerian Government has decided to apply fully the provisions of General Assembly resolution 1761 (XVII) and paragraph 3 of the Security Council resolution of 7 August 1963 (see A/5413, A/5497/Add.1, S/5438, A/SPC/SR.391).

AUSTRALIA

Australia does not supply arms to South Africa (see S/5438/Add.2).

AUSTRIA

Austria exports neither weapons nor ammunition nor vehicles for military purposes to South Africa (see S/5438, A/SPC/SR.385).

BELGIUM

The Belgian Government has decided to give effect to paragraph 3 of the Security Council resolution of 7 August 1963 and to suspend the issue of export permits for new contracts for sale of the arms referred to in the resolution (see S/5438).

BOLIVIA

The Government of Bolivia has decided to suspend diplomatic relations with the Government of South Africa (see A/5497/Add.1, A/SPC/SR.383).

BRAZIL

The Brazilian Government neither sells arms nor transports ammunition or military vehicles to the Republic of South Africa (see A/5497/Add.1, S/5438).

BULGARIA

The Bulgarian Government does not entertain diplomatic or cultural relations with the Republic of South Africa and does not buy its goods. It intends to carry out a policy in full harmony with General Assembly resolution 1761 (XVII). It has not sold or supplied any arms, ammunition or military vehicles to South Africa up to the present and has no intention of doing so in the future (see A/5497/Add.1, S/5438, A/SPC/SR.394).

BURMA

The Government of Burma has refrained from entering into diplomatic or any other official relations with the Government of South Africa. In November 1962, it prohibited all commercial transactions between the two countries, and since then there have been no relations whatsoever between the two countries. South African aircraft and vessels have never been allowed any facilities at Burmese air and sea ports, and the Government will continue to enforce this ban (see 5497/Add.1, S/5438, A/PV.1216, A/SPC/SR.391).

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

The Byelorussian SSR has no political or economic relations with the Republic of South Africa (see A/5427, A/5497/Add.1, A/SPC/SR.392).

CAMBODIA

The Cambodian Government has taken appropriate steps to ensure that the provisions of General Assembly resolution 1761 (XVII) are applied throughout the territory of the Kingdom (see A/5497/Add.1).

CAMEROON

Since its accession to independence on 1 January 1960, the Cameroonian Government has refrained from engaging in relations of any kind with the Government of the Republic of South Africa. It has furthermore decided to withdraw from the African Postal and Telecommunications Union, of which South Africa is a member, and has notified the South African Government of its intention not to participate in the Conference of that Union scheduled to take place in Johannesburg in September 1963. In July 1963, it prohibited all cultural exchanges or trade, including indirect trade, with South Africa, forbade South African ships to enter Cameroonian ports and debarred all aircraft from South Africa from landing or refuelling in Cameroonian airports and from flying over Cameroonian territory (see A/5449, A/5497/Add.1, A/SPC/SR.390).

CANADA

The Canadian Government has decided that it will not authorize the acceptance of any new orders from South Africa for items of military equipment nor permit the shipment of such equipment to South Africa. Before 7 August 1963, the Canadian Government had authorized the sale to South Africa of certain aircraft, communications equipment and air navigation equipment manufactured in Canada, which were judged to be without relevance to the enforcement of the policy of *apartheid*. While keeping the situation under constant review, for the present the Government will allow the shipment to South Africa only of maintenance spares for equipment supplied before 7 August 1963, and, subject to examination in each case, of certain aircraft piston engines and maintenance spares for such engines (see S/5438/Add.1).

CEYLON

Ceylon has not affected any sale or shipment of arms, ammunition and military vehicles to South Africa (see S/5438).

CHAD

The Government of Chad has never maintained and does not intend to maintain diplomatic relations with the Government of South Africa. On 28 September 1963, the Government of Chad issued a decree prohibiting South African aircraft, and foreign aircraft transporting freight or passengers from or to South Africa, from flying over Chad territory or landing at Chad airfields. Any aircraft infringing the provisions of this decree will be confiscated. In pursuance of the international arrangements currently in force, this decree does not apply to forced landings of aircraft in distress; but Chad authorities reserve their right

to conduct inquiries in order to ascertain whether any such landings are justified. Merchants have been advised not to import goods from South Africa on pain of measures such as confiscation of the goods and expulsion. As Chad has no coastline, the question of taking measures relating to seaports does not arise (see A/5554, A/5614, A/AC.115/L.9/Add.10 and Add.13, A/SPC/SR.388).

CHILE

Chile has not sold or supplied arms or military equipment to South Africa and will refrain from doing so in the future. It recalled its diplomatic representatives from Pretoria three years ago and closed its legation in that city. Some months ago, the South African Government also closed its legation at Santiago. Thus, there are no diplomatic relations between the two countries. The Government of Chile will not resume diplomatic relations with South Africa so long as the policy of *apartheid* continues (see A/5497/Add.1, S/5438/Add.1, A/SPC/SR.392).

CHINA

The Chinese Government has not sold or shipped arms, ammunition of any type or military vehicles to South Africa nor is such sale contemplated (see A/5497/Add.1, S/5438, A/SPC/SR.391).

CONGO (LEOPOLDVILLE)

The Government of Congo (Leopoldville) has never maintained diplomatic or consular relations with the Republic of South Africa. It specifically barred the presence of representatives of the South African Government at the celebration of the country's independence. South African ships and aircraft have never had access to the ports and airfields of the country. The Government has solemnly undertaken to comply with the arrangements made by the Organization of African Unity in the matter. It is fully complying with the provisions of operative paragraph 3 of the Security Council resolution of 7 August 1963 (see A/5497/Add.1, S/5438/Add.3, A/SPC/SR.387).

COSTA RICA

Costa Rica does not maintain diplomatic relations with the Republic of South Africa, and has no desire to do so while South Africa persists in its policy of *apartheid*. It has decided to close its consulate in Johannesburg in conformity with the recommendations of the Special Committee. Under Act No. 2295 of 22 November 1958, Costa Rica withdrew certificates of registration of shipping existing at the end of 1958, so that no Costa Rican vessels enter South African ports. It does not export arms or ammunition to any country in the world. With regard to refusal of landing and passage facilities to South African aircraft, it is studying the possibility of legislation of the kind mentioned, although no airlines belonging to the South African Government or registered under the laws of South Africa operate in Costa Rica (see A/5425, A/5497/Add.1, A/PV.1214).

CYPRUS

The Government of Cyprus does not embark on any transaction with any Government, concerning the sale

and shipment of arms, ammunition of any type and military vehicles (see S/5438).

CZECHOSLOVAKIA

The Government of Czechoslovakia has no diplomatic relations with the Republic of South Africa and does not supply the latter with arms or other strategic material. Its Consulate-General in Johannesburg has been closed and all its citizens withdrawn. It has applied the provisions of General Assembly resolution 1761 (XVII) (see A/5451, A/AC.115/L.9/Add.11, A/SPC/SR.390).

DAHOMEY

By a presidential decree, Dahomey has forbidden all trade with the Republic of South Africa; prohibited ships and aircraft flying the South African flag or registered in South Africa from calling at any ports or airports in Dahomey; prohibited, except in special circumstances to be determined by the Minister for Internal Affairs and Defence, the granting of transit or entry visas for the territory of Dahomey to nationals of the Republic of South Africa (see A/5497/Add.1, S/5438).

DENMARK

Denmark has for some years refused to grant licences for the export of arms or other kinds of military equipment to the Republic of South Africa. The Government of Denmark intends to see to it that the provisions of paragraph 3 of the Security Council resolution of 7 August 1963 are observed in Denmark (see S/5438).

DOMINICAN REPUBLIC

The Government of the Dominican Republic maintains no diplomatic or consular relations of any kind with the Government of the Republic of South Africa, and notes that there is therefore no need for it to take steps in accordance with the recommendations to States Members contained in General Assembly resolution 1761 (XVII). It has not sold and will not sell or ship arms, munitions or military vehicles to South Africa (see A/AC.115/L.9/Add.8, S/5438).

EL SALVADOR

Having no active diplomatic relations or direct commercial ties with the Republic of South Africa, El Salvador will follow the recommendations contained in General Assembly resolution 1761 (XVII) to the extent of its ability (see A/AC.115/L.9/Add.9).

ETHIOPIA

The Government of Ethiopia had already fully implemented the provisions of the resolution on the policy of *apartheid* and racial discrimination in Africa, adopted by the Second Conference of Independent African States, held in Addis Ababa in June 1960, which called upon member States "to sever diplomatic relations or refrain from establishing diplomatic relations as the case may be, to close African ports to all vessel flying the South African flag, to enact legislation prohibiting their ships from entering South African ports, to boycott all South African goods, to refuse landing and passage facilities to all aircraft belonging to the Government and companies registered under the laws of the Union of South Africa and to prohibit all South

African aircraft from flying over the air space of the independent African States". It has thus already complied with the provisions of General Assembly resolution 1761 (XVII). The measures taken by the Government of Ethiopia include, first, the prohibition of the importation into Ethiopia of any goods originating in or passing through South Africa; second, the prohibition of the export or re-export of goods from Ethiopia to South Africa; third, the halting of all banking transactions between Ethiopia and South Africa; fourth, the closing of Ethiopia's airfields to any aircraft on a flight originating or terminating in South Africa; and fifth, the closing of Ethiopia's ports to any vessel flying the South African flag (see A/5497/Add.1, S/5438/Add.4, A/SPC/SR.391).

FINLAND

The Government of Finland, which has not permitted the export of arms and military equipment to South Africa, has no intention of allowing such exports hereafter (see S/5438).

FRANCE

French authorities will take all steps that they consider necessary to prevent the sale to the Government of South Africa of arms which might be used for purposes of repression (see S/5438/Add.3, S/PV.1054).

GHANA

Ghana has never established diplomatic relations with the Republic of South Africa. It will not recognize the South African Government until the principle of "one man, one vote" is accepted and a new Government has been constituted. It has closed its ports to vessels flying the South African flag, and its own ships do not enter South African ports. It has boycotted *in toto* South African goods and is not exporting any goods to South Africa. It has refused landing and passage facilities to all aircraft belong to the South African Government and companies registered under South African laws. It has required citizens of the Republic of South Africa who wish to enter or travel through Ghana to sign a declaration denouncing the policies of *apartheid* of the Government of their country. The Government of Ghana will adhere to operative paragraph 3 of the Security Council resolution of 7 August 1963 (see A/5422, A/5497/Add.1, S/5438, A/SPC/SR.380).

GREECE

Pursuant to the Security Council's resolution of 7 August 1963, the Government of Greece has sent no arms to South Africa (see A/AC.115/L.9/Add.13, A/SPC/SR.392).

GUINEA

Long before the adoption of General Assembly resolution 1761 (XVII), the Government of Guinea decided to apply against the South African Government all the political, diplomatic and economic sanctions recommended in paragraph 4 of that resolution. It supports the Security Council's resolution of 7 August 1963 (see A/5472, A/5497/Add.1, S/5438).

HAITI

The Haitian Government fully agrees to the application of the measures recommended in General Assembly resolution 1761 (XVII) (see A/5497/Add.1).

HUNGARY

Hungary has not maintained diplomatic relations with the Republic of South Africa and will refrain from establishing such connexions as long as the policy of *apartheid* is maintained in that country. Hungarian vessels do not visit South African ports. Hungary has not maintained official inter-State trade relations with South Africa, and on the basis of General Assembly resolution 1761 (XVII) decided to sever even the negligible amount of commercial traffic that had been taking place earlier through unofficial channels. It has also instructed its authorities to refuse landing and passage facilities to all aircraft belonging to the Government and companies registered under the laws of South Africa. Hungary has not supplied South Africa with arms or ammunition of any type or with military vehicles. It will strictly adhere to the letter and spirit of General Assembly resolution 1761 (XVII) and the Security Council resolution of 7 August 1963 (see A/5497/Add.1, S/5438, A/PV.1226).

INDIA

India has taken steps in full and complete implementation of the terms of General Assembly resolution 1761 (XVII). It withdrew its High Commissioner from the Union of South Africa in 1946, and closed the Mission in 1954. Some contact which was maintained between the two Governments through their Missions in London, mainly to implement various resolutions of the General Assembly, has now been broken off. The Government of India has instructed the authorities concerned not to allow vessels flying the South African flag to touch Indian seaports. Indian ships do not touch South African ports. However, the authorities concerned have been instructed to prohibit Indian ships from going to South African ports. There has been a general ban on trade between India and South Africa since 1946 and the Mandated Territory of South West Africa has been covered under this ban since 1953. The movement of some items mainly of cultural and religious interest has, however, been allowed through postal and other channels on humanitarian grounds. The Government of India has examined this matter again and issued instructions further restricting such movement. There is no traffic between India and South Africa by Indian or South African airlines. However, under the relevant international conventions, aircraft registered in South Africa can be permitted to overfly India while operating scheduled international air services, to land at Indian airports for non-traffic purposes and to make non-scheduled flights to, through and over India. In view of the provisions of General Assembly resolution 1761 (XVII), India has informed the International Civil Aviation Organization that it will not allow aircraft registered in South Africa to land at Indian airports or overfly India. India has, for a long time, carried out the measures mentioned in paragraph 3 of the Security Council resolution of 7 August 1963 (see A/5452, A/5497/Add.1, S/5438, A/PV.1239, A/SPC/SR.388).

INDONESIA

Pursuant to General Assembly resolution 1761 (XVII), the Government of Indonesia has taken the following measures: (1) No diplomatic or consular relations will be established with the Government of South Africa as long as the policies of *apartheid* con-

tinue to be pursued by that Government; (2) Indonesian ports will be closed to all vessels flying the South African flag; (3) Indonesian ships will be instructed not to enter South African ports; (4) Indonesian exports to and imports from South Africa still being made will be discontinued; and (5) landing and passage facilities will be refused to all South African aircraft. The Government of Indonesia does not export weapons, ammunition, or vehicles for military purposes to the Republic of South Africa (see A/5497/Add.1, A/AC.115/L.9/Add.10, S/5438/Add.1, A/SPC/SR.387).

IRAN

The Iranian Government has no diplomatic or consular relations with South Africa and has no intention of establishing such relations so long as the present situation continues. It has taken all necessary measures to close Iranian ports to ships flying the South African flag and to prohibit Iranian ships from entering South African ports. It will refuse landing and transit rights to all South African aircraft. It proposes to boycott all South African products and to cease exporting to South Africa. The Iranian Government does not export arms or military equipment to the Republic of South Africa. As regards the question of the export of petroleum to South Africa, it faces a twofold problem created by its relations with the members of the Consortium under the Iran-Consortium Agreement of 1954 and its anxiety to make the measures advocated by the General Assembly as effective as possible. It feels that any decision on an oil embargo should be taken at the level of all the oil-producing and exporting countries and would support steps in that direction which would lead to the adoption of effective measures without requiring ineffectual sacrifices on the part of a single country (see S/5438/Add.4, A/SPC/SR.389).

IRAQ

Iraq does not have at present and does not intend in the future to establish diplomatic relations with the Government of the Republic of South Africa. There are no direct air or sea communications between Iraq and South Africa and Iraq does not intend to establish such communications. It has taken steps to reduce further the negligible volume of trade which now exists between Iraq and South Africa. It is resolved to apply all the provisions of General Assembly resolution 1761 (XVII). The Government of Iraq has not sold, and does not contemplate the sale and shipment of, arms, ammunition and military vehicles to South Africa (see A/5497/Add.1, S/5438, A/SPC/SR.390).

IRELAND

The Government of Ireland has not permitted and does not intend to permit the sale and shipment of arms, ammunition or military vehicles to South Africa (see S/5438).

ISRAEL

In June 1961, the Government of Israel took all necessary steps to ensure that no arms, ammunition or strategic materials may be exported from Israel to South Africa in any form, directly or indirectly. In addition, it has taken steps to ensure that no material of such nature exported to other countries can reach South Africa. It is actively considering the taking of

further measures (see A/5497/Add.1, S/5438, A/SPC/SR.387).

ITALY

The Italian Government has repeatedly expressed to the South African Government its deep concern for the consequences of the policy of *apartheid*. Prior to the Security Council resolution of 7 August 1963, the Italian authorities followed the practice of withholding licences for the sale to South Africa of arms that might be used to enforce the policy of *apartheid*. After the resolution, the Italian Government suspended issuance of licences for the sale to South Africa of all military equipment (see S/5438, A/SPC/SR.394).

IVORY COAST

The Ivory Coast does not maintain diplomatic relations with South Africa and, in pursuance of the United Nations and Addis Ababa resolutions, has prohibited all commercial traffic with South Africa and closed the airfields and ports of Ivory Coast to South African aircraft and ships (see A/5497/Add.1).

JAMAICA

The Government of Jamaica has taken all measures necessary internally and externally to comply to the fullest with the provisions of General Assembly resolution 1761 (XVII). It has no diplomatic relations with South Africa, and does not intend to allow such relations to be established. Since no South African vessels call at Jamaican ports and no Jamaican vessels call at South African ports, it is not proposed to take any legislative measures on the issue. Jamaica has banned all imports from and exports to South Africa, and will not allow movement of aircraft of South African registry to or through Jamaica, except for servicing or in an emergency. The Government of Jamaica does not, has never, and has no intention of supplying arms, ammunition, or military vehicles to the Republic of South Africa (see A/AC.115/L.9/Add.8, S/5438, A/PV.1228).

JAPAN

Long before the adoption of the Security Council's resolution of 7 August 1963, Japan has been following an established policy of not granting licence for the export of arms, ammunition and military vehicles to the Republic of South Africa in order to prevent the sale and shipment of these items to that country. It has also for a number of years voluntarily refrained from entering into diplomatic relations with the Government of South Africa (see S/5438, A/SPC/SR.390).

KUWAIT

The Government of Kuwait has complied with General Assembly resolution 1761 (XVII). It has decided to adhere to the following points:

1. To refrain from establishing diplomatic relations with South Africa;
2. To close all Kuwait ports to ships carrying South Africa's flag;
3. To prevent all Kuwait ships from entering South African ports;
4. To boycott all South African goods and to stop imports from and exports to South Africa, including arms and ammunition;

5. To prevent South African aircraft from landing in Kuwait, or even passing over Kuwait territory (see A/5614, A/PV.1222, A/SPC/SR.394).

LAOS

There are no relations between Laos and the Republic of South Africa (see A/5497/Add.1, S/5438).

LIBERIA

The Government of Liberia will take the necessary steps to implement, on its part, the provisions of General Assembly resolution 1761 (XVII), and will comply with the relevant paragraphs of the Security Council's resolution of 7 August 1963. The Government of Liberia has not, at any time, sold or supplied arms, ammunition or military vehicles to South Africa, nor has it provided any type of assistance which might be used by South Africa to pursue the policy of *apartheid* (see A/5497/Add.1, S/5438/Add.1).

LIBYA

The Libyan Government has fully implemented the provisions of General Assembly resolution 1761 (XVII). It has no diplomatic relations with South Africa, and will in no way agree on such relations as long as *apartheid* policies and racial discrimination are not abolished and abandoned. It has taken administrative and legal measures to ensure that no vessel flying the South African flag, or registered under the laws of South Africa, or chartered by South Africa, will be permitted to enter Libyan ports or navigate in Libyan territorial waters. It has taken corresponding measures to ensure that no South African aircraft on scheduled or non-scheduled flights will enter or overfly the Libyan territory. It has also totally severed economic relations with South Africa. Libya does not supply arms to South Africa (see A/5577, S/5438/Add.2, A/PV.1211, A/SPC/SR.385).

LUXEMBOURG

Luxembourg does not produce the material referred to in the Security Council resolution of 7 August 1963. As regards the export of arms the action taken in the matter by Belgium also applies to Luxembourg in virtue of the economic union between the two countries (see S/5438/Add.3).

MADAGASCAR

The Government of Madagascar will support any United Nations measures, in conformity with General Assembly resolution 1761 (XVII), against South Africa's policies of *apartheid* provided that the measures are uniformly applied by all Member States and that they would not worsen the situation (see A/5497/Add.1, A/SPC/SR.392).

MALAYSIA

The Government has not exchanged diplomatic missions with South Africa. It has banned all imports of South African goods since 1961 and, since 1959, has not had occasion to grant facilities to vessels flying the South African flag or to South African aircraft. It has granted permission to five Malay families, victims of *apartheid* in South Africa, to reside in Malaysia. It has not permitted and does not intend to permit

the shipment of arms, ammunition or any type of military vehicle to South Africa (see A/5497/Add.1, S/5438/Add.2, A/PV.1228, A/SPC/SR.394).

MALI

Since independence, Mali has refrained from maintaining relations of any kind with the Government of South Africa, and it does not contemplate entering into relations of any kind with that Government so long as it has not abandoned its policy of *apartheid*. By a decree of 31 August 1963, Mali prohibited access to its ports by ships of South African origin or ships of whatever origin coming from or proceeding to the Republic of South Africa. It has prohibited aircraft of South African origin, or of whatever origin coming from or proceeding to the Republic of South Africa, from landing at Malian airports or overflying the country's territory. Entry into Mali is prohibited to nationals of the Republic of South Africa. The import of products or merchandise of South African origin or products from South Africa, and the export of any products or merchandise to the Republic of South Africa, is prohibited (see A/5474, A/5497/Add.1, S/5438/Add.1, A/PV.1231, A/SPC/SR.387).

MAURITANIA

Mauritania has no relations with South Africa. Its territorial waters and air space are prohibited to all ships and aircraft flying the South African flag or travelling to or from South Africa, or carrying South African citizens (see A/PV.1241, A/SPC/SR.379).

MEXICO

The Mexican Government has not sold or shipped any arms or ammunition of any type, or military vehicles, to the Republic of South Africa, and does not propose to do so in the future, so long as the circumstances to which the Security Council resolution of 7 August 1963 refers continue (see S/5438).

MONGOLIA

The Mongolian Government has maintained neither official nor private relations with the Republic of South Africa, and will refrain from entering into any relations so long as that country pursues the policy of *apartheid*. It has never sold arms, ammunition or military vehicles to South Africa and has no intention of doing so in the future (see A/5497/Add.1, S/5438/Add.1 and Add.3, A/SPC/SR.385).

MOROCCO

Morocco does not maintain any relations with South Africa (see A/SPC/SR.384).

NEPAL

The Government of Nepal does not maintain any diplomatic, cultural or trade relations with South Africa, and there is no question of its maintaining any such relations until the Government of South Africa abandons its racial policies (see A/5457, A/5497/Add.1, A/SPC/SR.391).

NETHERLANDS

The Government of the Netherlands has taken measures to prevent the export and transit to South Africa

of weapons and munitions which can be used for the oppression of the African population in South Africa or for the continuance of the policy of *apartheid* (see S/5438/Add.1).

NEW ZEALAND

The Government of New Zealand has not in the past engaged in the sale and shipment of arms, ammunition or military vehicles to the Government of the Republic of South Africa nor does it intend to do so in the future (see S/5438).

NICARAGUA

The Government of Nicaragua has not sold and is not selling any type of arms to the Government of South Africa (see S/5438).

NIGER

By a decree of 2 October 1963, Niger prohibited aircraft registered in South Africa, or chartered by South Africa for the transport of war material, ammunition or goods originating in or destined for South Africa, from flying over the territory of Niger and landing at the aerodromes in the country (see A/5588, A/SPC/SR.388).

NIGERIA

Nigeria has no diplomatic relations with South Africa, and severed all trade with that country in 1961. Nigeria has consistently refused to allow South African aircraft and ships to use its ports and airfields. It will not allow representatives of the White ruling minority in the Republic of South Africa to enter Nigeria for the purpose of attending international meetings, seminars or conferences, nor will it play host to any such meeting in which participation by South Africa is made a necessary condition for holding it in Nigeria. Nigeria will comply fully with the relevant operative paragraph of the Security Council resolution of 7 August 1963. It has never supplied, nor will it ever supply to South Africa, anything that may in any way assist the South African Government in its pursuit of the policy of *apartheid* (see A/5414, A/5497/Add.1, S/5438/Add.2, A/SPC/SR.389).

NORWAY

The Government of Norway does not permit the export of arms, ammunition or any other military equipment from Norway to South Africa (see S/5438).

PAKISTAN

Pakistan has never had diplomatic or consular relations with South Africa nor has it any intention of establishing them as long as the Government of that country continues to follow the policy of *apartheid*. It does not grant landing and passage facilities to South African aircraft, and has closed Pakistani ports to vessels flying the South African flag. It has prohibited the import of South African goods into Pakistan, and has banned the sale of arms, ammunition and all types of military vehicle and other strategic goods to South Africa. It is still carrying on a certain amount of export trade with South Africa in pursuance of earlier commitments, but is actively considering the termination of such exports (see A/AC.115/L.9/Add.11, A/SPC/SR.392).

PERU

In accordance with General Assembly resolution 1761 (XVII), Peru has refrained from establishing diplomatic relations with the Republic of South Africa. It has not been necessary for Peru to adopt any legislation with regard to trade and sea or air transport as such relations between Peru and South Africa were practically non-existent. Peru has not exported any arms to South Africa and has no intention of doing so (see A/SPC/SR.396).

PHILIPPINES

The Philippine Government has taken the following measures:

1. Closing of all ports in the Philippines to all vessels flying the flag of the Republic of South Africa;
2. Boycotting all South African goods and refraining from exporting to South Africa strategic goods of direct military value, such as arms, ammunition, and mineral oil;
3. Denial of landing and passage facilities to all aircraft belonging to the Government and companies registered under the laws of the Republic of South Africa;
4. Refusal of registration or licensing for the purpose of transacting business in the Philippines of any corporation or partnership organized under the laws of the Republic of South Africa;
5. Denial of the issuance of any permit or licence for the sale in the Philippines of securities of corporations organized under the laws of the Republic of South Africa; and
6. Disapproval of any application for licence to act as broker, dealer or salesman of securities that may be filed by persons who are citizens of the Republic of South Africa (see A/5497/Add.1, A/AC.115/L.9/Add.9, S/5438, S/PV.1053, A/PV.1233, A/SPC/SR.395).

POLAND

The Government of Poland has no diplomatic or consular relations with the Government of South Africa, and is not a party to any treaty or agreement with that Government. It will maintain its position against establishing diplomatic and consular relations with the present Government of South Africa and against the conclusion of a trade agreement or any other agreement with South Africa unless all the people of South Africa achieve full equality and freedom. It has already broken off trade relations with South Africa and Polish ships have been ordered not to enter South African ports. Poland does not permit and will not permit in the future any sale or shipment of arms, ammunition or military vehicles to South Africa (see A/5439, A/5497/Add.1, S/5438, A/SPC/SR.383).

ROMANIA

The Romanian Government will comply with the provisions of General Assembly resolution 1761 (XVII) and will carry out the international measures called for by the Security Council resolution of 7 August 1963 (see A/5497/Add.1, S/5438).

RWANDA

Rwanda has no relations with the Republic of South Africa (see S/5438).

SENEGAL

The Government of Senegal has decided to break off all diplomatic and consular relations with South Africa, and to boycott South African goods. It has decided to impose: (a) a ban on imports from South Africa and exports to South Africa; (b) a ban on the use of Senegalese ports and airports by South African ships and aircraft; and (c) a ban on all flights over Senegalese territory by South African aircraft. As regards the sale and shipment of arms, ammunition of all types and military vehicles, Senegal has never carried on such trade with South Africa (see S/5438).

SIERRA LEONE

The Government of Sierra Leone has imposed sanctions on South Africa and is prepared to support any United Nations action in pursuance of General Assembly resolution 1761 (XVII). It has never sold or shipped arms, ammunition of any type or military vehicles to South Africa and it has no intention of doing so in the future (see A/5497/Add.1, S/5438).

SOMALIA

Somalia has already implemented all of the measures recommended in operative paragraph 4 of General Assembly resolution 1761 (XVII). The Government of Somalia does not have diplomatic relations with the Government of the Republic of South Africa. In pursuance of the decisions of the Conference of Heads of African and Malagasy States and Governments, held at Lagos in January 1962 and of General Assembly resolution 1662 (XVI) of 28 November 1961, it enacted a law in May 1962 imposing economic sanctions on South Africa. This law prohibits ships flying the South African flag from calling at seaports in Somalia; prohibits South African aircraft from landing in airports in Somalia, except in case of emergency, and from overflying the territory of Somalia; prohibits the import of South African goods into Somalia and the export of Somalian goods to South Africa; prohibits South African citizens from entering Somalia, except that they may travel in transit aboard ships or aircraft which fly a flag other than that of the Republic of South Africa, but not disembark; and prohibits citizens of Somalia from travelling in South African ships or aircraft, except in cases of proven necessity or emergency. The Somali Government has neither sold nor shipped, nor does it intend to sell or ship, any arms, ammunition or military vehicles to South Africa (see A/5497/Add.1, S/5438, A/SPC/SR.396).

SUDAN

The Government of Sudan has closed all seaports and airports to South African ships and aircraft; it has instituted a complete economic and commercial boycott against South Africa and has banned any person with a South African passport from transit through or entry into the Sudan. It has promulgated the South Africa Boycott Act, 1963, for this purpose (see A/5497/Add.1, S/5438).

SWEDEN

The Swedish Government does not permit the export of arms, ammunition or military vehicles to South Africa and has no intention of permitting such exports to South Africa. Sweden is prepared to make available

a number of scholarships for higher education to young people from the majority population of South Africa (see S/5438, A/PV.1222).

SYRIA

The Syrian Government has decided to implement fully all the provisions of General Assembly resolution 1761 (XVII). It has also decided to implement operative paragraph 3 of the Security Council's resolution of 7 August 1963 and is taking all necessary measures to prohibit the sale or shipment of arms, ammunition and all types of military vehicles to South Africa (see A/AC.115/L.9/Add.12, S/5438, A/SPC/SR.392).

TANGANYIKA

Tanganyika has never had diplomatic relations with the South African Government and has imposed a total trade and economic boycott of South Africa. It has closed its ports to vessels flying the South African flag and has refused landing and passage facilities to South African aircraft. The Government of Tanganyika has bought over 30 per cent of the shares which were owned by South Africa in East African Civil Aviation. It has withdrawn all South African export and import licences from Tanganyika businessmen. It has forced the Standard Bank of South Africa not to use the appellation "South Africa" and to sell South African shares. It does not accept the South African Government's co-operation with regard to locust control or in any other field (see A/5614, A/PV.1237, A/SPC/SR.383).

THAILAND

Thailand has no diplomatic relations with the Republic of South Africa and has no intention of establishing such relations. Trade between the two countries is negligible. South African aircraft and vessels are prohibited from using air and sea ports in Thailand. The Government of Thailand has instructed the Ministries concerned to take all necessary measures, within their authority, to comply strictly with operative paragraph 3 of the Security Council resolution of 7 August 1963 (see S/5438, A/SPC/SR.394).

TRINIDAD AND TOBAGO

The Government of Trinidad and Tobago undertakes to give such assistance as lies within its power to the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa (see A/5583).

TUNISIA

The Government of Tunisia maintains no relations whatsoever with the Government of the Republic of South Africa (see A/PV.1213).

TURKEY

The Government of Turkey has no diplomatic or consular representatives in South Africa and does not maintain trade relations with that country. No arms or ammunition are being shipped from Turkey to the Republic of South Africa (see S/5438/Add.1, A/SPC/SR.395).

UGANDA

The Government of Uganda has refrained from establishing diplomatic relations with the Government

of the Republic of South Africa. It is in consultation with the Governments of Kenya and Tanganyika for measures to be taken in pursuance of paragraph 4 (b), (c) and (e) of General Assembly resolution 1761 (XVII). It does not sell or ship arms or ammunition of any type, or military vehicles, to South Africa, and has no future intention of carrying on the sale and shipment of the same. It is in the process of formulating legislation to the effect that: (a) no more licences should be issued for the import of goods from South Africa or for the export of goods to South Africa; (b) stocks of South African goods should be run down by 30 September 1963; and (c) contracts by the Government, Uganda Development Corporation and Uganda Electricity Board for the purchase of South African goods should be cancelled by 30 September 1963 (see A/AC.115/L.9/Add.12, S/5438/Add.2).

UKRAINIAN SOVIET SOCIALIST REPUBLIC

The Government of the Ukrainian SSR intends to support any measures designed to implement General Assembly resolution 1761 (XVII) (see A/5424, A/5497/Add.1).

UNION OF SOVIET SOCIALIST REPUBLICS

The Government of the Union of Soviet Socialist Republics has no diplomatic or consular relations with the Republic of South Africa, nor does it maintain trade relations with that country (see A/5405, A/5497/Add.1).

UNITED ARAB REPUBLIC

The United Arab Republic severed diplomatic relations with the Government of the Republic of South Africa on 30 May 1961. It has severed all economic relations with that Government. It refuses landing and passage facilities to all aircraft belonging to the South African Government and companies registered under the laws of South Africa. It has prohibited United Arab Republic ships from going to South African ports, and closed the United Arab Republics ports to all vessels flying the South African flag. It will maintain its policy of refusing the sale or shipment of arms and ammunition of any type or military vehicles to the Government in South Africa. It has provided educational facilities to about twenty South African students (see A/5563, A/AC.115/L.9/Add.12, S/5438/Add.2, A/SPC/SR.390).

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

It has for some time been the policy of the Government of the United Kingdom to distinguish between arms likely to be used for internal repression and arms required by the Government of the Republic of South Africa for external defence and in particular in order to play their part in the joint defence of the Cape routes. The position of the United Kingdom Government now is that no arms should be exported to South Africa which would enable the policy of *apartheid* to be enforced. The Government of the United Kingdom has repeatedly impressed on the South African Government that it is, by its racial policies, carrying its countrymen to certain tragedy (see S/5438, S/PV.1054, S/PV.1056).

UNITED STATES OF AMERICA

The United States Government had made almost continuous representations to the South African Government to persuade it to abandon the policies of *apartheid* and to fulfill its obligations under the Charter. It will continue to use its best efforts towards that end through all available official and unofficial means. It has utilized its diplomatic and consular establishments in South Africa to demonstrate by words and by deeds its official disapproval of *apartheid*. It has adopted and is enforcing the policy of forbidding the sale to the South African Government of arms and military equipment, whether from Government or commercial sources, which can be used by that Government to enforce *apartheid* either in South Africa or in the Administration of South West Africa. It expects to bring to an end the sale of all military equipment to the Government of South Africa by the end of 1963. It must, however, honour existing contracts for limited quantities of strategic equipment for defence against external threats and reserve the right in the future to interpret this policy in the light of requirements for assuring the maintenance of international peace and security. The United States would be happy to make available to the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa any information in its possession relevant to the mandate of the Special Committee, as appropriate (see A/5497/Add.1, S/5438, S/PV.1052, A/SPC/SR.392).

URUGUAY

The Government of Uruguay will not fail to take the necessary steps to ensure compliance in its territory with paragraph 3 of the resolution adopted by the Security Council on 7 August 1963. Uruguay has never sold or shipped arms directly or indirectly to South Africa (see S/5438).

VENEZUELA

Venezuela does not carry on any trade in arms, ammunition or military vehicles with South Africa and is prepared to comply with the recommendation of the Security Council (see S/5438/Add.1).

YEMEN

The Government of Yemen has no relations or ties with the Government of the Republic of South Africa (see A/5614).

YUGOSLAVIA

Yugoslavia has no diplomatic relations with the Republic of South Africa. There is no air or sea transport between Yugoslavia and South Africa. Trade between the two countries, which was insignificant in its volume, has been completely discontinued. The Government of Yugoslavia has decided to close its consulate in Johannesburg. Yugoslavia has not in the past nor will it in the future sell or ship to the Republic of South Africa arms and ammunition of any type, or military vehicles, thus completely adhering to the Security Council resolution of 7 August 1963 (see A/5458, A/5497/Add.1, S/5438).

DOCUMENTS A/5614 AND ADD.1.3***

Report of the Secretary-General under General Assembly resolution 1881 (XVIII) of 11 October 1963

DOCUMENT A/5614

[Original text: English/French/Spanish/Russian]
[19 November 1963]

1. In operative paragraph 2 of resolution 1881 (XVIII) adopted on 11 October 1963, the General Assembly requested the Government of the Republic of South Africa "to abandon the arbitrary trial now in progress and forthwith to grant unconditional release to all political prisoners and to all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of *apartheid*". In operative paragraph 3, it requested all Member States to make all necessary efforts to induce the Government of the Republic of South Africa to ensure that the provisions of paragraph 2 of the resolution were put into effect immediately. In operative paragraph 4, it requested the Secretary-General to report to the General Assembly and the Security Council, as soon as possible during the eighteenth session, on the implementation of the resolution.

2. In pursuance of this resolution, the Secretary-General, by a note dated 15 October 1963 addressed to the Permanent Representative of South Africa to the United Nations, requested to be informed of the steps taken by his Government for carrying out the provisions of operative paragraph 2 of the resolution.

3. By a note dated 14 November 1963, the Permanent Representative of South Africa informed the Secretary-General that "no reply can be expected to a resolution which the United Nations was clearly not entitled to adopt since it constitutes flagrant interference in South Africa's judiciary. Such resolution is entirely outside the jurisdiction of the United Nations".

4. Furthermore, in pursuance of the mandate given to him in the resolution, the Secretary-General addressed a note dated 23 October 1963 to the Permanent Representatives of all other Member States drawing their particular attention to operative paragraph 3 of the resolution and requesting them to communicate to him any relevant information on the action taken by their Governments in accordance with the resolution.

5. The Secretary-General has the honour to report to the General Assembly and the Security Council that up to 19 November 1963, twenty-six Members had replied to his note. The substantive parts of these replies are reproduced below.

AUSTRALIA

[Original text: English]
[8 November 1963]

Australia has consistently stated, in the United Nations and elsewhere, its abhorrence of the hateful doctrine of *apartheid* and its attitude has been made clear to the South African Government. By voting for General Assembly resolution 1881 (XVIII) as a whole, although being obliged to abstain on one part of the resolution because of reservations about its meaning, Australia has also brought to the notice of the South African Government its condemnation of repressive measures to enforce *apartheid*.

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

[Original text: Russian]
[12 November 1963]

In our letter to you of 6 June 1963, which was issued as document A/5427 on 7 June 1963, we stated the position of the Government of the Byelorussian SSR with regard to the policy of *apartheid* pursued by the Government of the South African Republic. At the eighteenth session of the General Assembly of the United Nations the delegation of the Byelorussian SSR voted in favour of resolution 1881 (XVIII) and again affirmed that the Government of the Byelorussian SSR had always supported and was prepared to support any measures designed to end for ever the policy of racial discrimination and *apartheid* pursued by the Government of the South African Republic.

CANADA

[Original text: English]
[6 November 1963]

The Canadian Government is deeply concerned over the failure of the South African Government to abandon its *apartheid* policies and in particular over intensification in the past year of repressive measures against individuals in South Africa who oppose these policies. Canada, therefore, joined with 106 Members of the United Nations in voting in favour of resolution 1881 (XVIII). On a number of occasions during the past year and in particular since the beginning of the eighteenth session of the General Assembly, the Canadian Government has made clear to representatives of the South African Government Canada's urgent desire to see a change in the policy of the South African Government and an end to repressive measures including the arbitrary trials and arrests of individuals for political offences which were referred to in resolution 1881 (XVIII).

CHAD

[Original text: French]
[13 November 1963]

Pursuant to the resolution calling for an effective boycott of Portugal and South Africa by the independent African States, adopted at the Summit Conference of Independent African States held at Addis Ababa from 22 to 25 May 1963, the Government of the Republic of Chad issued on 28 September 1963 a decree prohibiting Portuguese and South African aircraft, and foreign aircraft transporting freight or passengers from or to South Africa or Portugal from flying over Chad territory or landing at Chad airfields. Any aircraft infringing the provisions of this decree will be confiscated. In pursuance of the international arrangements currently in force, this decree does not apply to forced landings of aircraft in distress; but the Chad authorities reserve their right to conduct inquiries in order to ascertain whether any such landings are justified.

*** Also issued under the symbol S/5457 and Add.1-3.

CZECHOSLOVAKIA

[Original text: English]
[8 November 1963]

The Government of the Czechoslovak Socialist Republic as well as all the Czechoslovak people have always denounced the policies of racial discrimination on the part of the Government of the Republic of South Africa which they consider a flagrant violation of fundamental human rights and the worst manifestation of colonial oppression. The Government of the Czechoslovak Socialist Republic implements consistently General Assembly resolution 1761 (XVII) inviting Member States to break off diplomatic, economic and other relations with the Republic of South Africa. As was advised in its note of 17 July 1963 (document A/5451) the Czechoslovak Socialist Republic has also closed its Consulate-General in Johannesburg. In view of the fact that the Czechoslovak Socialist Republic has no relations with the Government of the Republic of South Africa it cannot influence it directly to implement without delay resolution 1881 (XVIII). However, the Government of the Czechoslovak Socialist Republic is ready to support any further measures on the part of the United Nations which put once and for all an end to the policies of *apartheid* pursued by the Government of the Republic of South Africa.

DOMINICAN REPUBLIC

[Original text: Spanish]
[7 November 1963]

The Government of the Dominican Republic is studying means of taking appropriate steps in conformity with the said resolution, to which it gave its support at the 1238th plenary meeting held on 11 October of this year.

FRANCE

[Original text: French]
[31 October 1963]

The statement in explanation of vote made by the French representative on 11 October 1963 (1238th plenary meeting) confirms as follows the position of France with respect to paragraph 3 of the said resolution: "The vote of the French delegation represents nothing less and nothing more than an urgent appeal to the Government in Pretoria to take heed of the reproval that irrevocable decisions would entail, and finally to hearken to the dictates of clemency, which are also the dictates of reason." This position must be understood in the light of the comments made by the French representative during his statement in the General Assembly, which define the context of the French Government's action.

GUINEA

[Original text: French]
[1 November 1963]

The Government of the Republic of Guinea, which co-sponsored the resolution of 11 October 1963, is fully prepared to make all necessary efforts to cause the Government of the Republic of South Africa to abandon the arbitrary trial of the South African patriots and forthwith to grant unconditional release to all political prisoners and to all persons interned or subjected to

other restrictions for having opposed the policy of *apartheid*. The Government of Guinea considers that in this respect it is for the allies and major trade partners of the South African Republic to bring their influence to bear on the Government in Pretoria in order to achieve the objectives of the United Nations in this specific field and in all matters, as a whole, relating to the relinquishment of the *apartheid* policy. As a result, the Government of Guinea suggests that the Secretary-General should make a special attempt to persuade the aforesaid States, the list of which is clearly apparent from the debates in the Special Political Committee, faithfully to perform their duties as Member States by implementing General Assembly resolution 1881 (XVIII) of 11 October 1963. The Government of Guinea is convinced that those States, and they alone, are at present able to affect the catastrophic course of developments in South Africa. The foregoing is a clear statement that it is idle to look elsewhere for a solution to the explosive situation in South Africa, the key to which is exclusively in the hands of the handful of allies and the principal partners of the South African Government. These are the States to which the Secretary-General must intensify his personal representations in order to bring about a satisfactory solution to the problem of *apartheid*.

INDIA

[Original text: English]
[8 November 1963]

The Permanent Representative of India wishes to draw the attention of the Secretary-General to operative paragraph 3 of General Assembly resolution 1881 (XVIII) and to state that the Government of India maintains no diplomatic or any other relations with the Republic of South Africa and thus has no means of inducing the Government of the Republic of South Africa to implement the provisions of paragraph 2 of resolution 1881 (XVIII) adopted by the General Assembly at the 1238th plenary meeting held on 11 October 1963.

ITALY

[Original text: English]
[18 November 1963]

The Italian delegation gave its full support to resolution 1881 (XVIII) in order to express its feelings of abhorrence for any form of racial discrimination and to join its voice to the solemn and universal appeal addressed on that occasion to the Government of the Republic of South Africa. In doing so the Italian delegation deliberately chose to ignore, for reasons of humanity, all considerations of a juridical and constitutional nature which could be invoked in other circumstances.

IVORY COAST

[Original text: French]
[30 October 1963]

The Republic of the Ivory Coast has no diplomatic or commercial relations with South Africa. All ports and the airport in the Republic are closed to South African aircraft and to ships flying the South African flag. The Government of the Ivory Coast has urged certain great Powers which have diplomatic relations with South Africa to influence that country in accord-

ance with resolution 1881 (XVIII) adopted by the General Assembly at its 1238th plenary meeting on 11 October.

JORDAN

[Original text: English]
[28 October 1963]

The Jordan Government will adhere fully to resolution 1881 (XVIII), adopted by the General Assembly at the 1238th plenary meeting on 11 October 1963, in connexion with the policies of *apartheid* of the Government of the Republic of South Africa.

KUWAIT

[Original text: English]
[8 November 1963]

The Permanent Representative of the State of Kuwait would point out that even before resolution 1881 (XVIII) was drawn up, the Government of Kuwait, having no diplomatic relations whatsoever with South Africa, had, in accordance with the previous resolution of the Security Council dated 7 August 1963, decided to adhere to the following points:

1. To refrain from establishing diplomatic relations with South Africa;
2. To close all the Kuwait ports to ships carrying South Africa's flag;
3. To prevent all Kuwait ships from entering South African ports;
4. To boycott all South African goods and to stop imports from South Africa and exports to it, including arms and ammunition.
5. To prevent South African aircraft from landing in Kuwait, or even passing over Kuwaiti territory.

The Permanent Representative of Kuwait would point out, therefore, that in view of the fact that no diplomatic relations are maintained with the Republic of South Africa, Kuwait is not in a position to influence or induce South Africa to comply with paragraph 2 of the aforementioned resolution 1881 (XVIII), dated 11 October 1963.

LIBERIA

[Original text: English]
[24 October 1963]

Inasmuch as the Government of Liberia has no diplomatic relations with the Republic of South Africa and therefore cannot make any direct contact with this Government for the purpose of ensuring that the provisions of paragraph 2 of the resolution in question are put into effect, The Government of Liberia has contacted a number of Member States of the United Nations, having diplomatic relations with South Africa, requesting them to exert their influence on the Government of South Africa to comply with the provisions of the resolution in question.

MOROCCO

[Original text: French]
[6 November 1963]

The Moroccan Government fully endorses the terms of resolution 1881 (XVIII) and will ensure that it is implemented strictly in Morocco.

NIGERIA

[Original text: English]
[18 November 1963]

The Government of the Federal Republic of Nigeria maintains neither political nor economic relations with the minority Government of the Republic of South Africa and is willing to avail itself of every other possible opportunity for implementing the operative paragraph 3 of resolution 1881 (XVIII).

POLAND

[Original text: English]
[31 October 1963]

Poland is in full agreement with the aims and purposes of resolution 1881 (XVIII) and has voted in its favour. It is Poland's profound conviction that the attainment of the objectives of this resolution can be achieved by faithful and effective application of measures provided for by General Assembly resolution 1761 (XVII). Measures to this effect undertaken by Poland have been set forth in previous notes to the Secretary-General dated 11 July 1963 and 25 September 1963, as well as at the 383rd meeting of the Special Political Committee on 14 October 1963.

ROMANIA

[Original text: French]
[11 November 1963]

1. The Government of the Romanian People's Republic has taken cognizance of resolution 1881 (XVIII) of 11 October 1963 respecting the policy of *apartheid* still pursued by the Government of the South African Republic. This resolution has been fully supported by the Romanian delegation, which voted for it.

2. The Government of the Romanian People's Republic continues to apply strictly the provisions of resolution 1761 (XVII) of the General Assembly and the Security Council's resolution in document S/5386,² as we have already had the honour to inform you in our letters of 16 July 1963 (see A/5497/Add.1) and 4 October 1963,³ and considers that the literal application of all of these provisions by all countries would prevent the South African Government from pursuing its policy of *apartheid*.

SIERRA LEONE

[Original text: English]
[14 November 1963]

The Permanent Representative of Sierra Leone wishes to inform the Secretary-General that in view of the fact that the Government of Sierra Leone has no diplomatic relations with the Republic of South Africa, the Government of Sierra Leone finds itself unable to influence the Government of South Africa as requested in operative paragraph 3 of resolution 1881 (XVIII).

TANGANYIKA

[Original text: English]
[6 November 1963]

The following are the steps taken by the Government of Tanganyika:

² Official Records of the Security Council, Eighteenth Year, Supplement for July, August and September 1963.

³ *Ibid.*, Supplement for October, November and December 1963, document S/5438.

1. Tanganyika has no diplomatic relations with South Africa;

2. Tanganyika has denied landing rights to South African aircraft;

3. The Government has bought over 30 per cent of the shares which were owned by South Africa in East African Civil Aviation;

4. The Tanganyika Government has withdrawn all South African export and import licences from Tanganyika businessmen. For example:

(a) Tanganyika has discontinued the selling of timber, cotton, coffee, etc.

(b) It has discontinued the importation of fruit, wine, machinery, etc.

5. The Tanganyika Government has forced the Standard Bank of South Africa not to use the rest of the appellation "South Africa", but to say "Standard Bank", and has forced the Standard Bank to sell South African shares.

These are the measures taken by the Tanganyikan Government against South Africa up to the present time.

TUNISIA

[Original text: French]
[25 October 1963]

Since the Tunisian Government has not, never has had and does not expect to have relations of any kind with the Government of South Africa, it unfortunately cannot exert any influence on the South African Government that might induce it to discontinue the repressive measures taken against the African political leaders. The Tunisian Government is nevertheless prepared to apply any practical measures the United Nations may advocate against South Africa to enforce resolution 1881 (XVIII).

UGANDA

[Original text: English]
[11 November 1963]

I attach a letter from the Office of External Affairs in Uganda outlining the stand of the Uganda Government. This is a copy of a letter of 18 September 1963⁴ which was forwarded to you late last month under cover of our letter DIP.8/29 dated 24 October, 1963.

UKRAINIAN SOVIET SOCIALIST REPUBLIC

[Original text: Russian]
[18 November 1963]

In the letter I addressed to Your Excellency on 30 May 1963 (A/5424) I stated the position of the Government of the Ukrainian SSR with regard to the policy of *apartheid* pursued by the Government of the South African Republic. This policy of the Government of the Ukrainian SSR, based on principle, was also reflected at the eighteenth session of the General Assembly when the delegation of the Ukrainian SSR voted in favour of resolution 1881 (XVIII). I have the honour to confirm hereby that the Government of the Ukrainian SSR is prepared to support any measures for putting an end to the policy of *apartheid* pursued by the Government of the South African Republic.

UNION OF SOVIET SOCIALIST REPUBLICS

[Original text: Russian]
[7 November 1963]

In our letters No. 145 of 19 March 1963 (A/5405) and No. 497 of 8 October 1963⁵ addressed to you, we stated the position of the Soviet Government with regard to the policy of *apartheid* pursued by the Government of the South African Republic, and indicated that the Soviet Government is prepared to support any action designed to put an end to the policy of racial discrimination and *apartheid*.

Obviously, the Soviet Government is also prepared to support measures for ensuring implementation of the provisions of paragraph 2 of the aforesaid resolution.

UNITED STATES OF AMERICA

[Original text: English]
[8 November 1963]

Upon the passage last year of the South African General Law Amendment Act, 1962 (Sabotage Act), the United States expressly made known its shock at the vague, sweeping terms of this new legislation for enforcement of the racial policies of South Africa. Subsequently, the United States has reaffirmed its disapproval and its uncompromising and irrevocable opposition to laws which, aimed at controlling political opposition, permit extended incarceration without hearing and without trial and put on the defendant the burden of proving himself innocent. The United States will continue to make its views known on this matter.

YEMEN

[Original text: English]
[6 November 1963]

The Yemen Arab Republic in taking resolution 1881 (XVIII) into consideration wishes to declare that no relations or ties exist between the Government of the Yemen Arab Republic and the Government of South Africa.

DOCUMENT A/5614/ADD.1

[Original text: English/French/Spanish]
[2 December 1963]

The Secretary-General has the honour to report to the General Assembly and the Security Council that he has received seven additional replies to his letter to Member States in connexion with resolution 1881 (XVIII), adopted by the General Assembly on 11 October 1963. The substantive parts of these replies are reproduced below.

ARGENTINA

[Original text: Spanish]
[19 November 1963]

The Permanent Mission of Argentina wishes to state that the Argentine Government's attitude will be based on its traditional position of complete and absolute condemnation of racial discrimination in any form and of any policy founded on doctrines of that nature. Argentina's position has been made clear throughout all the discussions held to examine the South African

⁴ *Ibid.*, document S/5438/Add.2.

⁵ *Ibid.*, document S/5438.

Government's policies of *apartheid*, and these same considerations prompted it to vote in favour of the resolution under which this reply is transmitted.

BULGARIA

[Original text: French]
[22 November 1963]

The Government of the People's Republic of Bulgaria strongly subscribes to the objectives of resolution 1881 (XVIII) and urges that they should be fully achieved. Since the Government of the People's Republic of Bulgaria maintains no diplomatic or other relations with the Government of the Republic of South Africa, it is not in a position to exercise any direct influence on the South African Government. The Bulgarian Government is, however, prepared to support all measures designed to put an end to the policy of *apartheid*, including practical measures to give effect to resolution 1881 (XVIII).

CAMBODIA

[Original text: French]
[19 November 1963]

Cambodia maintains no relations with the Republic of South Africa. The Royal Government most vigorously condemns the policies of *apartheid* of the Republic of South Africa. It reiterates in this connexion the terms of the letter dated 30 April 1963 which the Ministry of Foreign Affairs of Cambodia addressed to the Chairman of the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa, and which was reproduced in General Assembly document A/AC.115/L.9/Add.3.

MADAGASCAR

[Original text: French]
[29 November 1963]

1. The Malagasy Republic has signed the Charter of the Organization of African Unity and associated itself with the position adopted by that Organization towards the policy of *apartheid* pursued by South Africa.
2. The Malagasy Republic maintains no diplomatic or consular relations with South Africa.
3. The Malagasy Republic has never supplied arms or strategic materials to that State, and will continue to refrain from doing so.
4. No regular air or sea route from South Africa passes through Malagasy airports or seaports despite the proximity of the two States.
5. The Malagasy Republic is one of four African States which took part in the recent discussions in the Security Council on the subject of *apartheid*.
6. *Apartheid* has always been vehemently attacked in all official public statements by members of the Malagasy Government.

MALAYSIA

[Original text: English]
[26 November 1963]

Malaysia has always been vigorously opposed to *apartheid* and has taken various measures consistent with previous United Nations resolutions to bring pressure to bear on South Africa to abandon its policy and practice of *apartheid*. Malaysia fully supports reso-

lution 1881 (XVIII) but with particular reference to its operative paragraph 3, Malaysia having no diplomatic or any other relations with South Africa has no means of inducing that Government to implement the provisions of operative paragraph 2 of the resolution.

NEW ZEALAND

[Original text: English]
[22 November 1963]

Both through its support for resolutions of the General Assembly and through independent representations to the South African authorities, New Zealand has endeavoured to register with the South African Government its distaste for the policy of *apartheid* and its complete rejection on the attitudes of which that policy is based. The New Zealand Government regards its recent support for General Assembly resolution 1881 (XVIII) as in itself a further urgent appeal to the South African Government to abandon the policy of *apartheid*. The New Zealand Government will continue to use similar suitable opportunities for expressing to the South African Government its profound concern on this issue.

THAILAND

[Original text: English]
[22 November 1963]

The Government of Thailand, not having diplomatic relations with the Government of the Republic of South Africa, will not be able to induce that Government directly in accordance with the operative paragraph 3 of the said resolution. However, the Government of Thailand has instructed the various Ministries concerned to take all necessary measures, within their authority, to comply strictly with operative paragraph 3 of the resolution adopted by the Security Council at the 1056th meeting on 7 August 1963,⁶ thereby contributing indirectly to the implementation of the resolution of the General Assembly in question.

DOCUMENT A/5614/ADD.2

[Original text: English]
[6 December 1963]

The Secretary-General has the honour to report to the General Assembly and the Security Council that he has received one additional reply to his letter to Member States in connexion with resolution 1881 (XVIII), adopted by the General Assembly on 11 October 1963. The substantive part of this reply is reproduced below.

UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND

[Original text: English]
[28 November 1963]

The Permanent Representative of the United Kingdom has been instructed to inform the Secretary-General that Her Majesty's Government's reasons for voting for the resolution as a whole, and for abstaining in a separate vote on operative paragraph 2, were explained by the Minister of State for Foreign Affairs of the United Kingdom immediately before the vote was taken. In particular, Her Majesty's Government thought it logical to vote in favour of the spirit of a

⁶ *Ibid.*, Supplement for July, August and September 1963, document S/5386.

resolution aimed at measures taken under arbitrary laws. Her Majesty's Government has, on numerous occasions, made clear to the South African Government its views about *apartheid* and about the measures used to enforce it, and has urged the South African Government to take account of international opinion, particularly as reflected at the United Nations. In accordance with paragraph 3 of resolution 1881 (XVIII) Her Majesty's Government has explained to the South African Government why it was thought appropriate to vote for the resolution, and at the same time has drawn the attention of the South African Government to the strength of public opinion in the United Kingdom on this issue.

DOCUMENT A/5614/ADD.3

[Original text: English]
[10 December 1963]

The Secretary-General has the honour to report to the General Assembly and the Security Council that

he has received one additional reply to his letter to Member States in connexion with resolution 1881 (XVIII), adopted by the General Assembly on 11 October 1963. The substantive part of this reply is reproduced below.

JAPAN

[Original text: English]
[9 December 1963]

The strong opposition of Japan to the policy of *apartheid* is well known, and the Government of Japan has availed itself of every opportunity to appeal to the Government of South Africa to abandon this abominable practice as soon as possible. Japan's co-sponsorship of resolution 1881 (XVIII) is an eloquent proof of its gravest concern about the trial which is the main theme of the said resolution.

DOCUMENTS A/5565 AND ADD.1

Report of the Special Political Committee

DOCUMENT A/5565

Report of the Special Political Committee (part I)

[Original text: English]
[10 October 1963]

1. At the 381st meeting of the Special Political Committee, on 10 October 1963, during the course of the Committee's general debate on the question of the policies of *apartheid* of the Government of the Republic of South Africa, a joint draft resolution (A/SPC/L.96) was submitted by fifty-five delegations, with the request that it be considered by the Committee at once as a matter of urgency.

2. The delegations co-sponsoring the draft resolution were the following: Afghanistan, Algeria, Burma, Burundi, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Congo (Leopoldville), Cyprus, Dahomey, Ethiopia, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Japan, Jordan, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tanganyika, Thailand, Togo, Tunisia, Uganda, United Arab Republic, Upper Volta and Yemen. Under its operative paragraphs, the General Assembly would condemn the Government of the Republic of South Africa for its failure to comply with the repeated resolutions of the General Assembly and of the Security Council calling for an end to the repression of persons opposing *apartheid*, and request it to abandon the arbitrary trial which was in progress and forthwith to grant unconditional release to all political prisoners and to all persons imprisoned, interned, or subjected to other restrictions for having opposed the policy of *apartheid*. It would also request all Member States to make all the necessary efforts to persuade the Government of the Republic of South Africa to ensure that the provisions of the preceding paragraph were put into effect, and request the Secretary-General

to report, as soon as possible during the eighteenth session, to the General Assembly and to the Security Council on the implementation of the resolution.

3. The Committee agreed to waive the application, in the special circumstances, of rule 121 of the rules of procedure of the General Assembly and to proceed at once to the consideration of the draft resolution.

4. Following a suspension of the meeting, the representative of India announced that the co-sponsors had agreed, taking into consideration suggestions made at the meeting by the representative of Norway, to revise the last paragraph of the preamble to read "thereby further disturbing international peace and security" instead of "thereby further dangerously increasing the threat to international peace and security".

5. The Committee then voted on the joint draft resolution A/SPC/L.96 as revised and adopted it by a roll-call vote of 87 to 1, with 9 abstentions. The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Austria, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Ceylon, Chad, Chile, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Denmark, Ecuador, Ethiopia, Finland, Gabon, Ghana, Guatemala, Guinea, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Nicaragua, Niger, Nigeria, Norway, Pakistan, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Sweden, Syria, Tanganyika, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Portugal.

Abstaining: Australia, Belgium, Canada, France, Netherlands, New Zealand, Panama, United Kingdom

of Great Britain and Northern Ireland, United States of America.

6. The Committee further agreed, without objection, that the draft resolution which it had just adopted as a matter of urgency should be presented to the plenary meeting of the General Assembly the following morning.

Recommendation of the Special Political Committee

7. The Special Political Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

DOCUMENT A/5565/ADD.1

Report of the Special Political Committee (part II)

[Original text: English and French]
[12 December 1963]

1. In resolution 1761 (XVII), adopted on 6 November 1962, the General Assembly, *inter alia*, established a Special Committee to keep the racial policies of the Government of South Africa under review when the Assembly was not in session and to report either to the Assembly or to the Security Council or both, as might be appropriate from time to time. The Assembly also invited Member States to inform the General Assembly at its eighteenth session regarding action taken, separately or collectively, in dissuading the Government of South Africa from pursuing its policies of *apartheid*.

2. In accordance with its terms of reference, the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa submitted two interim reports to the General Assembly, the first (A/5418 and Corr.1) on 9 May 1963, and the second (A/5453) on 17 July 1963. The same reports were submitted to the Security Council under the symbols S/5310 and S/5353, respectively. The Committee's report submitted to the General Assembly (A/5497 and Add.1 and 2) and to the Security Council (S/5426 and Add.1 and 2) on 13 September 1963 contained a review of developments since the adoption of resolution 1761 (XVII), together with the conclusions and recommendations of the Special Committee.

3. Communications were received from the following Member States pursuant to the terms of resolution 1761 (XVII): Union of Soviet Socialist Republics (A/5405), Algeria (A/5413), Nigeria (A/5414), Ghana (A/5422), Ukrainian Soviet Socialist Republic (A/5424), Costa Rica (A/5425), Byelorussian Soviet Socialist Republic (A/5427), Poland (A/5439), Cameroon (A/5449), Czechoslovakia (A/5451), India (A/5452), Nepal (A/5457), Yugoslavia (A/5458), Guinea (A/5472), Mali (A/5474), Chad (A/5554), United Arab Republic (A/5563), Libya (A/5577), Trinidad and Tobago (A/5583) and Niger (A/5588).

4. The provisional agenda for the eighteenth session of the General Assembly contained the item "The policies of *apartheid* of the Government of the Republic of South Africa: report of the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa". At its 153rd meeting, on 18 September 1963, the General Committee decided

to recommend the inclusion of the item, over the objection of the representative of South Africa, who stated that discussion of the item would be a violation of Article 2, paragraph 7, of the Charter. The title was revised pursuant to a suggestion made by the representative of Guinea at the 154th meeting, when it was decided to recommend the allocation of the item to the Special Political Committee for consideration and report.

5. At the 1210th plenary meeting, on 20 November, the General Assembly approved the recommendations of the General Committee regarding the title of the item and its allocation to the Special Political Committee. At the same meeting, the representative of South Africa reiterated his delegation's formal objection to the inclusion of the item in the agenda.

6. At its 378th meeting on 1 October, the Special Political Committee decided to place the item first on its agenda. The Committee considered the question at its 379th to 396th meetings, held between 8 and 30 October. At the 396th meeting, on 30 October, the Committee decided to suspend its consideration of the question. Consideration of the matter was then continued at the 421st and 423rd meetings, held on 9 and 10 December.

7. At its 378th meeting, on the proposal of the representative of Guinea, the Committee agreed to the request of Mr. Oliver Tambo, Deputy President of the African National Congress of South Africa, for an opportunity to make a statement before the Committee. At the 379th meeting, on 8 October, on the proposal of the representative of Guinea, it heard a preliminary statement (A/SPC/80) by Mr. Oliver Tambo. Mr. Tambo was also heard by the Committee at its 395th meeting on 29 October (A/SPC/84).

8. Also at the 379th meeting, the Chairman informed the Committee of the receipt of a letter from the Chairman of the delegation of South Africa, the text of which was read out to the Committee, protesting the unprecedented decision of the Committee "to accord an oral hearing to a petitioner who was a citizen of a Member State when the Assembly was considering matters within the domestic jurisdiction of that Member".

9. The Committee further agreed at its 379th meeting to grant a request received from the Right Reverend R. Ambrose Reeve, former Bishop of Johannesburg, to make a statement to the Committee. He made a statement (A/SPC/83) at its 387th meeting, on 18 October.

10. At its 381st meeting, on 10 October, the Committee suspended its general debate in order to consider a draft resolution submitted as a matter of urgency by fifty-five delegations. The draft resolution (A/SPC/L.96) was adopted by a roll-call of 87 to 1, with 9 abstentions (see A/5565, para. 5). The Committee's report (A/5565) was considered at the 1238th plenary meeting on the following day, and the resolution recommended by it was adopted. By resolution 1881 (XVIII), the General Assembly, *inter alia*, requested the Government of the Republic of South Africa to abandon the arbitrary trial then in progress and forthwith to grant unconditional release to all political prisoners, and further requested all Member States to make all necessary efforts to induce the Government of the Republic of South Africa to put the provisions of the resolution into effect immediately.

11. A report of the Secretary-General pursuant to General Assembly resolution 1881 (XVIII) of 11 Oc-

tober 1963 was circulated to the General Assembly on 19 November (A/5614). The vote contained the substance of a reply from the Permanent Representative of South Africa to the United Nations to a note by the Secretary-General requesting to be informed of the steps taken, as well as replies received up to 19 November from twenty-six Member States. Later, the substantive parts of the replies of additional Member States were circulated (A/5614/Add.1-3).

12. At the 395th meeting, on 29 October, the representative of Guinea requested that the Secretariat prepare a document on the measures taken by Member States in pursuance of General Assembly resolution 1761 (XVII) and the Security Council resolution of 7 August 1963.⁷ In accordance with that request, a note prepared by the Secretariat was circulated on 22 November (A/SPC/94).

13. At the 421st meeting, on 9 December, the representative of Guinea introduced two joint draft resolutions on the question, as follows:

(a) The first joint draft resolution (A/SPC/L.102) was co-sponsored by the following countries: Afghanistan, Algeria, Bolivia, Burma, Burundi, Cambodia, Cameroon, Central African Republic, Ceylon, Chile, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Dahomey, Ethiopia, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Iraq, Ivory Coast, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Morocco, Nepal, Nigeria, Pakistan, Philippines, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tanganyika, Thailand, Togo, Tunisia, United Arab Republic, Upper Volta and Yugoslavia. In its operative paragraphs, it provided that the General Assembly would: (1) appeal to all States to implement the resolutions of the General Assembly and the Security Council on the policies of *apartheid* of the Government of the Republic of South Africa; (2) note with appreciation the reports of the Special Committee on the policies of *apartheid* of the Government of the Republic of South Africa, and request it to continue to follow the various aspects of the question constantly and to submit reports to the General Assembly and the Security Council whenever necessary; (3) request all States to take appropriate measures on the basis of the recommendations of the Special Committee with a view to dissuading the South African Government from pursuing its policies of *apartheid*, and to intensify their efforts, jointly and severally, towards that end; (4) request the Secretary-General to furnish the Special Committee with all the necessary means for the effective accomplishment of its task; and (5) invite the specialized agencies and all Member States to give the Special Committee their assistance and co-operation in the fulfilment of its mandate.

(b) The second joint draft resolution (A/SPC/L.103) was co-sponsored by the following countries:

Afghanistan, Algeria, Bolivia, Burma, Burundi, Cambodia, Cameroon, Central African Republic, Ceylon, Chile, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Dahomey, Ethiopia, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Iraq, Ivory Coast, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Morocco, Nepal, Nigeria, Pakistan, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tanganyika, Thailand, Togo, Tunisia, United Arab Republic and Upper Volta. In its operative paragraphs, it provided that the General Assembly would: (1) request the Secretary-General to seek ways and means of providing relief and assistance, through the appropriate international agencies, to the families of all persons persecuted in the Republic of South Africa for their opposition to the policies of *apartheid*; (2) invite Member States and organizations to contribute generously to such relief and assistance; and (3) invite the Secretary-General to report to the nineteenth session on the implementation of the resolution. Uganda and Chad added the names of their delegations to the list of sponsors of the above draft resolutions (A/SPC/L.102 and Add.1 and 2 and A/SPC/L.103 and Add.1 and 2).

14. At the 423rd meeting, on 10 December, the representative of Guinea, speaking on behalf of the sponsors, revised the text of the joint draft resolution (A/SPC/L.102 and Add.1 and 2) by deleting operative paragraphs 1 and 3; by replacing operative paragraph 1 by the following: "1. *Appeals* to all States to take appropriate measures and intensify their efforts, separately and collectively, with a view to dissuading the South African Government from pursuing its policies of *apartheid*, and requests them, in particular, to implement fully the Security Council resolution of 4 December 1963;" and by renumbering the remaining paragraphs. He also revised the text of draft resolution A/SPC/L.103 and Add.1 and 2 to replace the words "in the Republic of South Africa" by the words "by the Government of the Republic of South Africa" in the first preambular paragraph, as well as in operative paragraph 1.

15. At the same meeting the Committee proceeded to vote on the two draft resolutions before it. The first draft resolution (A/SPC/L.102 and Add.1 and 2) as revised, was adopted unanimously. The second draft resolution (A/SPC/L.103 and Add.1 and 2) as revised, was adopted unopposed, the delegation of Mexico abstaining.

Recommendations of the Special Political Committee

16. The Special Political Committee therefore recommends to the General Assembly the adoption of the following two draft resolutions:

[*Texts adopted by the General Assembly without change. See "Action taken by the General Assembly" below.*]

⁷ *Ibid.*

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1238th plenary meeting, on 11 October 1963, the General Assembly adopted the draft resolution submitted by the Special Political Committee (A/5565, para. 7). For the final text, see resolution 1881 (XVIII) below.

At its 1283rd plenary meeting on 16 December 1963, the General Assembly adopted draft resolutions A and B submitted by the Special Political Committee (A/5565/Add.1, para. 16). For the final texts, see resolution 1978 (XVIII) below.

Resolutions adopted by the General Assembly

1881 (XVIII). THE POLICIES OF *apartheid* OF THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA

The General Assembly,

Recalling its resolution 1761 (XVII) of 6 November 1962,

Recalling the Security Council resolution of 7 August 1963,⁸ which called upon the Government of the Republic of South Africa "to liberate all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of *apartheid*",

Taking note of the reports of the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa (A/5497 and Add.1), which stress the fact that the harsh repressive measures instituted by the Government of South Africa frustrate the possibilities for peaceful settlement, increase hostility among the racial groups and precipitate violent conflict,

Considering reports to the effect that the Government of South Africa is arranging the trial of a large number of political prisoners under arbitrary laws prescribing the death sentence,

Considering that such a trial will inevitably lead to a further deterioration in the already explosive situation in South Africa, thereby further disturbing international peace and security,

1. *Condemns* the Government of the Republic of South Africa for its failure to comply with the repeated resolutions of the General Assembly and of the Security Council calling for an end to the repression of persons opposing *apartheid*;

2. *Requests* the Government of South Africa to abandon the arbitrary trial now in progress and forthwith to grant unconditional release to all political prisoners and to all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of *apartheid*;

3. *Requests* all Member States to make all necessary efforts to induce the Government of South Africa to ensure that the provisions of paragraph 2 above are put into effect immediately;

4. *Requests* the Secretary-General to report to the General Assembly and the Security Council, as soon as possible during the eighteenth session, on the implementation of the present resolution.

*1238th plenary meeting,
11 October 1963.*

1978 (XVIII). THE POLICIES OF *apartheid* OF THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA

A

The General Assembly,

Having considered the reports of the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa (A/5497 and Add.1),

⁸ *Ibid.*

Recalling its resolutions 1761 (XVII) of 6 November 1962 and 1881 (XVIII) of 11 October 1963,

Taking note of the Security Council resolutions of 7 August⁹ and 4 December 1963,¹⁰

1. *Appeals* to all States to take appropriate measures and intensify their efforts, separately and collectively, with a view to dissuading the Government of the Republic of South Africa from pursuing its policies of *apartheid*, and requests them, in particular, to implement fully the Security Council resolution of 4 December 1963;

2. *Notes with appreciation* the reports of the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa, and requests it to continue to follow constantly the various aspects of this question and to submit reports to the General Assembly and to the Security Council whenever necessary;

3. *Requests* the Secretary-General to furnish the Special Committee with all the necessary means for the effective accomplishment of its task;

4. *Invites* the specialized agencies and all Member States to give to the Special Committee their assistance and co-operation in the fulfilment of its mandate.

*1283rd plenary meeting,
16 December 1963.*

B

The General Assembly,

Taking note of the report of the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa, in which the Committee drew attention to the serious hardship faced by the families of persons persecuted by the Government of South Africa for their opposition to the policies of *apartheid*, and recommended that the international community, for humanitarian reasons, provide them with relief and other assistance (A/5497, para. 513),

Considering that such assistance is consonant with the purposes and principles of the United Nations,

Noting that those families continue to suffer serious hardship,

1. *Requests* the Secretary-General to seek ways and means of providing relief and assistance, through the appropriate international agencies, to the families of all persons persecuted by the Government of the Republic of South Africa for their opposition to the policies of *apartheid*;

2. *Invites* Member States and organizations to contribute generously to such relief and assistance;

3. *Invites* the Secretary-General to report to the General Assembly at its nineteenth session on the implementation of the present resolution.

*1283rd plenary meeting,
16 December 1963.*

⁹ *Ibid.*

¹⁰ *Ibid.*, Supplement for October, November and December 1963, document S/5471.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 30 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/5405	Letter dated 19 March 1963 from the representative of the Union of Soviet Socialist Republics to the Secretary-General	See A/5497/Add.1, annex V
A/5413	<i>Note verbale</i> dated 29 April 1963 from the representative of Algeria to the Secretary-General	<i>Ibid.</i>
A/5414	Letter dated 30 April 1963 from the representative of Nigeria to the Secretary-General	<i>Ibid.</i>
A/5418 and Corr.1	First interim report of the Special Committee on the Policies of <i>apartheid</i> of the Government of the Republic of South Africa	<i>Ibid.</i> , annex III
A/5422	<i>Note verbale</i> dated 24 May 1963 from the Chargé d'affaires of Ghana to the Secretary-General	<i>Ibid.</i> , annex V
A/5423	Report of the <i>Ad Hoc</i> Committee on the Improvement of the Methods of Work of the General Assembly	See <i>Official Records of the General Assembly, Eighteenth Session, Annexes</i> , agenda item 25
A/5424	<i>Note verbale</i> dated 30 May 1963 from the representative of the Ukrainian Soviet Socialist Republic to the Secretary-General	See A/5497/Add.1, annex V
A/5425	Letter dated 14 May 1963 from the Minister for Foreign Affairs <i>ad interim</i> of Costa Rica to the Secretary-General	<i>Ibid.</i>
A/5427	Letter dated 6 June 1963 from the representative of the Byelorussian Soviet Socialist Republic to the Secretary-General	<i>Ibid.</i>
A/5439	Letter dated 11 July 1963 from the representative of Poland to the Secretary-General	<i>Ibid.</i>
A/5449	Letter dated 12 July 1963 from the representative of Cameroon to the Secretary-General	<i>Ibid.</i>
A/5451	<i>Note verbale</i> dated 17 July 1963 from the Deputy Permanent Representative of Czechoslovakia to the Secretary-General	See A/5614
A/5452	<i>Note verbale</i> dated 18 July 1963 from the Chargé d'affaires <i>ad interim</i> of India to the Secretary-General	See A/5497/Add.1, annex V
A/5453	Second interim report of the Special Committee on the Policies of <i>apartheid</i> of the Government of the Republic of South Africa	<i>Ibid.</i> , annex IV
A/5454	Note by the Secretary-General transmitting a communication from the International Labour Organisation on the participation of the Republic of South Africa in its activities	Mimeographed
A/5457	<i>Note verbale</i> dated 24 July 1963 from the representative of Nepal to the Secretary-General	See A/5497/Add.1, annex V
A/5458	Letter dated 25 July 1963 from the representative of Yugoslavia to the Secretary-General	<i>Ibid.</i>
A/5472	Letter dated 2 August 1963 from the representative of Guinea to the Secretary-General	<i>Ibid.</i>
A/5474	Letter dated 25 July 1963 from the representative of Mali to the Secretary-General	<i>Ibid.</i>
A/5487	Report of the Committee on arrangements for a conference for the purpose of reviewing the Charter	See <i>Official Records of the General Assembly, Eighteenth Session, Annexes</i> , agenda item 21
A/5497 and Add.1	Report of the Special Committee on the Policies of <i>apartheid</i> of the Government of the Republic of South Africa	<i>Ibid.</i> , addendum to agenda item 30
A/5554	<i>Note verbale</i> dated 17 September 1963 from the representative of Chad to the Secretary-General	See A/SPC/94
A/5563	Letter dated 3 October 1963 from the representative of the United Arab Republic to the Secretary-General	<i>Ibid.</i>
A/5577	<i>Note verbale</i> dated 15 October 1963 from the representative of Libya to the Secretary-General	<i>Ibid.</i>
A/5583	Letter dated 25 October 1963 from the representative of Trinidad and Tobago to the President of the General Assembly	<i>Ibid.</i>
A/5588	Letter dated 30 October 1963 from the representative of Niger to the Secretary-General	<i>Ibid.</i>
A/AC.115/L.9 and Add.1-13	Special Committee on the Policies of <i>apartheid</i> of the Government of the Republic of South Africa: replies to the letter dated 11 April 1963 from the Chairman of the Special Committee to the Ministers for Foreign Affairs of Member States	Mimeographed
A/AC.115/L.28	Letter dated 13 August 1963 from the African National Congress of South Africa (London)	Ditto
A/AC.115/L.29	Memorandum dated 4 September 1963 from the International Labour Office	See A/5497/Add.1, annex VI
A/AC.115/L.30	Memorandum dated 6 September 1963 from the International Commission of Jurists	Mimeographed
A/AC.115/L.36	Press statement dated 18 September 1963 by the African National Congress of South Africa (London)	Ditto

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/AC.115/SR.1-23	Summary records of the Special Committee on the Policies of <i>apartheid</i> of the Government of the Republic of South Africa	Ditto
A/SPC/78	Allocation of agenda items: letter dated 20 September 1963 from the President of the General Assembly to the Chairman of the Special Political Committee	<i>Official Records of the General Assembly, Eighteenth Session, Special Political Committee</i> , prefatory fascicle, agenda
A/SPC/80	Statement by Mr. Oliver Tambo, Deputy President of the African National Congress of South Africa, at the 379th meeting of the Special Political Committee	Mimeographed; for summary see A/SPC/SR.379, paras. 7-11
A/SPC/81	Statement by the representative of Guinea at the 379th meeting of the Special Political Committee	<i>Idem</i> , paras. 13-21
A/SPC/82	Statement by the representative of Denmark at the 380th meeting of the Special Political Committee	Mimeographed; for summary see A/SPC/SR.380, paras. 19-25
A/SPC/83	Statement by the Right Reverend R. Ambrose Reeves, former Bishop of Johannesburg, at the 387th meeting of the Special Political Committee	Mimeographed; for summary see A/SPC/SR.387, paras. 1-13
A/SPC/84	Statement by Oliver Tambo, Deputy President of the African National Congress of South Africa, at the 395th meeting of the Special Political Committee	Mimeographed; for summary see A/SPC/SR.395, paras. 22-32
A/SPC/85	Order of consideration of items on the agenda of the Special Political Committee	Mimeographed
A/SPC/86 and Rev.1	Statement by the representative of Guinea at the 396th meeting of the Special Political Committee	Mimeographed; for summary see A/SPC/SR.396, paras. 36-50
A/SPC/95	Statement by the representative of Guinea at the 421st meeting of the Special Political Committee	Mimeographed; for summary see A/SPC/SR.421, paras. 1-14
A/SPC/L.94	Note by the Secretariat on the organization of the Committee's work	Mimeographed
A/SPC/L.95	Note by the Secretariat on documents relating to the item	Ditto
A/SPC/L.96	Afghanistan, Algeria, Burma, Burundi, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Congo (Leopoldville), Cyprus, Dahomey, Ethiopia, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Japan, Jordan, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tanganyika, Thailand, Togo, Tunisia, Uganda, United Arab Republic, Upper Volta and Yemen: draft resolution	Adopted without change. See A/5565, para. 7
A/SPC/L.102 and Add.1 add 2	Afghanistan, Algeria, Bolivia, Burma, Burundi, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Chile, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Dahomey, Ethiopia, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Iraq, Ivory Coast, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Morocco, Nepal, Nigeria, Pakistan, Philippines, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tanganyika, Thailand, Togo, Tunisia, Uganda, United Arab Republic, Upper Volta and Yugoslavia: draft resolution	For the text of this document, as revised at the 423rd meeting of the Special Political Committee, see A/5565/Add.1, para. 16, draft resolution A
A/SPC/L.103 and Add.1 and 2	Afghanistan, Algeria, Bolivia, Burma, Burundi, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Chile, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Dahomey, Ethiopia, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Iraq, Ivory Coast, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Morocco, Nepal, Nigeria, Pakistan, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tanganyika, Thailand, Togo, Tunisia, Uganda, United Arab Republic and Upper Volta: draft resolution	<i>Idem</i> , draft resolution B
S/5438 and Add.1-6	Report by the Secretary-General in pursuance of resolution S/5386 adopted by the Security Council on 7 August 1963	<i>Official Records of the Security Council, Eighteenth Year, Supplement for October, November and December 1963</i>



Agenda item 30: The policies of *apartheid* of the Government of the Republic of South Africa: reports of the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa and replies by Member States under General Assembly resolution 1761 (XVII)

DOCUMENTS A/5497 AND ADD.1*

Report of the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa

[Original text: English]
[16 September 1963]

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LETTER OF TRANSMITTAL

New York, 13 September 1963

Sir,

I have the honour to transmit to you herewith the report which the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa adopted unanimously on 13 September 1963.

This report is submitted pursuant to the provisions of operative paragraph 5 (b) of resolution 1761 (XVII) adopted by the General Assembly on 6 November 1962.

Accept, Sir, the assurance of my highest consideration.

(Signed) DIALLO Telli

Chairman
Special Committee on the Policies of
apartheid of the Government of
the Republic of South Africa

His Excellency U Thant
Secretary-General of the United Nations,
New York

INTRODUCTION

1. The Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa was established by General Assembly resolution 1761 (XVII) of 6 November 1962, with the following terms of reference:

“(a) To keep the racial policies of the Government of South Africa under review when the Assembly is not in session;

“(b) To report either to the Assembly or to the Security Council or to both, as may be appropriate, from time to time.”

2. In pursuance of operative paragraph 5 of that resolution, the President of the General Assembly, on 18 February 1963, announced the appointment of the following eleven members to serve on the Special Committee: Algeria, Costa Rica, Federation of Malaya, Ghana, Guinea, Haiti, Hungary, Nepal, Nigeria, Philippines and Somalia.

3. The Special Committee held its first meeting on 2 April 1963 and elected Mr. Diallo Telli (Guinea) as Chairman, Mr. Fernando Volio Jiménez (Costa Rica) as Vice-Chairman,¹ and Mr. Matrika Prasad Koirala (Nepal) as Rapporteur. The Committee agreed that Mr. Ram C. Malhotra (Nepal) should act as the Rapporteur in the absence of Mr. Koirala. The latter assumed his duties on 6 June 1963.

4. The following representatives served on the Special Committee:

*Algeria**Representative*

H.E. Mr. Abdelkader Chandlerli

Alternate Representative

Mr. Kemal Hacène

*Costa Rica**Representative*

H.E. Mr. Fernando Volio Jiménez

Alternate Representatives

Mrs. Emilia Castro de Barrish

Mr. José María Aguirre

*Federation of Malaya**Representative*

H.E. Dato' Ong Yoke Lin

Alternate Representatives

Mr. Radhakrishna Ramani

Mr. Zakaria bin Haji Mohamed Ali

Mr. Abdul Hamid bin Pawanchee

*Ghana**Representative*

H.E. Mr. Alex Quaison-Sackey

Alternate Representatives

Mr. Emmanuel Yawo Agorsor

Mr. Kwaku Menso Akude

Mr. Joseph Benjamin Phillips

Mr. Kwami Ketosugbo

*Guinea**Representative*

H.E. Mr. Diallo Telli

Alternate Representatives

H.E. Mr. Achkar Marof

H.E. Mr. Diallo Seydou

H.E. Mr. Doumbouya Mamadou Bela

*Haiti**Representatives*

H.E. Mr. Max H. Dorsinville (until 19 April 1963)

H.E. Mr. Carlet R. Auguste

*Hungary**Representative*

H.E. Mr. Karoly Csatorday

Alternate Representatives

Mr. Arpád Prandler

¹ Mr. Volio Jiménez (Costa Rica) was Acting Chairman from 7 May to 24 June and from 2 August to 3 September, during the absence of the Chairman from Headquarters.

Mr. József Horváth
Mr. Tibor Arányi
Mr. Zoltán Szilágyi

Nepal

Representative

H.E. Mr. Matrika Prasad Koirala

Alternate Representative

Mr. Ram C. Malhotra

Nigeria

Representative

H.E. Chief S. O. Adebó

Alternate Representatives

Mr. D. C. Igwe (until 14 June 1963)

Mr. S. H. Okechuku Ibe

Adviser

Mr. Mustafa Zubairu

Philippines

Representative

H.E. Mr. Privado G. Jimenez

Advisers

Mr. Virgilio C. Nanagas

Mrs. Leticia Ramos-Shahani

Somalia

Representative

H.E. Mr. Hassan Nur Elmi

Alternate Representatives

Mr. Omer Q. Arteh

Mr. Ahmed M. Darman

5. In accordance with its terms of reference, the Special Committee submitted two interim reports to the General Assembly (A/5418 and A/5453) and the Security Council (S/5310 and S/5353), the first on 6 May 1963 (see annex III) and the second on 17 July 1963 (see annex IV). In these reports, the Special Committee reviewed the progress of its work, drew the attention of the principal organs to the explosive situation resulting from the racial policies of the Government of the Republic of South Africa, and transmitted reviews of major developments relating to the question, as well as a number of conclusions and recommendations on measures to dissuade the Government of the Republic of South Africa from pursuing its policies of *apartheid*. The Security Council noted these interim reports with appreciation and adopted a decision along the lines recommended by the Special Committee (see paragraph 57).

6. On 13 September 1963 (23rd meeting), the Special Committee decided unanimously to submit the

present report to the General Assembly and the Security Council.

7. The report is divided into three parts. Chapter I contains a brief review of the work of the Special Committee in pursuance of its mandate. Chapter II is devoted to a review of the main developments relating to the racial policies of the Government of the Republic of South Africa since the adoption of General Assembly resolution 1761 (XVII) of 6 November 1962. Chapter III contains the conclusions and recommendations of the Special Committee, with special reference to the question of dissuading the Government of the Republic of South Africa from pursuing its policies of *apartheid*.

8. The following annexes appear in document A/5497/Add.1:

- I. General Assembly resolution 1761 (XVII) of 6 November 1962;
- II. Security Council resolution S/4300 of 1 April 1960;
- III. First interim report of the Special Committee;
- IV. Second interim report of the Special Committee;
- V. Letter dated 11 April 1963 from the Chairman of the Special Committee to the Ministers for Foreign Affairs of Member States, and replies thereto;
- VI. Memorandum dated 4 September 1963 from the International Labour Office;
- VII. List of documents of the Special Committee.

9. The Special Committee wishes to express its appreciation to the Director-General of the International Labour Office for his co-operation. It also notes with appreciation the assistance rendered by many non-governmental organizations and individuals in the discharge of its responsibilities.

10. The Special Committee also wishes to express its gratitude to the Secretary-General for his unflinching interest in its work, and to pay a tribute to the memory of the late Mr. Evgeny Kiselev and the late Mr. Omar Loutfi, Under-Secretaries, for their constant co-operation. It wishes to express its appreciation to Mr. Vladimir P. Suslov, Under-Secretary for Political and Security Council Affairs; and to Mr. M. A. Vellodi, Director of Political and Security Council Affairs; whose assistance and advice were most helpful.

11. The Special Committee wishes to express its appreciation to all the members of the Secretariat assigned to the Committee who discharged their duties with remarkable efficiency and devotion. It wishes to note with pleasure the outstanding and able services rendered by the Principal Secretary, Mr. Enuga S. Reddy, which facilitated, to a large measure, the fulfilment of the Committee's task.

CHAPTER I

REVIEW OF THE WORK OF THE SPECIAL COMMITTEE

12. The first meeting of the Special Committee was opened on 2 April 1963 by the Secretary-General, who recalled that the racial policies of the South African Government had exercised the United Nations since 1946, that the General Assembly had devoted twenty-six resolutions to the matter and that the Security

Council had also adopted a resolution on 1 April 1960 after the Sharpeville incident (see annex II). He added that both bodies had deplored the racial policies of the Government of the Republic of South Africa as contrary to the obligations and responsibilities incumbent upon that country under the Charter, as having led to

international friction and as a danger to the maintenance of international peace and security. The attitude of the South African Government, which had refused to comply with the repeated recommendations and decisions of the United Nations bodies, had caused increasing concern to Member States, a concern which he shared, especially in view of recent statements made by the Government and the leaders of South Africa regarding the role of the United Nations.

13. The Chairman and members of the Special Committee expressed their appreciation of the statement of the Secretary-General.

14. The Chairman stated that, in the light of the consideration of the question by the United Nations since 1946, the task of the Special Committee was not merely to prepare the ground for the adoption of a further resolution, but to devote itself assiduously to finding a constructive solution to the grave situation arising from the continuation and intensification of the policies of *apartheid* of the South African Government. He emphasized the importance of the co-operation of the Governments of all Member States, and particularly of the South African Government, which the United Nations was duty bound to help extricate from its present dangerous situation.

15. The Foreign Minister of the Republic of South Africa, however, criticized the statement of the Secretary-General in such terms that the Special Committee was obliged on 5 April 1963 (3rd meeting) to express its indignation.

16. The Special Committee recognized from the beginning of its work that the development of the problem of *apartheid* and the role of the United Nations in the solution of that problem had reached a new stage in view of the rapid deterioration of the situation in the Republic of South Africa, the growing international repercussions of that situation, and the adoption of General Assembly resolution 1761 (XVII).

17. The Special Committee felt that in view of the decisions taken by the General Assembly and the Security Council, the review to be undertaken by it under operative paragraph 5 (a) of General Assembly resolution 1761 (XVII) was not intended as a compilation of relevant information as a basis for the characterization of the policies of *apartheid* in the light of the Charter, but as an essential element in the efforts of the United Nations to dissuade the South African Government from pursuing its policies of *apartheid* and to ensure the upholding of the purposes and principles of the Charter in the Republic of South Africa. The work of the Special Committee was to be a basis for individual and collective efforts by Member States to secure a speedy and effective solution of the grave situation in the Republic of South Africa.

18. To this end, the Special Committee sought the co-operation of all Member States, and of non-governmental organizations and individuals.

LETTER DATED 5 APRIL 1963 TO THE MINISTER FOR FOREIGN AFFAIRS OF THE REPUBLIC OF SOUTH AFRICA

19. In pursuance of a decision taken at the first meeting on 2 April 1963, the Chairman of the Special Committee wrote to the Minister for Foreign Affairs of the Republic of South Africa informing him that the Committee had begun its work and added:

“Being anxious to fulfil the task assigned to it under the above-mentioned resolution to the best of its ability and with the utmost objectivity and effectiveness, the Special Committee has asked me to invite the Government of the Republic of South Africa to lend its co-operation and assistance to the Committee in the accomplishment of this task. To that end, the Special Committee would be glad to know, as soon as possible, the form and manner in which this co-operation and assistance might be provided.” (A/AC.115/L.5.)

20. By a letter dated 15 April 1963, addressed to the Secretary-General, the Permanent Representative of the Republic of South Africa conveyed a message from the Minister for Foreign Affairs requesting that the Chairman of the Committee be informed that the South African Government regarded the adoption of General Assembly resolution 1761 (XVII), including the establishment of the Special Committee, as contrary to the provisions of the United Nations Charter and that it was accordingly unable to lend its co-operation and assistance to the Committee in the accomplishment of its task. He added that “quite apart from the juridical aspect of this matter, with reference to the statement in the Chairman’s letter that the Committee is anxious to fulfil its task with the ‘utmost objectivity’, the South African Government is constrained to point out that its recent experience of the objectivity of certain bodies set up by the United Nations with respect to South Africa has not been such as to encourage co-operation . . .” (A/AC.115/L.4).

LETTER DATED 11 APRIL 1963 TO THE MINISTERS FOR FOREIGN AFFAIRS OF MEMBER STATES

21. In view of the importance it attached to the co-operation of all Member States in the discharge of its mandate, and taking into account the provisions of operative paragraph 6 of resolution 1761 (XVII), requesting all Member States:

“(a) To do everything in their power to help the Special Committee to accomplish its task,

“(b) To refrain from any act likely to delay or hinder the implementation of the present resolution,” the Special Committee decided, at its first meeting, to send letters to the Ministers for Foreign Affairs of Member States inviting their co-operation and assistance. Accordingly, the Chairman addressed a letter to them on 11 April 1963 emphasizing the vital importance attached by the Special Committee to the implementation of the recommendation made to Member States in General Assembly resolution 1761 (XVII) and expressing the Committee’s gratitude for “any information you may be good enough to transmit to it in accordance with operative paragraph 6 (a) of the resolution, in writing or orally, both on racial policies in South Africa and on the manner in which your Government proposes to apply resolution 1761 (XVII)”.

22. The texts of replies received by the Special Committee are annexed to the present report (see annex V).

INFORMATION FROM INDIVIDUALS AND REPRESENTATIVES OF ORGANIZATIONS

23. Anxious to obtain information from all available sources, the Special Committee decided on 5 April

1963 (2nd meeting), to announce that it would receive memoranda from organizations and individuals, and hear persons or representatives of organizations, who might be in a position to provide it with information on the racial policies of the Government of the Republic of South Africa. Further, on 28 June (16th meeting) the Special Committee decided to invite the co-operation of several anti-*apartheid* movements and of non-governmental organizations accredited to the United Nations.

Establishment of the Sub-Committee

24. On 5 April 1963 (2nd meeting) the Special Committee decided to establish a Sub-Committee of four members (Algeria, Ghana, Nigeria, and the Philippines) to screen the communications from organizations and individuals and the requests for hearings. The Sub-Committee elected the representative of Nigeria as its Chairman.

25. The Sub-Committee screened the large number of communications and requests for hearings received by the Special Committee—a list of which appears in documents A/AC.115/L.3 and Add.1-4—and submitted nine reports.

Communications from organizations and individuals

26. On the recommendation of the Sub-Committee, a number of communications were read at meetings of the Special Committee.² A number of others were published as Committee documents, as follows:

(a) Memorandum dated 15 March 1963 from the General Secretary of the Transvaal Indian Congress, on the application of the Group Areas Act in the Transvaal, with special reference to the population of Indian origin (A/AC.115/L.6);

(b) Letter dated 7 May 1963 from Mr. Patrick van Rensburg, Serowe, Bechuanaland, enclosing a memorandum suggesting a co-ordinated plan to implement collective sanctions against the Government of the Republic of South Africa (A/AC.115/L.7);

(c) Letter dated 24 May 1963 from the Director, International Confederation of Free Trade Unions, New York Office, enclosing a memorandum urging that the General Assembly appeal to Member States to sever diplomatic and commercial relations with the Republic of South Africa “with a view to inducing the South African Government to abandon its policies of repression and racial discrimination” (A/AC.115/L.8);

(d) Memorandum dated 13 May 1963 from the Presidential Council, Pan-Africanist Congress of South Africa, reviewing the recent developments in South Africa and stating that unless the United Nations took timely and effective action, “Africans could not be blamed when they resorted to active positive self-defence” (A/AC.115/L.10);

²The following communications were read to the Special Committee on the recommendation of the Sub-Committee: letter dated 24 April 1963 from the Union of Australian Women; memorandum dated 25 April 1963 from the Anti-Apartheid Movement, London; letter dated 26 April 1963 from the Pan-Africanist Congress of South Africa; letter dated 20 May 1963 from the Eureka Youth League of Australia; letter dated 11 June 1963 from the Melbourne Unitarian Church; statement dated June 1963 from the Peace Pledge Union, London; letter dated 28 June 1963 from the Right Reverend R. Ambrose Reeves, London; letter dated 20 July 1963 from the Chairman of the Shipyard Workers' Union, Copenhagen; letter dated 13 August 1963 from the African National Congress (South Africa), London; and letter dated 9 September 1963 from Mr. Barry F. Mason, Ithaca, New York.

(e) Letter dated 28 June 1963 from the Right Reverend R. Ambrose Reeves, London, drawing the Committee's attention to some information on economic sanctions (A/AC.115/L.14);

(f) Statement made on 18 June 1963 by Mr. O. Becu, Secretary-General of the International Confederation of Free Trade Unions, appealing to the United Nations Security Council “to draw up with all speed proposals which would enable the General Assembly to decide that Member States of the United Nations and of the specialized agencies which maintain racial discrimination as a basic principle of their established policy should be immediately expelled” (A/AC.115/L.15);

(g) Letter dated 19 July 1963 from the Chairman of the Africa Bureau, London, stating that the Bureau looked to the United Nations as the only body which might be able to find a non-violent solution, whether by the use of economic pressures or otherwise (A/AC.115/L.19);

(h) Declaration dated 9 July 1963 from the Finnish Association of Attorneys, calling on the South African Government to end racial discrimination (A/AC.115/L.20);

(i) Letter dated 18 July 1963 from the Secretary-General of the World Federation of Trade Unions requesting that the Republic of South Africa be expelled from the United Nations and its specialized agencies and asking the United Nations to persuade Member States to refrain from any relations with the present Government of South Africa (A/AC.115/L.21);

(j) Statement dated 26 July 1963 from the Affiliates of the Pan-African Freedom Movement for East, Central and South Africa that over 5,000 political prisoners had been thrown into gaol in the past six months in South Africa, and that the prisoners were subjected to brutal torture; and urging that an impartial agency of the United Nations should without delay carry out an on-the-spot investigation into the allegations of torture and brutal violence against political prisoners (A/AC.115/L.23);

(k) Cable dated 26 July 1963 from the African Trade Union Federation, Dakar, requesting the expulsion of the Republic of South Africa from the international organization and its specialized agencies (A/AC.115/L.24);

(l) Statement dated 30 July 1963 from the International Commission of Jurists noting that the safeguards against total arbitrariness which had so far been vested in the Judiciary and the Bar were being systematically eroded through the usurpation by the Executive of powers that under the rule of law were exercised by the Judiciary (A/AC.115/L.25);

(m) Letter dated 20 July 1963 from the Chairman of the Shipyard Workers' Union, Copenhagen, stating that the dockworkers in Arhus and Copenhagen had been taken to the labour court because they had refused to discharge goods from South Africa and appealing to all workers “to support the dockworkers' fight for freedom and democracy for our coloured comrades in South Africa” (A/AC.115/L.27);

(n) Letter dated 13 August 1963 from the African National Congress of South Africa enclosing a leaflet issued and distributed clandestinely in South Africa and a background paper prepared in connexion with its campaign for the release of Walter Sisulu and other political prisoners (A/AC.115/L.28);

(o) Memorandum dated 6 September 1963 from the International Commission of Jurists stating that "the policy and practice of *apartheid* is basically incompatible not only with Article 1 of the Universal Declaration of Human Rights but with the objects of the Charter" and that "a great deal of South African legislation has been implemented in a way which leaves no doubt that *apartheid* aims at the political, cultural and economic subjection of a supposedly inferior section of the community" (A/AC.115/L.30);

(p) Extract from a statement on racial tension, adopted by the Central Committee of the World Council of Churches at its session held 27 August-2 September 1963, appealing to all Christians to impress upon other countries and Governments their responsibility in respect of the racial conflict in South Africa; to do everything in their power to help the victims of discrimination and to alleviate the situation of the refugees from South Africa; to urge the Government of the Republic of South Africa to re-establish contact with the African, Coloured and Indian communities, and to restore justice to all (A/AC.115/L.31);

(q) Letter dated 9 September 1963 from Mr. Barry F. Mason, Ithaca, New York, stating that on the day following his statement to the 21st meeting of the Committee on 22 August (see paragraphs 43-45), the Government-operated South African Broadcasting Corporation accused him of having called upon the United Nations to stage an armed invasion of South Africa to coincide with internal violence in the country, thus misrepresenting and falsifying his statement (A/AC.115/L.32).

Hearing of petitioners

27. On the recommendation of the Sub-Committee, the Special Committee heard eight petitioners who appeared either in their individual capacities or as representatives of organizations.

28. The petitioners provided the Committee with a great amount of information on the situation in the Republic of South Africa and on ways and means to dissuade its Government from its present racial policies. They emphasized the acute danger of conflict in South Africa as a result of the policies of *apartheid* and the progressive elimination of peaceful means of redress for the oppressed population. They stressed the need for effective international action and attached great importance to the role of the United Nations and all its organs, including the Special Committee, to ensure the fulfilment of the purposes of the Charter and the Universal Declaration of Human Rights. The Special Committee was particularly impressed by the fact that the South African petitioners, both white and non-white, declared that the choice in the Republic of South Africa was not between domination by one racial group or another, but between racial oppression and the implementation of the principles of the United Nations Charter.

29. A brief summary of the statements by the petitioners is given below.

30. On 10 May 1963 (11th meeting), Miss Mary Benson, a white South African brought up in South Africa and now living in the United Kingdom, speaking in her individual capacity, expressed her conviction that only the United Nations could by peaceful means help restore South Africa to reason and freedom. The mood of violence which was spreading through the country made the Organization's task all the more

urgent, she said. Miss Benson drew the Committee's attention to some evils due to the policies of *apartheid* of the South African Government: the so-called Bantu education system, which was based on the intention that there should be no place for the African in the European community above the level of certain forms of labour and which was arousing frustration and bitterness in the Africans; the wretched conditions in which the non-whites were obliged to live while the 3.5 million Whites enjoyed one of the highest standards of living in the world; the high rate of malnutrition and infant mortality among the non-whites, the low wages in the urban centres and the famines in the reserves; laws such as the Natives (Urban Areas) Act, 1923, which forbade Africans to remain in an urban area for more than seventy-two hours unless they had resided there continuously since birth or for not less than fifteen years, had worked for the same employer for ten years, or had a discretionary permit to reside and work there; and to recent measures such as the extension of pass laws to boys of seventeen and to women. In conclusion, Miss Benson appealed to the United Nations for such economic pressures as could make the South African Government abandon its policies of *apartheid*. She expressed fear that the United Nations efforts might fail because of the refusal of some of the great Powers to support them and that South Africa might be virtually abandoned to a violent solution. She concluded by stating that if the efforts of the United Nations could succeed, justice, confidence and mutual understanding would be restored to the tragic country of South Africa (see A/AC.115/SR.11).

31. At the same meeting Mr. George Houser, Executive Director of the American Committee on Africa, stated that the situation in South Africa was worsening and that African leaders who had shown the greatest tolerance and patience were obliged to meet violence with violence. What outsiders could do was to lessen the suffering of the African people by taking action to weaken the South African Government in the hope that at least part of its destructive capacity could be paralysed. Unfortunately the key to effective boycott and sanctions lay partly with a few States which were leading importers of South African products and partly in the nature and conditions of international trade. The Governments mainly concerned were those of the United Kingdom, the United States, Germany, France, Italy, the Netherlands, Belgium, Japan and Sweden, which were the leading importers of wool, diamonds, copper, asbestos, fruit, sugar and uranium. To persuade these Powers and others to break their trade relations with South Africa, it would be necessary to guarantee them compensation for at least part of their losses. Mr. Houser made some suggestions toward a successful boycott of South African exports and added that even a boycott lasting no more than two or three harvest seasons would precipitate a crisis in the South Africa economy serious enough to alienate from the régime all those not blinded by fanaticism and help create conditions under which Africans and Whites could work together. It was a slim chance, he said, but worth striving for as the only alternative was a long and painful civil war which would be fatal to the country (see A/AC.115/SR.11).

32. On 6 June 1963 (13th meeting) the Special Committee heard Professor Horace Mann Bond, a representative of the American Society of African Culture, who testified regarding the manner in which the

principles of *apartheid*, and in particular the Bantu Education Act, 1953, infringed fundamental human rights and the dignity of the human person in South Africa. He said that the segregated educational system established by the Government of South Africa was a political tool with which to perpetuate the white man's domination of the black man. Describing the results of studies on the serious psychological effects of racial segregation in education on both the dominant and the racial groups discriminated against, he expressed the view that there had at no time in human history been witnessed an educational system better calculated to inflict lasting mental deformation on many millions of human beings, both Whites and Blacks. He expressed the hope that the United Nations would be able to put an end to such a sinister perversion of human capacities and possibilities, so that the full capacities of all men might be fully utilized for the benefit of mankind (see A/AC.115/SR.13).

33. ON 14 June 1963 (14th meeting) the Committee heard Professor Leslie Rubin, formerly senator in South Africa representing the African voters and founder member of the Liberal Party. He said that *apartheid* was not a new kind of political philosophy or programme but a system consciously dedicated to the denial of the humanity and basic freedoms of millions of people. By means of the skilful propaganda machine, the South African Government sought to deceive other countries about the real issues involved in the neo-Nazi creed of *apartheid*. Speaking of the evils of *apartheid*, he referred to the bantustan system as being part fraud and part fantasy. He stated that it was a fraud in that the Government unjustly claimed that the system was designed to grant self-government to the Africans. That claim was completely misleading; the Africans in a small area of South Africa had a limited measure of local self-government, which was, however, subject to the control of the white Government. The majority of the members of the National Assembly created under the Bantu laws were chiefs appointed and paid by the Government and the approval of the State President was needed for any laws passed by the Assembly. There was thus no self-government in the sense in which the term was understood in democratic countries. The bantustan system was a fantasy because a number of white inhabitants of South Africa honestly believed that separate development could provide a solution to their difficulties. Noting that most Africans had come to the conclusion that violence was the only way of changing their situation, he concluded that every possible means should be sought to avoid recourse to violence and that the most effective means lay in pressure from the outside world. He suggested that the Special Committee should study the means to ensure the effective implementation of boycotts and the other measures recommended in General Assembly resolution 1761 (XVII) (see A/AC.115/SR.14).

34. On 8 July 1963 (16th meeting), the Special Committee heard Mr. Patrick Duncan, a representative of the Pan-African Congress (PAC) of South Africa, substituting for Mr. Nana Mahomo, a member of the National Executive of the PAC, who had been prevented by illness from appearing before the Committee.³

³ Mr. Duncan's statement was a preliminary presentation on behalf of the full delegation of his organization to which the Committee had agreed on 6 June 1963 (13th meeting) to grant a hearing. As Mr. Robert Sobukwe, President of PAC, who had been nominated to lead the delegation, was under detention in South Africa, the Special Committee decided on 28 June to

35. Referring to the indefinite detention of Mr. Sobukwe, after the completion of a three-year sentence of imprisonment, Mr. Duncan stated that the South African Government had imposed what was tantamount to a permanent state of emergency in the country through enactment of the General Law Amendment Act, 1963, which permitted any police officer to detain a person permanently without the right to be visited by family, friends or lawyers. Mr. Duncan expressed concern about shipment of arms to South Africa, and requested the Committee to draw the attention of all African States, and in particular those which had links with France, to the fact that France was one of the major suppliers of arms to the South African Government. He noted that the British Labour Party was committed to an arms embargo, that the United States Government had imposed an embargo on arms which could be used in police and infantry-type actions, and that the Governments of Israel, the Federal Republic of Germany and Italy had imposed partial or total embargoes. He suggested that the Committee should express appreciation to those four Governments which had taken action and urge them to make their embargoes total and unconditional. It should, further, express regret to the United Kingdom Government for failing to take action.

36. Mr. Duncan also urged the Committee to draw the attention of Member States which had contracted to sell their diamonds through the South African-controlled Central Selling Organization of De Beers to the fact that De Beers had undertaken to build two arms factories in South Africa at the request of the *apartheid* Government. The Committee should urge those Governments to withdraw from the De Beers organization because their co-operation was contributing directly to the armed suppression of the South African people.

37. Mr. Duncan suggested that the cutting off of fuel oil imports into South Africa would have a significant effect as the country relied for 90 per cent of its petrol on imports. To make such a measure effective, his organization considered it essential that a blockade be imposed (see A/AC.115/SR.16).

38. On 10 July 1963 (17th meeting), the Special Committee heard Messrs. Tennyson Makiwane, Duma Nokwe and Robert Resha, members of the delegation of the African National Congress of South Africa.

39. Mr. Makiwane, speaking for the delegation, noted that the South African Government had intensified its policies of *apartheid* to such an extent that South Africa was on the brink of catastrophe and widespread civil strife. He emphasized the responsibility of the countries which were indirectly helping South Africa to perpetuate its policies of racial discrimination. Mr. Makiwane said that these countries had a huge stake in the economy of South Africa, and that their investments yielded high returns owing to the ruthless system of exploitation to which Africans were subjected.

40. Referring to the supply of arms to South Africa, Mr. Makiwane pointed out that the suppliers of arms equipped South Africa to resist the United Nations resolutions on the question of South West Africa. He recalled that in July 1961, when the United Nations

send a letter to the South African Government with a view to his being allowed to leave South Africa to appear before the Special Committee. No reply was received from the South African Government.

Committee on South West Africa had sought to visit the territory, South African defence units had been ordered to prevent their entry.

41. In conclusion, Mr. Makiwane said that his organization believed that the following steps were vital in the struggle against *apartheid* in South Africa: all countries should immediately implement General Assembly resolution 1761 (XVII): the countries he had referred to as having involved themselves on the side of the oppressors in South Africa should withdraw from the arena of conflict in the country; a black list should be drawn up of companies such as De Beers Consolidated Mines, Ltd., African Explosives and Chemical Industries and others which collaborated with the South African Government in the manufacture of ammunition, and Member States should be called upon to sever relations with such companies; Japan, which had accepted the humiliating concession of having its citizens classified as Whites in South Africa for trading purposes, should be urged to end its trade with South Africa; socialist countries which still traded with South Africa should be urged to cut off even that negligible amount of trade; and the United Nations should demand the immediate release of all political prisoners in South African prisons, the repeal of the banning orders under which opponents of the Verwoerd Government had been confined to certain areas or placed under house arrest, and the freeing of the scores of persons placed in concentration camps or banished to remote parts of the country. His organization also believed that representatives of South African racism should be excluded from international meetings of all kinds and that the Government of South Africa should be forthwith expelled from the United Nations (see A/AC.115/SR.17).

42. On 16 July 1963 (18th meeting), the Special Committee heard Miss Miriam Makeba, a well-known South African singer. She stated that since the Sharpeville incident, other terrible events had occurred in South Africa: political parties had been banned, and leaders had been forced to go underground or into exile in order to continue the fight outside the country and to appeal for support from the world. However, since the South African freedom fighters had begun to ask in the United Nations for the removal of the Verwoerd Government and the transfer of power to those to whom it rightfully belonged, most of the great Powers had replied only with lip service and the political situation in South Africa was becoming increasingly tense. The Africans, therefore, had no choice but to ask the United Nations to take positive action against the South African Government by implementing General Assembly resolution 1761 (XVII) and stopping the shipment of arms to that country which would undoubtedly be used against the African people. Miss Makeba concluded by appealing to the United Nations and to the entire world to do their utmost to compel the Verwoerd Government to open at once the doors of the prisons and concentration camps in South Africa. The time had come, she said, for all mankind to act with firmness to stop the South African Government from dragging the country into a horrifying disaster (see A/AC.115/SR.18).

43. On 22 August (21st meeting), the Special Committee heard Mr. Barry F. Mason, a South African student, who stated that the educational system in South Africa for the non-whites was inadequate and was equipping the pupils not only for a separate but

also for an inferior position in South Africa. African children, he said, were educated only in tribal life and traditions, with deliberate exclusion of the cultural heritage and the scientific and technological discoveries of the Whites. Such an education, apart from failing to prepare the child for life in a modern industrialized economy, helped to maintain racial barriers and perpetuate the divisions among non-white ethnic groups, thus preventing the non-whites from uniting.

44. African education, he said, had been completely separated from European education. In the primary schools, instruction was given in the language of the tribe; the non-white child therefore had a very inadequate knowledge of English or Afrikaans, which greatly impeded his adaptation to modern life and prevented him from communicating with Whites and with members of other tribes. Higher education was ruled by *apartheid*: very inferior tribal institutions had been created for non-white students. Large sums had been wasted in establishing new institutions, with the result that there had not been enough to provide a satisfactory level of instruction in such institutions. The number of non-white students at universities was ridiculously low, particularly if the size of the African population was compared with that of the white population. Expenditure on education for Africans was about 13 rand per head, compared with 130 rand per head for Whites.

45. He expressed the view that though every country was entitled to decide upon the educational system that suited it, the system in the Republic of South Africa represented such an offence to the moral sensibility of mankind that the legal argument regarding the national competence of the Republic was without foundation (see A/AC.115/SR.21).

Submission of the first interim report

46. At an early stage of its work, the Special Committee felt that it was desirable to submit an interim report to the General Assembly and to the Security Council not only to inform them of the progress of the work of the Committee, but also to draw their attention to the serious situation created by the attitude of the Government of the Republic of South Africa since the adoption of General Assembly resolution 1761 (XVII), in particular the implementation of further discriminatory and repressive measures and the build-up of military and police forces in South Africa.

47. The Committee discussed the matter between 8 April and 17 April 1963 (3rd-7th meetings).

48. The first interim report was unanimously adopted on 6 May 1963 and submitted to the General Assembly and the Security Council (see annex III). In the letter of transmittal dated 6 May addressed to the President of the Security Council, the Chairman stated that the Special Committee considered it highly desirable that the Security Council should consider the report as soon as possible and take the measures called for by the grave situation at present prevailing in the Republic of South Africa, which represented a serious threat to international peace and security.

Submission of the second interim report

49. The Special Committee continued its review of the Republic of South Africa after the submission of the first interim report, and noted that it had continued to deteriorate further. The petitioners heard during this period also emphasized the seriousness of the

situation and the urgent necessity of effective measures by the United Nations.

50. The developments in the Republic of South Africa had, moreover, caused serious international repercussions. The decisions of the Summit Conference of Independent African States, held at Addis Ababa in May 1963, reflected the strong feelings aroused in the African continent by the continued pursuit of the policies of *apartheid* by the Government of the Republic of South Africa, in violation of the decisions of the General Assembly and the Security Council, and the severe repressive measures directed against the opponents of the policy of *apartheid*.

51. Following the Addis Ababa Conference, thirty-two African Member States requested the Security Council on 11 July 1963 to consider as early as possible "the explosive situation existing in the Republic of South Africa, which constitutes a serious threat to international peace and security".

52. In view of the impending consideration of the matter by the Security Council, the Special Committee decided on 10 July 1963 (17th meeting) to submit a second interim report reviewing the recent developments in South Africa and transmitting conclusions and recommendations on measures to dissuade the Government of the Republic of South Africa from its policies of *apartheid*.

53. The second interim report was adopted unanimously on 16 July 1963 and submitted to the General Assembly and the Security Council on 17 July 1963 (see annex IV). The Special Committee transmitted, as annexes to the second interim report, three documents on the recent situation in the Republic of South Africa: (a) Note on developments concerning the policies of *apartheid* of the Government of the Republic of South Africa since the first interim report of 6 May 1963; (b) Note on the expansion of military and police forces in the Republic of South Africa and the supply of arms and ammunition to the Republic of South Africa; and (c) Note on repressive legislation in the Republic of South Africa (see annex IV, appendices 1-3).

54. On the occasion of the publication of the second interim report on 18 July, the Chairman and the Rapporteur issued a declaration on behalf of the Special Committee which appears in United Nations Press Release GA/AP/13. The declaration expressed the Committee's conviction that effective international action should be taken urgently by the Security Council in order to halt the further drift of events to disaster in South Africa. It emphasized the fact that the situation in the Republic of South Africa constituted a serious threat to international peace and security which the international community had the inescapable obligation to end before it assumed such proportions that it could no longer be brought under control. The declaration added that South Africa could be an example to the world if all racial groups within the country were permitted to live together in amity on the basis of equality. But it had become, instead, a source of international friction and a threat to the peace and security in Africa and the world. The course of events since the adoption of General Assembly resolution 1761 (XVII) showed that a repetition of abhorrence of *apartheid* by itself would be ineffective and that there should be no further delay in remedial action.

Consideration of the question by the Security Council

55. By letter dated 11 July 1963,⁴ thirty-two African States requested the Security Council to consider the explosive situation in the Republic of South Africa, resulting from the intolerable *apartheid* policies of the Government of that country, which constituted a serious threat to international peace and security. They drew the attention of the Council to the resolution on *apartheid* adopted by the Summit Conference of Independent African States, held at Addis Ababa, which, *inter alia*, supported the recommendations made by the Special Committee to the General Assembly and the Security Council.

56. The Council discussed the question between 31 July and 7 August 1963, with the participation of the Minister for Foreign Affairs of Liberia, Tunisia and Sierra Leone, and the Minister of Finance of Madagascar, who had been delegated by the abovementioned Summit Conference to speak on behalf of all the member States of the Organization of African Unity.

57. On 7 August the Security Council adopted the following resolution⁵ by 9 votes in favour, none against and 2 abstentions (France and the United Kingdom):⁶

"The Security Council,

"Having considered the question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Republic of South Africa, as submitted by the thirty-two African Member States,

"Recalling the Security Council resolution of 1 April 1960,⁷

"Taking into account that world public opinion has been reflected in General Assembly resolution 1761 (XVII) and particularly in its paragraphs 4 and 8,

"Noting with appreciation the two interim reports of the Special Committee on the policies of *apartheid* of the Government of South Africa contained in documents S/5310 of 9 May 1963 and S/5353 of 17 July 1963,

"Noting with concern the recent arms build-up by the Government of South Africa, some of which arms are being used in furtherance of that Government's racial policies,

"Regretting that some States are indirectly providing encouragement in various ways to the Government of South Africa to perpetuate, by force, its policy of *apartheid*,

"Regretting the failure of the Government of South Africa to accept the invitation of the Security Council to delegate a representative to appear before it,

"Being convinced that the situation in South Africa is seriously disturbing international peace and security,

"1. Strongly deprecates the policies of South Africa in its perpetuation of racial discrimination as

⁴ *Official Records of the Security Council, Eighteenth Year, Supplement for July, August and September 1963*, document S/5348.

⁵ *Ibid.*, document S/5386.

⁶ An operative paragraph which appeared in the draft resolution submitted by Ghana, Morocco and the Philippines, calling upon "all States to boycott all South African goods and to refrain from exporting to South Africa strategic materials of direct military value", failed to obtain the required majority.

⁷ *Official Records of the Security Council, Fifteenth Year, Supplement for April, May and June 1960*, document S/4300 (see also annex II to the present report).

being inconsistent with the principles contained in the Charter of the United Nations and contrary to its obligations as a State Member of the United Nations;

"2. *Calls upon* the Government of South Africa to abandon the policies of *apartheid* and discrimination as called for in the previous Security Council resolution of 1 April 1960, and to liberate all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of *apartheid*;

"3. *Solemnly calls upon* all States to cease forthwith the sale and shipment of arms, ammunition of all types and military vehicles to South Africa;

"4. *Requests* the Secretary-General to keep the situation in South Africa under observation and to report to the Security Council by 30 October 1963."

Preparation of the report to the eighteenth session of the General Assembly

58. The Special Committee noted with gratification the appreciation expressed by the Security Council for its two interim reports. It took note of the Security Council resolution of 7 August 1963 which followed the lines of the Committee's recommendations and rep-

resented a highly important step in the United Nations efforts to dissuade the Government of the Republic of South Africa from its dangerous racial policies.

59. The Committee attached great importance to the mandate given to the Secretary-General in the last operative paragraph of the Security Council resolution, and offered him its full assistance and co-operation in the effective discharge of his responsibilities.

60. On 22 August 1963 (21st meeting), the Special Committee decided to prepare a report before the eighteenth session of the General Assembly reviewing the Committee's work between the seventeenth and eighteenth sessions of the Assembly, the development of the racial policies of the Republic of South Africa since General Assembly resolution 1761 (XVII) and their implementation, and the repercussions of these policies. It decided that the report should make clear how the policies of *apartheid* affected the people of the country, emphasize the dangers to the maintenance of international peace and security resulting from these policies, and formulate suggestions for further action by the United Nations.

61. The draft report was discussed on 12 and 13 September 1963 at the 22nd and 23rd meetings, and was unanimously adopted.

CHAPTER II

REVIEW OF DEVELOPMENTS SINCE THE ADOPTION OF GENERAL ASSEMBLY RESOLUTION 1761 (XVII) ON 6 NOVEMBER 1962

A. ATTITUDE OF THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA TOWARDS UNITED NATIONS GENERAL ASSEMBLY RESOLUTION 1761 (XVII)

62. During the period since 6 November 1962, the Government of the Republic of South Africa has shown no inclination to comply with the demands of the United Nations for the abandonment of the policies of *apartheid*. It has, instead, shown open hostility toward the Organization and its decisions on the question of *apartheid* and refused any co-operation in the implementation of these decisions.

63. The Government of the Republic of South Africa rejected the invitation extended to it by the Special Committee "to lend its co-operation and assistance to the Committee in the accomplishment of its task", claiming that General Assembly resolution 1761 (XVII) was contrary to the provisions of the Charter (see paragraphs 19 and 20 above). It also rejected the invitation extended by the Security Council on 23 July to participate without vote in the Council's discussion of the situation in the Republic of South Africa.⁸

64. In numerous statements since the adoption of General Assembly resolution 1761 (XVII), the Government of the Republic of South Africa declared that it would proceed firmly with its policies despite the resolution, that the resolution need not cause serious concern or panic as it had not been supported by South Africa's major trading partners, and that the Republic would accept limited isolation, if necessary, to preserve its white civilization.

65. Moreover, the Government has claimed that the United Nations, as at present composed, commands little respect, and that its future is uncertain. It has left in doubt the continued participation of the Republic in the United Nations.

66. Some of the statements are illustrative.

67. Speaking at Roodepoort on 8 November 1962, Prime Minister Verwoerd claimed that though the African-Asian States apparently took the lead with regard to General Assembly resolution 1761 (XVII), the communists were really behind it and South Africa had been picked only as an incidental object in the struggle of communism against the West. He claimed that what the African-Asian States wanted was not the elimination of discrimination against the black man, but black domination and discrimination against the white man.⁹ He declared that the General Assembly decision did not carry respect because of the type of nations responsible for the vote, because of the fact that it was unrealistic, impractical and against the real purpose for which the United Nations had been formed, and because action was being taken against a small country. He argued that the Republic should accept limited isolation, if necessary, to preserve its white civilization, and added that the General Assembly resolution did not cause the Government concern as it could not be put into practice. "It will never work, especially in the present situation where so many of the countries who really count do not want to let themselves in for this kind of foolishness."¹⁰

⁸ *Ibid.*, *Eighteenth Year, Supplement for July, August and September 1963*, document S/5381.

⁹ For the Committee's conclusions on this question, see paragraphs 445-449 of the present report.

¹⁰ South African Information Service, 9 November 1962.

68. Referring to the United Nations decisions in a New Year message, Prime Minister Verwoerd said that South Africa had learned, together with the most well-established and stable countries, not to take the United Nations too seriously.

"It may be regrettable that the United Nations no longer embodies the hopes of mankind. Everyone must face the fact, however, that since young, duck-tailed nations practically took charge of determining the majority vote, the United Nations commands little respect. It is a platform for their display of juvenile aggressiveness and their inferiority complexes; for their eagerness to interfere in the domestic affairs of others perhaps because their own are badly administered, and for slapping the great powers in the face, while collecting from them every possible kind of favour, still made available for a variety of reasons.

"The United Nations has failed in its purpose. It solves no problems, guarantees no peace or protection against genuine aggression, is financially weak, and has involved itself in futilities whenever it acts. The grand adventure of the nations has become a sordid scramble for the microphone—the new toy of the exhibitionist and the agitator."¹¹

69. In his opening statement to the Parliament on 18 January 1963, President Swart said that events in the past twelve months had once again demonstrated the inability of the United Nations to fulfil the main purpose for which it had been established—namely, the preservation of international peace and security. Rival ideological and political blocs had been formed and this had led to issues being decided not on their merits but in order to serve the interests of a particular group of States, thus often leading to the application of double standards. As a result of a considerable increase in United Nations membership, there had been a shift in power in favour of the African-Asian Member States and away from the West. South Africa's relations with the United Nations, he said, should be seen in the light of these changed conditions and the shift of power. The South African Government would not be deterred by intimidation, either from outside or within the borders of the Republic, from proceeding with the policy it firmly believed was in the interests of all sections of South Africa's population.¹²

70. Intervening in the debate in the House of Assembly on 24 January 1963, the Minister for Foreign Affairs, Mr. E. H. Louw, said:

"I have no hesitation in stating that the United Nations is rapidly losing the confidence of a very large number of the Western countries: I have no hesitation in saying that in recent years the prestige of the United Nations has very considerably dropped . . .

"As regards South Africa's position *vis-à-vis* United Nations, I will say no more at this stage than that we will bide our time and watch the position. But I would also say this, that it is unlikely that the South African Government will permit its representatives—will put its representatives in the position of being insulted there, as happened during the last two sessions . . ."¹³

71. Speaking in the House of Assembly on 22 April 1963, Prime Minister Verwoerd stated:

"I personally never hesitate to point out that there are dangers ahead of us and that those dangers may be very serious. . . . If the nation stands together and fights for its rights and for its survival, we shall be victorious because the forces which are mobilized against us neither have the morality nor the strength to be able to achieve victory . . .

"What is blatantly taking place is that UNO has now appointed a watchdog committee which is making more and more acrimonious allegations. . . . This is a body which has been established to interfere continually in South Africa's domestic policy. There are also other committees of UNO which are making vociferous attacks upon us. There is the secretary of the General Council at UNO who, although he is purely an official of a body of which we are a member and in which we also have a say, went to a meeting of that committee and arrogated the right to himself to take part in attacks on the policy of a member state . . ."¹⁴

72. The Prime Minister reiterated the charge that the United Nations was seeking to impose black domination:

"There is only one demand which is made by our critics . . . and that is that the black man alone must govern. Everybody who is white must be pushed out with the greatest possible speed. Is that not the only thing that will satisfy UNO?"¹⁵

73. On 5 May 1963 the South African Ambassador to the United States, Mr. W. C. Naude, said:

"If you were to introduce the proposals of the U.N. you would, in effect, be committing another sin—committing genocide. You would be asking this Western Christian nation to be allowed to destroy itself"¹⁶

74. The Minister for Foreign Affairs, Mr. E. H. Louw, stated in the House of Assembly on 5 June 1963 that no decision had yet been taken on participation in the eighteenth session of the General Assembly.¹⁷ He added:

"The position is very clear as regards our position at the United Nations: South Africa will either have to abdicate . . . or we will have to stand together and fight for our survival as a white nation . . . It is either 'one man, one vote' or . . . the survival of the white man in this country"¹⁸

75. Speaking in the Senate on 17 June 1963 on South Africa's attitude to the United Nations, the Minister for Foreign Affairs declared:

"Our main enemy is the United Nations. It is clear that the United Nations is insolvent"¹⁹

76. Addressing a meeting of the Afrikaans Chamber of Commerce in Cape Town in mid-July, the Minister for Foreign Affairs, Mr. E. H. Louw, stated that "Afro-Asians are today in full control" of the United

¹⁴ *Ibid.*, 22 April 1963, cols. 4468-4469.

¹⁵ *Ibid.*, col. 4514 (see also paragraphs 445-449 of the present report).

¹⁶ *The Star* (Johannesburg), 6 May 1963.

¹⁷ Republic of South Africa, *House of Assembly Debates (Hansard)*, 5 June 1963, col. 7260.

¹⁸ *Ibid.*, col. 7265.

¹⁹ *The Senate of the Republic of South Africa, Debates (Official Report)*, 17 June 1963, col. 4488.

¹¹ South African Information Service, 2 January 1963.

¹² Republic of South Africa, *House of Assembly Debates (Hansard)*, 18 January 1963, cols. 3-11.

¹³ *Ibid.*, 24 January 1963, cols. 148-151.

Nations and that there was "growing disillusionment about the United Nations" among Member States.²⁰

77. With regard to South Africa's participation in the eighteenth session of the General Assembly, Prime Minister Verwoerd stated in July 1963:

"It was and is not yet necessary or advisable to take any decision on such participation. . . . The Government's decision will be determined by pertinent consideration of what is in the best interests of South Africa, as has successfully been done hitherto".²¹

B. DECLARATIONS BY THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA ON ITS RACIAL POLICIES

78. During the period since 6 November 1962, official statements have indicated no significant change in the basic premises of the racial policies of the Government. They have been devoted mainly to explaining and justifying the concept of *apartheid* or "separate development", as it is now called by the Government to deceive public opinion.

79. Leaders of the Government recognize that the country is facing a serious situation because of the strength of world opinion and that an improvement in race relations is imperative. They frequently refer to the situation as akin to a "cold war".²²

80. But they reject abandonment of *apartheid* and argue that measures within the framework of *apartheid*—such as the gradual development of self-government in the African reserves and improvements in such areas as housing, education and job opportunities for non-whites—would help reduce international opposition and internal tensions.

81. They claim that the campaign against South Africa is not against the policy of *apartheid* as such but against the white man in South Africa and for a black government in the country.²³ Abandonment of *apartheid* would not suffice to overcome the opposition of the African-Asian powers.

82. They argue that the established nationhood of the Whites in South Africa distinguishes their position from that of communities of white settlers in other parts of Africa. They reject multiracialism on the grounds that it does not work anywhere in Africa in view of the incompatibility of the African and European personality. They claim that white nationhood cannot be maintained without white supremacy: concessions towards multiracialism or liberalism would only lead to an uncompromising and bitter struggle for power which could only result ultimately in black domination and the end of the established nationhood of the Whites. As the white people are determined to maintain their nationhood, and the Africans are not likely to be satisfied with limited concessions such as

²⁰ *South African Digest* (Pretoria), 25 July 1963.

²¹ *Ibid.*

²² For instance, the Minister for Foreign Affairs, Mr. E. H. Louw, was reported to have said on 24 March 1963:

"We live in difficult times and the outlook is perhaps a bit darker than people think. I do not wish to sound unduly pessimistic, but we are, in the fullest sense, involved in a cold war. We do not know what is going to happen but we do know that we South Africans are determined to hold what we have and oppose all attempts at black domination." (Reuters report in the *Christian Science Monitor*, Boston, 26 March 1963).

²³ For the Committee's conclusions on this question, see paragraphs 445-449 of the present report.

qualified franchise, the only acceptable solution is the separate development of the racial groups.

83. Speaking in the House of Assembly on 25 January 1963, Prime Minister Verwoerd stated:

"Reduced to its simplest form the problem is nothing else than this: We want to keep South Africa white. . . . 'Keeping it white' can only mean one thing namely white domination, not 'leadership', not 'guidance', but 'control', 'supremacy'. If we are agreed that it is the desire of the people that the white man should be able to continue to protect himself by retaining white domination. . . . we say that it can be achieved by separate development."²⁴

84. Equality of political rights can only be assured by separation or segregation: the Africans can have "one man, one vote" in their area and the white control in the rest of the country would be preserved.²⁵ Both the major racial groups would enjoy the right of self-determination.²⁶

85. Speaking at a public meeting on 26 April 1963, the Prime Minister declared that the biggest problem facing South Africa at present was to work out a solution for good internal race relations. It would be suicidal to ignore the tendency of world thought and changes in international attitude, and hope that matters would work themselves out. There were only two alternatives which were the basic currents of present-day political thinking: integration and the creation of a multiracial State on the one hand, and the separation of the various racial groups on the other. Only by the latter alternative could the white man in South Africa retain his position and secure his future.²⁷

86. The Minister of Defence, Mr. J. J. Fouché, declared on 3 May 1963 that the Republic of South Africa was going ahead with the policy of *apartheid* because it could not deceive and suppress the Africans and because it did not want "to swim against the stream of world opinion".²⁸

87. Government leaders admit that the non-whites cannot be treated forever as inferior, nor would they accept concessions which do not provide for equal rights. They claim that the move towards self-determination of both the major groups was the only solution which would preserve the nationhood and the vital interests of the Whites. Hence the development of bantustans in the African reserves is given great emphasis in Government policy.

²⁴ Republic of South Africa, *House of Assembly Debates (Hansard)*, 25 January 1963, col. 242.

²⁵ In a statement before the House of Assembly on 22 April 1963, Prime Minister Verwoerd argued that the way of *apartheid* was the only way by which racial discrimination would be eliminated, as separation of the races would remove all points of friction. (Republic of South Africa, *House of Assembly Debates (Hansard)*, 22 April 1963, col. 4454).

²⁶ In an advertisement placed in a British publication in December 1962, the South African Department of Information argued:

" . . . Self-determination is indivisible. If all the African peoples are entitled to self-determination, then surely we (South African Whites) are too! If it is right for black African peoples to become the masters of their own destinies, then it is surely also right that we should remain the masters of ours. We accept that the Bantu peoples of South Africa are entitled to self-determination, but we cannot accept that they should achieve their self-determination at the expense of ours. Thus, our policy is one of parallelism—of the separate and full development of all our peoples in their own spheres." (*Southern Africa* (London), 7 December 1962).

²⁷ *The Cape Times* (Cape Town), 27 April 1963.

²⁸ *The Cape Times*, 4 May 1963.

88. Under the Government's plans, the African reserves would be progressively granted the rights of self-government, and even the granting of sovereignty is not excluded. The Africans would exercise their political rights in the reserves and would have no rights in the rest of the country, which is described as the "white" area. The Whites would have no rights in the African reserves.

89. In the light of the present realities in the Republic of South Africa, this ingenuous formula of the Government of the Republic of South Africa represents in fact a serious attack on the rights of a great majority of inhabitants.

90. It means that Africans would lose existing rights, and all hope of equal rights except perhaps in the election of local advisory boards or absentee ballots for elections in their "homelands"—in 87 per cent of the territory of the country in return for self-government in the reserves which constitute only 13 per cent of the territory. It means that they would be regarded as aliens and transients in most of the country. Indeed, the Government leaders often compare the status of Africans in the "white area" to that of Basuto immigrant labourers who enjoy political rights only in Basutoland.

91. The idea that the African reserves constitute the homelands of the Africans is based on a distortion of history and a negation of present-day realities. Only 38 per cent of the Africans today reside in the reserves. The Africans constitute a majority in both the "white" urban areas and "white" rural areas. Many of the Africans have been born or lived for long periods in urban areas or "white" rural areas and have little contact with the reserves.

92. Even the Government leaders admit that the reserves are overcrowded and cannot provide an adequate livelihood for their inhabitants. They have advocated the establishment of industries on the border areas so that the African can find employment while living in the reserves.

93. Moreover, the so-called moves towards self-government are themselves misleading. Self-government in the Transkei reserve, described in section C, is being accomplished by decision of the Government while the most prominent leaders of the African people are imprisoned or confined and the people of Transkei are denied their fundamental rights under the rigorous restrictions of the Emergency Regulations (Proclamation No. R 400), 1960. The self-government is not the fulfilment of the aspirations of the African people, but a political move to resuscitate the tribal chiefs, provide limited opportunities for some Africans and influence public opinion.

94. The bantustan scheme is one side of the dual policy of which the other side is the imposition of increasing disabilities on the majority of Africans who live in the "white" area.²⁹ The Bantu Laws Amendment Act, 1963, and a host of administrative decisions and moves undermine the position of non-whites and create countless human tragedies.

²⁹ Mr. P. W. Botha, Minister of Coloured Affairs, of community Development and of Housing, referred to four cornerstones of Government policy: the decision to build homelands for the Bantu, the Group Areas Act to provide separate communities for each group, the Immorality Act to keep the races pure, and the retention of a part of South Africa under white control. (*Southern Africa* (London), 9 August 1963).

95. The imposition of these twin policies could only be accomplished by the institution of an even more severe repressive régime to stifle the growing opposition to the policies of *apartheid*. The result has been increased tension, the expansion of security forces and a vicious circle of greater discontent among the majority of the people and a growing fear among the privileged, with the almost universal expectation of a dangerous conflict.

96. The past year has been a particularly eventful year, both because of the further pressure of the policies of *apartheid* on the population and because of the growing tension. Some of the major developments of this year are reviewed in the following chapters.

C. THE TRANSKEI CONSTITUTION ACT, 1963, AND THE MOVES TOWARDS THE CREATION OF BANTUSTANS

97. The promulgation of the Transkei Constitution Act, 1963,³⁰ is perhaps the most significant development during the year in the direction of the implementation of *apartheid*. The Act, the provisions of which are described later in this chapter, provides a degree of self-government for the African reserve of Transkei.

98. The Transkei, situated on the coast in the north-eastern part of the Cape Province, has an area of 16,350 square miles. Its population consists of over two million Xhosa people, as well as 17,369 Whites and 13,716 Coloureds.³¹

99. The significance of the establishment of self-governing institutions for the Transkei lies, however, not so much in the legislation itself but in the proclaimed intention of the Government that it is a step toward the creation of a series of bantustans in the African reserves, that the African people can only aspire for political rights in these states and that they would be regarded as transients and aliens in the white areas which comprise six-sevenths of the territory of the Republic of South Africa.³² The Government has widely advertised this move as proof of its sincerity with respect to separate development, and has made extravagant claims such as the following:

"The white man has undertaken a task such as history has not known. He is helping the black man to bridge the gap, in one span, between the Stone Age and the atomic era."³³

100. To appreciate the real significance of this development, it is essential to review briefly the evolution of the policy of the South African Government towards African landownership and the African reserves.

Evolution of the African reserves

101. South African Government spokesmen claim that the Europeans arrived in the country before or

³⁰ Text in *Government Gazette Extraordinary*, 30 May 1963.

³¹ The coloured population consists chiefly of Cape Coloured but also includes Cape Malays, Bushmen, Hottentots and all persons of mixed race.

³² South African official statements often tend to give an erroneous impression of the ratio of the white and the African areas by including most of South West Africa, as well as three British Protectorates of Bechuanaland, Swaziland and Basutoland, in the calculations. The figures given here cover only the territory of the Republic of South Africa.

³³ Republic of South Africa, Department of Information, *The Progress of the Bantu Peoples towards Nationhood* (consolidated ed.), p. 1.

at about the same time as the Bantu and that there was a traditional geographical separation between the white and black areas.³⁴ The theory that the Europeans were the first settlers, which applies only to a small part of the country around the Cape Peninsula, has been disputed by many historians and is of little relevance at the present time as the right of the people of European origin to live in South Africa has not been disputed. The claim of a traditional separation of the territory between the Whites and the Africans, however, deserves some consideration.

102. The first European settlement in South Africa was established in 1652 at Table Bay. It expanded slowly at first and faced little resistance from the native Africans, particularly the Hottentots. In 1702, however, a party of Afrikaner (Dutch) traders crossed the Fish River, and for the first time encountered the powerful Xhosa branch of the Bantu. From 1779, a series of "Kaffir wars"³⁵ began, as the Bantu and Europeans fought each other for land. This struggle was to become one of the chief factors in South Africa's history for a century.

103. Great Britain, which established its rule over the country in 1814, also pursued a systematic policy of annexation and increased political authority over the Bantu. The restriction of land ownership by the Bantu, the pass laws, and the employment of tribal chiefs for administrative control became the central features of native policy under British rule.³⁶ The Africans were thus progressively confined to limited areas of land.

104. The development of diamond and gold mining in the last quarter of the nineteenth century, and more recently the rapid development of industry in the urban areas, led to an ever-increasing demand for African labour outside the areas to which they had been confined.

105. The European mineowners of the Rand exerted pressure on the Government to restrict African land-ownership as they were faced with a chronic shortage of unskilled labourers and the Africans were reluctant to leave their farms to work for low wages in the mines. Similar pressure was exerted by the white farmers. Echoing their sentiments, General Botha, who was to become the first Prime Minister of the Union, declared in 1903 that "he would, if necessary, break up the areas of land reserved for the Natives (including the Protectorates) in order to provide labour for the mines and farms".³⁷

106. One of the first acts of the Union of South Africa, formed in 1909 by agreement between the two major white elements in the country, was the promulgation of the Native Land Act, 1913, which laid down the principle of territorial segregation and separation of land rights between "Natives" and non-natives. Under this Act, 10.5 million morgen (about 21 million acres) were set aside as native reserve areas.

³⁴ Mr. W. J. le Roux, Director of the Information Service of South Africa, in a letter published in the *Christian Science Monitor* on 5 June 1963, claimed further that the Whites settled South Africa by right of first occupation and that the Bantu were "migratory elements in the white man's land."

³⁵ The Afrikaners called the Bantu people "Kaffirs" (un-believers).

³⁶ See, for instance, the report of the Inter-Colonial Commission, published in 1905.

³⁷ Quoted by Julius Lewin: "South African Native Policy Never Changes", *The Political Quarterly*, London, January-March 1957, p. 67.

The African opposition to this Act led to the formation of the Native National Congress, predecessor of the African National Congress, which tried in vain to prevent the application of this measure by representations in South Africa and in London.

107. Though the Government attempted to justify the legislation as a measure to protect African interests, African leaders protested it as an unjust law directed against the vital interests of their people. Most of the reserves were, in fact, Crown lands communally farmed and did not provide a property market. Purchase of land by individual Africans outside the reserves was effectively restricted. In the few urban areas where the Africans had the right to own land, rights of occupation and tenancy were strictly limited by the Native (Urban Areas) Act, 1923.

108. The native reserves could not support the African farmers even at the subsistence level and the pressure on the land continually increased.

109. In 1936, the Native Trust and Land Act provided for the acquisition by the Government of an additional 15 million acres of land for African occupation, and for the progressive liquidation of the "black spots" in "white areas." This was declared to be a "final settlement".

110. The acquisition of the additional land has not yet been completed. When completed, the native reserves would cover about 41.6 million acres of land or about one-seventh of the territory of the Republic of South Africa.³⁸

111. The reserves contain less than two-fifths of the African population of the Republic and are already over-populated. The most optimistic estimates place the agricultural potential of the reserves at nearly 20 per cent of that of the Republic. But little progress has been made in the agricultural development of these areas and serious soil erosion has developed. According to the report submitted in 1955 by the Commission for the Socio-Economic Development of the Bantu Areas within the Union of South Africa (Tomlinson Commission), appointed by the National Party Government, the reserves can decently support only half of their population.

112. In other words, the traditional geographical separation is mainly a restriction on landownership imposed by the Government in which the Africans had no voice and which the African leaders had protested strongly. The reserves have for a long time ceased to support even a majority of the African population, and the African population has for a long time formed a majority outside the reserves.³⁹

The policy of separate development

113. The National Party came to power in 1948 after a campaign in which it stressed the alleged dangers of increasing African population in the white areas, and the trend towards economic integration.

³⁸ About five million acres of land have yet to be bought to carry out the provisions of the Native Trust and Land Act, 1936. (Republic of South Africa, Department of Information, *The Progress of Bantu Peoples Towards Nationhood* (consolidated ed.) p. 84). The delay in the acquisition of the land is due to the resistance of European farmers and the inadequacy of funds appropriated for the purpose. The "black spots"—African-owned land in European areas—are, however, being rapidly eliminated.

³⁹ In the urban areas, the Africans slightly outnumber the Whites. In the "white" rural area, the number of Africans is about four times the number of Whites.

Its leader, Mr. D. F. Malan, asked in a speech at Paarl on 20 April 1948:

"Will the European race in the future be able to maintain its rule, its purity and its civilization, or will it float along until it vanishes for ever, without honour, in the black sea of South Africa's non-European population?"⁴⁰

114. The National Party Government pointed to the numerical superiority of the Africans and the alleged danger of black domination in embarking on a series of laws to outlaw all social intercourse between the racial groups, and to restrict the rights of Africans outside the reserves. The policy of "separate development" was linked with these measures.

115. This policy was pushed particularly by Mr. H. F. Verwoerd, Minister of Native Affairs from 1950 and Prime Minister since 1958. As early as 1950 Mr. Verwoerd outlined the Government's policy of "Autogenous development" for the Bantu:

"(The Government) wishes to create for the Bantu every possible opportunity to realize their ambitions and to serve their own people. This is, therefore, not a policy of oppression, but of creating a position which has never yet existed for the Bantu, namely that they will be able to develop on their own lines in accordance with their own languages, traditions, history and various ethnic groups."⁴¹

116. In pursuance of this policy, the Bantu Authorities Act, 1951, abolished the Native Representative Council and authorized the Governor-General to establish Bantu tribal authorities.⁴² The Bantu Education Act, 1953, provided Government control of Bantu schools and their reorganization along tribal lines. A host of other legislative and administrative steps were designed towards the separation of the Africans from the other ethnic groups and the creation of institutions on the basis of tribal units.

117. Each of these measures increased tension in the country and could only be imposed by force. The establishment of Bantu authorities, for instance, was "accompanied by Government threats, by murder, violence, arson, tribal revolt and severe police action".⁴³ In 1957, when the Department of Native Affairs attempted to implement the Bantu authorities system in Tembuland, the people objected strongly to the splitting of Tembuland into three—Bomvanaland, Tembuland, and Emigrant Tembuland—and sent a deputation to Pretoria to convey their opposition to the scheme. Subsequently, four of the delegates were deported by the Government on the grounds that they were causing dissension in the tribe and opposing Government measures. The "Tembuland technique" has since been adopted by the Government to overcome opposition in other areas. The Government has resorted to threats to cut off financial assistance and discontinue necessary social services, has deported leaders, and imposed chiefs and headmen who are willing to go along with the Government in return for promotions.

⁴⁰ Quoted by L. E. Neame, *The History of Apartheid*, London, 1962, p. 73.

⁴¹ Union of South Africa, Department of Native Affairs, *Report for 1954-1957*, p. 1.

⁴² In 1959 there were 371 "tribal authorities", though Government officials had aimed at a "possible 500". (Republic of South Africa, Department of Information, *The Progress of the Bantu Peoples towards Nationhood* (consolidated ed.), p. 8).

⁴³ C. M. Tatz: *Shadow and Substance in South Africa*, Pietermaritzburg, University of Natal Press, 1962, p. 191.

118. Serious rioting as a result of the Government's attempts to establish Bantu Authorities occurred in many areas. In May 1958, over 300 Africans were arrested after riots in the Sekhukhuneland reserve. Riots and unrest continued in East Pondoland during 1959 and 1960, and the Government imposed serious repressive measures.

Promotion of Bantu Self-Government Act, 1959

119. A significant step in the direction of the Government's plans was taken by the promulgation of the Promotion of Bantu Self-Government Act on 19 June 1959. The declared aim of the Act is "to provide for the gradual development of self-governing Bantu national units and for direct consultation between the Government of the Union and the said national units in regard to matters affecting the interests of such national units".

120. The Act abolished the limited representation of the Africans in Parliament and provided for the gradual consolidation of the 264 scattered native reserves into eight self-governing "national units" and the establishment of territorial authorities in these units.

121. During the debates in Parliament, Mr. Verwoerd said that the Government's scheme would lead to a permanent white South Africa, and that unless it was accepted, the only other choice was a common multiracial country where the Whites would be outnumbered by the Blacks three or four to one.

122. African leaders opposed this measure as a further denial of their rights. Chief Albert Luthuli, President of the African National Congress, stated in an article in the *Rand Daily Mail* in May 1959 that the African people had not been consulted on the Promotion of Bantu Self-Government Bill and that they "had certainly not decided in favour of the system—they did not want partition or separation in South Africa". This 'solution', which is merely a disguise for the *apartheid* we already know, is completely unacceptable to the African people."

123. The Government, however, proceeded with the consolidation of the African "national units" and the establishment of territorial authorities. In the Transkei, which is a relatively large and compact reserve area, a territorial authority had been established as early as 1956. Five other territorial authorities were established by the end of 1962 (Ciskei, Tswana, Lebowa, Matshangana and Venda). Two more—Zulu and South Sotho—are being planned.

The Transkei Constitution Act, 1963

124. Meanwhile, in January 1962, Prime Minister Verwoerd announced a plan to grant "self-government" to the Transkei. He said that the area would be given a wholly black parliament and cabinet. The white inhabitants of Transkei would have no political rights in the territory, but would continue to vote for the central Parliament. Mr. Verwoerd also announced that a separate Transkei citizenship would be instituted for Africans and that Transkei Africans living outside the territory would be entitled to vote for the Transkei Parliament. Powers in such fields as agriculture, education, health, welfare services, land, roads and minor local authorities would be entrusted to the new Transkei Parliament; external affairs, defence and certain aspects of the administration of justice would, for the time being, remain the responsibility of the Republic. The

constitution would be decided by the Bunga (local council).

125. During the discussions which followed between the Government and the representative of the Bunga, it was reported that the Government had indicated that it could not entertain any requests for greater powers than had been offered or for a multiracial legislature; that all legislation of the Transkei Parliament would be subject to the consent of the President of the Republic; and that the Transkei Parliament should consist of chiefs as well as elected representatives.

126. While supporters of the Government claimed that the move was the beginning of a new era in race relations and a step towards the independence of Africans in their areas, members of the opposition and several Africans leaders argued that it was merely a disingenuous scheme, and that the terms "Parliament" and "Cabinet" were misleading as the area would enjoy little independence. Serious differences among the chiefs and people of the area were soon reported in the Press. A number of cases of violence in the territory during 1962-1963 were attributed to opponents of the Government's scheme.

127. Defending his support of the Government's proposal, the Chairman of the Territorial Authority, Chief Kaiser Matanzima, said in a statement of 26 November 1962 that "White South Africa is 100 per cent agreed on the maintenance of white control of the white parliament. Only their defeat on the battlefield will divest them of this resolution. Will those people who oppose the peaceful road taken by the Transkei come out and advocate a revolution?"

128. The Transkei territorial authority approved the draft constitution in December 1962 by a large majority.

129. The Transkei Constitution Bill was introduced in Parliament on 28 January 1963 and promulgated on 24 May 1963. The Act confers self-government on the Territory of Transkei and vests executive functions in a Cabinet consisting of a Chief Minister and five Ministers. The Cabinet is made responsible for the administration of six departments, namely: finance, justice, education, interior, agriculture and forestry and public works (see section 10 of the Act).

130. The Legislative Assembly will consist of 109 members: the four paramount chiefs of the Transkei appointed by the Central Government; sixty appointed chiefs holding office in the nine regional authority areas of the territory; and forty-five members elected by Transkei citizens resident in the territory or in the rest of the Republic or in South West Africa. All Bantu born in the Transkei and all Xhosa-speaking persons in South Africa and all Sotho-speaking persons lined with the Sotho elements in Transkei would be regarded as Transkei citizens (see sections 23, 7 and 45 of the Act). The Assembly may conduct its business and adopt legislation in the Xhosa language.

131. The Act provides for a Transkeian flag, designed and approved by the Legislative Assembly, which will be flown side by side with the flag of the Republic at the building where the Assembly holds its sessions. "Nkosi Sikelel'i Afrika" is to be the national anthem of the Transkei.

132. All bills approved by the Legislative Assembly are subject to the assent of the State President of the Republic (see section 40 of the Act). The Assembly is not empowered to repeal or amend the Constitutional

Act. Among other matters in regard to which it cannot legislate are (a) the establishment of military forces; (b) the manufacture of arms and ammunition; (c) the appointment and recognition of diplomatic and consular representatives and the conclusion of international treaties and agreements; and (d) the control over the entry and presence of any police force of the Republic sent to the Transkei for the maintenance of law and order and for the preservation of internal security (see section 39 of the Act). The territory will, however, have control of any police force stationed in the Transkei and transferred to it by the Minister of Justice of the Republic.

133. The Government of the Republic will also retain control of the post office, railway and harbours, national roads, civil aviation, the entry of aliens into the territory, currency and public loans, and customs and excise (see section 39 of the Act).

134. The Legislative Assembly is competent to make laws in regard to taxation, Bantu education, agricultural improvements, inferior courts, wills, registration of deeds, public works, Bantu authorities, traffic, certain labour matters, welfare services, vital statistics, elections, liquor, markets, game preservation and licensing of trading and business (see section 37, First Schedule, part B, of the Act). Its powers in these matters extend to all citizens of the Transkei throughout the Republic.

135. The powers and functions of paramount chiefs, chiefs and headmen are not superseded by the establishment of the Legislative Assembly, however. The latter is not entirely competent in the restricted area of its jurisdiction because tribal authorities retain their original powers in certain areas (see section 43 of the Act).

136. During the debate in Parliament, the Minister of Bantu Administration and Development, Mr. M. D. C. de Wet Nel, said that the bill provided for the membership of the chiefs of the territories in the Legislative Assembly because experience elsewhere had shown that where the chiefs were pushed aside their traditional authority was eliminated. He also stated that as the Transkei did not at present have a sufficient number of trained Bantu to fill all the posts in the various departments transferred to the jurisdiction of its Government, white officials would be placed at its disposal. These white officials would, however, remain in the service of the Government of the Republic and would be paid by the Republic. They would be gradually replaced by Bantu "but always beginning at the lowest grade and progressively advancing to the top so that white officials would never work under Bantu".⁴⁴

137. The bill was vigorously opposed by the United Party which argued that the bantustan policies would not change the outside world's attitude towards South Africa but would lead to the dismemberment of the country and endanger the security of South Africa. It contended that economic progress and separate development were incompatible.

138. Sir de Villiers Graaff, leader of the United Party, stated:

"In Africa we had the position that metropolitan Powers who had controlled their colonies over many years and had had long experience in doing so, were abdicating those responsibilities. Here we are creat-

⁴⁴ Republic of South Africa, *House of Assembly Debates (Hansard)*, 6 March 1963, cols. 2238-2246.

ing colonies, virtually speaking, in order to abandon them and abandon with them millions of people who will also be permanently present in the mixed areas but will be artificially regarded as citizens of those states."⁴⁵

He added that the experience in Africa showed that once the metropolitan Powers promised a people independence, they lost control of the timetable and of the direction and development of the independent State. The promise of independence to the reserves by South Africa would create even greater problems in South Africa because of the influence of the mass of Bantus living outside the Bantu territories.

Implementation of the Transkei Constitution Act, 1963

139. The Transkei Territorial Authority met on 14 May to discuss arrangements for the establishment of the new institutions.

140. Regulations for the elections were published in the *Government Gazette* in June and registration of voters took place until 17 August in the Transkei and in other areas where large numbers of Transkei "citizens" are concentrated. The Government announced that nearly 800,000 persons had registered. Elections for the forty-five elected seats in the 109-member Legislature are due to be held on 20 November 1963.

141. The Government is reported to be planning to establish the new Transkei Government before Christmas 1963.

142. The Minister of Bantu Administration and Development announced on 16 August that the civil administration would be transferred to the territory in October: 1,900 of the 2,476 Civil Service posts would be filled by Africans. White officials would head the departments and hold other senior posts at this stage.⁴⁶

143. Umtata, the largest town in the Transkei, will be the seat of government. The State will have no capital as Umtata is a white area.

Conclusions

144. In conclusion, a number of comments may be made on the Transkei Constitution Act, 1963, and the moves towards the creation of bantustans.

145. These moves are engineered by a Government in which the African people concerned have no voice and are aimed at the separation of the races and the denial of rights to the African population in six-sevenths of the territory of the Republic of South Africa in return for promises of self-government for the Africans in scattered reserves which account for one-seventh of the territory.

146. The reserves contain less than two-fifths of the African population of the Republic, while many of the Africans in the rest of the country are largely detribalized and have little attachment to the reserves.

147. The bantustans were not demanded by African leaders, but were imposed against their wishes. The leaders of the African people are silenced, entry into reserves by Whites is controlled by permit, and, under Proclamation 400, the Transkeians are denied freedom of assembly and speech.

148. The self-government granted to the Transkei at present is limited in many ways. Paramount Chief

Sabata Dalindyeddo of the Tembu, one of the largest tribes in the Transkei, told the Tembus recently, "The freedom you are getting in the Transkei is a fowl-run. A cattle-kraal would be better."⁴⁷

149. The scheme aims at reinforcing tribalism and utilizing the tribal system against African aspirations for equality.⁴⁸

150. The "national units", made up of scattered reserves, are not economically viable. They do not provide a minimum standard of living even for the existing population of less than four million. Serious famines have recently been reported in Vendaland and Sekhukhunealand reserves in the Transvaal. They have few known mineral resources, and they are almost devoid of industries. Their economies depend largely on the export of their labour to the "white" areas, at the rate of over half a million migrant labourers a year.⁴⁹ The Transkei is dependent on Government grants even for its administrative costs: the Government has offered 20 million rand a year for this purpose.

151. A report on the Bantu areas prepared for the Government in 1955—the Tomlinson Commission's report—stated that the farm population in the reserves should be reduced by half to promote economic agricultural units. It recommended rapid industrialization by white capital to provide employment to 300,000 farmers and add 50,000 new jobs a year. The Government, however, decided to limit industries within the areas to Bantu capital, with Government encouragement. It favoured encouragement of European-owned industries on the borders of—rather than in—the Bantu areas.⁵⁰

152. A Bantu Investment Corporation has been set up with a small capital to promote industrial and commercial enterprises, but it has had little impact.⁵¹ The Government has attached greater significance to the "border industries" and given various concessions for that purpose. Over half of the expenditure for the first five-year development plan of bantustans (of which the Transkei is one) is allocated for the establishment of villages intended to house Bantu labour forces for "border industries" in white areas.⁵² But these have not created much employment either. According to a

⁴⁷ *Ibid.*, 10 August 1963.

⁴⁸ As in the rest of the continent, the African nationalist organizations in South Africa have opposed tribalism. One of the objects of the African National Congress is: "To encourage mutual understanding and to bring together into common action as one political people all tribes and clans or races and by means of combined effort and united political organization to defend their freedom, rights and privileges."

⁴⁹ According to the Tomlinson report, "with the exception of cripples and disabled persons, nearly all males are employed outside Bantu areas at one or another stage between the fifteenth and fiftieth birthdays."

⁵⁰ *Memorandum: Government decisions on the recommendations of the Commission for the Socio-Economic Development of the Bantu Areas within the Union of South Africa.* This decision had the advantage of ensuring adequate cheap manpower without disturbing the separation of races. But the rate of investment so far appears to be considerably below that recommended by the Tomlinson report.

⁵¹ By July 1963, the Corporation had granted loans totalling 862,811 rand, and Africans had deposited 453,000 rand in its savings accounts. (*The Star* (Johannesburg), weekly edition, 20 July 1963). The total number of Africans employed in industry in the Transkei is only 1,159. (Statement by the Minister of Bantu Administration and Development: Republic of South Africa, *House of Assembly Debates (Hansard)*, 28 May 1963, col. 8772).

⁵² Republic of South Africa, Department of Information: *Scope*, March/April 1962.

⁴⁵ Republic of South Africa, *House of Assembly Debates (Hansard)*, 22 January 1963, cols. 27-29.

⁴⁶ *The Star* (Johannesburg), weekly edition, 17 August 1963.

report delivered at a conference of the South African Bureau of Racial Affairs in June 1963, only 56,000 of the seven million Africans in and near the reserves were employed in industry.⁵³

153. The creation of bantustans may, therefore, be regarded as designed to reinforce white supremacy in the Republic by strengthening the position of tribal chiefs, dividing the African people through the offer of opportunities for a limited number of Africans, and deceiving public opinion.

D. *Apartheid* IN THE "WHITE" AREAS

154. The policy of the Government of the Republic of South Africa, as indicated earlier, is to keep most, if not all, of South Africa under white control. For this purpose, Africans outside the reserves should be treated as transient aliens who can claim no political rights or even the right of permanent residence. They should be allowed to remain only to minister to the needs of the Whites and should be entitled to housing and other amenities. All racial groups should be segregated and measures taken to preserve racial purity.

155. Because of the danger of the numerical superiority of the Africans in white areas, and the cost of providing the amenities, African family life should not be encouraged in the white areas. The movement of Africans to the white areas should be strictly controlled and the number of Africans in these areas should be progressively reduced.⁵⁴ Since residence in the white areas is a privilege granted to Africans whose labour is needed, the Government and the local authorities should be entitled to expel any African who is unemployed or becomes a "problem".

156. Industries should be developed on the borders of the reserves so that the Africans can remain in their "homelands", with their families and in their communities, and yet contribute their labour to the economy of the white areas.

157. Pursuing this general line of thinking, the National Party Government, which has been in power since 1948, has instituted a host of measures which have uprooted thousands of families from their homes, banished thousands of Africans to the reserves and greatly reduced inter-racial contacts. In a society in which racial discrimination and segregation were traditional and rampant, they have imposed new disabilities on the non-whites. They enforced segregation in urban areas, by race and tribe, and abolished the limited freehold rights of the non-whites in some towns. They imposed a strict colour bar in industry and sought to curb the nascent African middle class. They made mixed marriages a crime, and began to enforce laws preventing visits by Whites to African reserves and locations. They took numerous measures to reduce all interracial contacts.

⁵³ *The Star* (Johannesburg), 10 June 1963.

⁵⁴ The Deputy Minister of Bantu Administration and Development, Mr. M. C. Botha, said in Vereeniging in April 1963 that the industrialists, farmers and householders must prepare, by modernization and other means, for a reduction of Bantu labour in white areas:

"The number of Bantu workers in established industries must be reduced to the minimum. The proportion of Bantu to Whites in industry which at present is 23 to 10 must be altered in favour of the Whites." (*South African Digest* (Pretoria), 2 May 1963)

Government spokesmen and a "Society of Labour Independence" are advising Whites to end dependence on Bantu domestic labour.

158. Though the General Assembly and the Security Council have repeatedly condemned these measures, they have continued to be implemented with vigour during the period since 6 November 1962. Indeed, a number of new *apartheid* measures have been introduced and implemented during the year. These developments are briefly reviewed below under the following heads:

Residential segregation and related measures;

Pass laws and influx control measures;

Discrimination in employment and denial of trade union rights;

Other *apartheid* measures.

159. *Apartheid* in the field of education is dealt with in section E of the present report.

Residential segregation and related measures

*Implementation of the Group Areas Act, 1950*⁵⁵

160. The Group Areas Act, 1950, which provides for the forcible separation of racial groups, continues to be implemented actively though the General Assembly has repeatedly called upon South Africa to refrain from enforcing the provisions of that Act.⁵⁶ The Government is also proceeding with the removal of "black spots" (areas outside the reserves where the Africans hold freehold rights).⁵⁷

161. The Department of Community Development stated in its latest annual report that 3,000 Chinese, Indian and coloured families had been transferred to their group areas in Johannesburg in the last seventeen months; about 5,694 families of these racial groups still have to be transferred to their group areas. Nearly 1,600 African families were being moved out of their houses in Boksburg to make way for Coloureds from neighbouring towns. Altogether about 9,000 coloured families would be moved in the Witwatersrand area.⁵⁸

162. Numerous group area declarations have been published during the year, ordering the clearing of a number of settled communities.⁵⁹ Most of these orders

⁵⁵ The Group Areas Act of 1950 has been amended repeatedly and the regulations under it comprise an extremely complicated legislation. The main provisions were, however, reviewed in the reports of the United Nations Commission on the Racial Situation in the Union of South Africa. See also L. R. Dison and I. Mohamed, *Group areas and their development, including land tenure and occupation*, Durban, Butterworths, 1960.

⁵⁶ See General Assembly resolutions 395 (V) of 2 December 1950, 511 (VI) of 12 January 1952, 615 (VII) of 5 December 1952 and 719 (VIII) of 11 November 1953.

⁵⁷ The Government has announced its intention to remove all Africans from 439 "black spots" covering an area of 157,665 morgen throughout the Republic. (Republic of South Africa, *House of Assembly Debates (Hansard)*, 5 April 1963, cols. 4119-4120.) This would affect tens of thousands of Africans.

⁵⁸ *The Star* (Johannesburg), 24 May 1963.

⁵⁹ The following declarations of group areas have been issued since 6 November 1962 and published in the *Government Gazette* of the dates indicated:

9 November 1962—Group areas for Whites, Coloureds and Indians at Newcastle, Natal; for Whites and Coloureds at Prince Albert, Cape Province;

16 November 1962—Group areas for Whites and Coloureds at Willistown, Cape Province; for Coloureds at Goodwood and Parow, Cape;

23 November 1962—Group areas for Coloureds and Indians at Lydenburg, Transvaal;

30 November 1962—Group areas for Whites and Indians at Benoni, Transvaal; for Whites at Alberton, Transvaal;

14 December 1962—Group areas for Whites and Indians at Weenen, Natal; for Whites, Coloureds and Indians at Colenso, Natal;

21 December 1962—Group areas for Whites and Coloureds at Barkly West, Cape;

require the removal of non-whites from areas in which they have resided for generations.⁶⁰ A few of the cases are described below.

163. In February 1963, about 3,500 Africans were uprooted from the Besterspruit location (outside Vryheid), where Africans had held freehold property rights since 1905. Though orders had been issued in 1957, the removal took place before alternative housing was available. About 2,000 Africans who could prove employment in Vryheid were moved to a tent camp in the town's African location. Another 1,600 were moved to a tent camp at Mondhlo, about thirty miles away, and required to erect their own accommodations out of compensation to be received from the Government. Even sanitary facilities were not provided.⁶¹

164. Peter Brown, National Chairman of the Liberal Party of South Africa, visited Vryheid soon after the removal and described the operation:

"Besterspruit was a small community of some 3,000 people on the outskirts of the Northern Natal town of Vryheid. At the beginning of this century a Mr. Bain sub-divided his farm and sold land, which would have fetched £3 an acre for farming purposes, to Africans, for £10 an acre, for residential purposes.

"By 1963 there were some 400 families living in freehold at Besterspruit and a number of other fami-

lies living as their tenants. When removal came this February the freeholders were offered alternative accommodation at Mondhlo. The accommodation at Mondhlo consisted of a tent on a 2,000 sq. ft. site.

"Mondhlo is 20 miles from Vryheid. A person working in Vryheid who wished to continue to live with his family would have to travel 40 miles to and from work, each day. His bus fare would be 50 cents a day. If he worked six days a week his travelling expenses would be R12 a month. An average wage for an African worker in Vryheid is R10 a month.

"A man who decided that he could not afford this travelling had two alternatives. He could decide to break up his family, deposit his wife and children at Mondhlo and live in 'bachelor' quarters in Vryheid. His other alternative was to abandon his hard-won freehold rights, and agree to move into the municipal location.

"The implications of such a decision are enormous. Under existing urban areas legislation the man could be ejected from the location at any time that he became and remained unemployed.

". . . There was no accommodation in Vryheid location for the families which had chosen to move there. There they were in their tents, a quarter of a mile away from, and still in sight of, the bulldozed remains of their once substantial houses.

"Soon after the people moved into the tents the rain started. It was wet for weeks. Cooking had to be done in the tents, bedding was soaked and ruined, sanitary arrangements were appalling, and thieving was rife. It is said that at least five sewing machines disappeared from under the flaps of those tents—each one representing how many years of painful saving?

"If Besterspruit means anything, it will take a long, long time for any 'black spot' family to re-establish itself at anything like the same level of life to which it has struggled up over the years."⁶²

165. On 26 April 1963, Group Areas were announced for Nelspruit, Transvaal.⁶³ The declaration affected 400 Indian families.⁶⁴ The Indian community had argued, in earlier hearings, that Indians had pioneered in that fever-infested area and had arrived there in 1921.⁶⁵

166. On 24 May 1963, Pageview, one of the main Indian trading areas in Johannesburg for more than half a century, was declared a white area. Pageview, which had been set aside for non-whites in 1902, now includes almost 5,000 Indians, as well as some Malays, Coloureds and Chinese. Under the proclamation, the non-whites are required to vacate their residential

⁶² *Contact* (Cape Town), 3 May 1963. *Contact* reported further on 12 July 1963:

"During last week's cold snap there were still well over 100 tents occupied by African families at Vryheid, four months after their ejection from Besterspruit, one of Natal's 250-odd 'black spots'.

"Those who had been promoted from tents had been moved into wooden prefabs, usually of one small room (R1.50 per month) or two (R2.50 per month). Some large families have moved from houses of up to six rooms, and will have to stay in these prefabs for at least another year before a house is available. Their prefabs have no floors and it is against regulations to make fire in them."

⁶³ *Government Gazette*, 26 April 1963.

⁶⁴ The people of Indian and Pakistani origin are commonly referred to in South Africa as "Indians".

⁶⁵ *The Star* (Johannesburg), 26 April 1963.

25 January 1963—Group area for Coloureds in District of Johannesburg, Transvaal;

1 February 1963—Group areas for Coloureds in District of Johannesburg; for Whites, Coloureds and Indians at Barberton, Transvaal; for Whites at Elsburg, Transvaal; for Whites, Coloureds and Indians at Zeerust, Transvaal;

8 February 1963—Group areas for Whites at Brappan, Transvaal; for Whites at Westville, Natal; for Whites at Gordon's Bay, Cape;

15 February 1963—Group areas for Whites and Coloureds at Plettenburg Bay, Cape;

22 March 1963—Group areas for Whites at Goodwood, Cape Province;

26 April 1963—Group areas for Whites and Coloureds at Warrenton, Cape Province; for Indians at Nelspruit, Transvaal;

3 May 1963—Group areas for Whites at Epping Garden Village, Cape Province; for Whites and Coloureds at Sedgfield, Cape Province;

10 May 1963—Group areas for Whites at Queenstown, Natal; for Indians at Balfour, Transvaal;

24 May 1963—Group areas for Whites at Pageview, Transvaal; for Whites at Bethal, Transvaal;

7 June 1963—Group areas for Whites at Port Elizabeth, Natal; for Whites and Coloureds at Porterville, Cape; for Whites at Germiston, Transvaal;

26 July 1963—Group area for Whites at Elsburg, Transvaal;

2 August 1963—Group areas for Coloureds at Springfontein, Orange Free State; for Whites, Indians and Coloureds at Mafeking, Cape;

16 August 1963—Group areas for Coloureds at Blanco, Cape; for Coloureds at Richmond, Cape; for Coloureds at Bloemfontein, Orange Free State; for Coloureds at Parys, Orange Free State;

23 August 1963—Group areas for Whites and Indians at Heidelberg and Rensburgdorp, Transvaal;

30 August 1963—Group areas for Whites, Coloureds and Indians at Durban, Natal; for Whites and Indians at Potgietersrus, Transvaal; for Coloureds at Heilbron, Orange Free State.

⁶⁰ Whites are occasionally affected. The Minister of Coloured Affairs, of Community Development and of Housing told the House of Assembly that the 253 white families of Nancefield, near Johannesburg, were being moved out as the area had been declared a group area for the Coloureds. (Republic of South Africa, *House of Assembly Debates (Hansard)*, 28 May 1963, col. 6758).

⁶¹ Republic of South Africa, *House of Assembly Debates (Hansard)*, 22 February 1963, cols. 1773-1774; 15 March 1963, cols. 2817-2818; *The Senate of the Republic of South Africa, Debates (Official Report)*, 8 March 1963, col. 1445.

premises on three months' written notice and business premises on twelve months' notice. They are to move to Lenasia, more than twenty miles away.⁶⁶

167. Also on 24 May 1963, one of the streets in the town of Bethal, eastern Transvaal, was declared a white area. Bethal's Indian population of 365 is reported to be almost entirely dependent on the shops and stands in that street. The Indians have been there since before the First World War.⁶⁷

168. In June 1963, South End in Port Elizabeth was declared a white area. More than 6,500 non-whites, mostly of Indian and Pakistani origin, are affected.

169. The Government has announced plans to eliminate all family accommodation in the Alexandra township, Johannesburg, build eight hostels to house single Africans, men and women, and reduce the population from 50,000 to 30,000.⁶⁸ Alexandra Township, from its creation early in the century, has been recognized as an area in which Africans could acquire freehold rights, and the Government had repeatedly given assurances that these rights would not be disturbed. Both Africans and the Coloureds hold property rights in the township.⁶⁹

170. The Coloureds of the township, who number over 6,000, have been told that they would have to leave the area, and their spokesmen have expressed concern that they would be obliged to pay greatly increased rentals in the new townships for Coloureds to which they expect to be moved.⁷⁰ A "state of acute anxiety" is now reported to prevail in the township.⁷¹

171. Virtually the whole Rand is now covered by proclamations. *Contact*, the Liberal weekly of Cape Town, reported on 12 July 1963:

"The first effects of the Government's Group Areas 'speed-up' have passed, as thousands of Transvaalers of Indian birth or origin (some families go back four generations) see their future in ruins and know there is now no way out. They now await firm Government action directed to getting them out of their homes and businesses.

"Largely a trading community, especially in the country towns, they face certain ruin, in 90 per cent of cases, as they are to be moved miles from their present sites, into the open veld where their customers will dwindle away."

172. There will be two main areas for Indians, at Benoni and Lenasia, a new settlement twenty miles

⁶⁶ *Government Gazette*, 24 May 1963. On 28 May, the Johannesburg City Council decided to make representations to the Government to proclaim Pageview an Indian area. Members of the Council described the Government's decision as unjust, cruel and inhuman.

⁶⁷ *Government Gazette*, 24 May 1963; *The Star* (Johannesburg), 24 May 1963.

⁶⁸ Statements by Mr. M. C. Botha, Deputy Minister of Bantu Administration and Development, in the House of Assembly (Republic of South Africa, *House of Assembly Debates* (Hansard), 29 April 1963, cols. 4990-4997, and 20 May 1963, cols. 6308-6309). In order to facilitate these plans, the Better Administration of Designated Areas Act, 1963, was approved this year. Formerly a "designated area"—an area where Africans had acquired property rights and ownership to land—was exempt from "location regulations", influx control and labour and other regulations. Under this Act such an area may be administered and controlled as an ordinary municipal location despite the fact that Africans and not the local authority nor the Department own the land.

⁶⁹ About 2,000 African residents own freehold property in Alexandra (Republic of South Africa, *House of Assembly Debates* (Hansard), 13 April 1963, col. 4339).

⁷⁰ *The Star* (Johannesburg), 29 April 1963.

⁷¹ *Race Relations News* (Johannesburg), April 1963.

from Johannesburg. Thirty thousand Indians in Johannesburg will have to move to Lenasia. Long-established Indian families in Machadodorp, Belfast, Dullstroom, Ngotroom and Ventersdorp have been ordered to vacate. Two thousand five hundred Indians at Germinstown will be removed to Benoni, and "Lydenburg Indians are to be sent miles out of the town. They are believed to be destined for the 'coloured' location, whence the 'Coloureds' will have to uproot themselves".

173. Twenty thousand Indians and Coloureds on the East Rand will be resettled. In Johannesburg 60,000 Coloureds, many of whom are living in "white" areas, are being ordered to leave their homes and business and move to the Newclare—Coronationville—Bosmont complex on the West Rand or to Boksburg on the East Rand. In Germinstown, 4,500 Coloureds have been ordered to leave.

174. The Group Areas Act 1950, has also meant the abandonment of community institutions.

175. The Indian High School, the last remaining school for Indians in Johannesburg, with an enrolment of 600 pupils, was ordered by the Government to close this year; parents will be obliged to send their children to Lenasia, more than twenty miles away.⁷²

176. The Special Committee took note of a complaint dated 8 October 1962 from the Council of Muslim Unity and Progress that the Government had taken over the ownership of mosque property in Piet-Retief, though under Islamic law such property could not be sold, abandoned or exchanged. On 2 July 1963, the Eastern Province Muslim Judicial Council issued a statement expressing concern over the future of mosques in South End, Port Elizabeth, which was proclaimed a white area though it is predominantly inhabited by non-whites.⁷³ The proclamation of the group area in Pageview also affects a mosque.

177. This means removal of settled communities, involving large public expenditures, and has created serious hardship for the families which were uprooted and obliged to move to distant new locations, for no fault other than that the white areas of town encroached on the old boundaries and the Government is determined to impose its *apartheid* policies.

178. Even a supporter of the Government policies, Mr. T. R. Swartz, Chairman of the Council for Coloured Affairs, complained that the application of the Group Areas Act was causing "untold bitterness and unhappiness, especially among the older folk."⁷⁴

179. The people of Indian and Pakistani origin have been seriously affected and protested strongly against these measures.

180. In December 1962, Mr. Nana Sita, a 64-year-old Indian and former President of the Transvaal Indian Congress was sentenced to three months in prison for refusing to vacate a shop he had occupied for thirty years in a Pretoria suburb, now declared a white residential area (see A/AC.115/L.6, para. 25 and annexure B). He was again sentenced in April 1963 to six months in prison.

Removal of Africans from the Western Cape

181. In line with its policy of territorial separation, the Government has since 1955 announced its intention

⁷² *The Cape Times*, 1 May 1963. A protest march of 250 Indian students on 4 July was stopped by the police. (*Ibid.*, 5 July 1963).

⁷³ *The Cape Times*, 3 July 1963.

⁷⁴ *Ibid.*

to replace and remove the African population in Western Cape⁷⁵ and reserve the area for the Whites and the Coloureds.

182. In November 1962, the Minister of Coloured Affairs of Community Development and of Housing, Mr. P. W. Botha, announced the appointment of a standing Cabinet Committee, a permanent inter-departmental committee and a public committee to give effect to this decision.⁷⁶

183. The Rural Coloured Areas Act, 1963,⁷⁷ which came into operation on 21 June 1963, is designed not only to apply the policy of *apartheid* to the Coloureds but also to facilitate the Western Cape removal scheme.

184. The Western Cape now contains about 250,000 Africans, of whom about 100,000 live in the rural areas and the rest in the "greater peninsula". The number of African workers in industry in the area is approximately equal to the number of white workers.⁷⁸

185. The scheme has been opposed by many industrialists, farmers and political leaders. The United Party leader, Sir de Villiers Graaff, speaking in the House of Assembly on 28 May 1963, said that the National Party seemed to see the Western Cape as "the stronghold of white civilization" where the Whites in a kind of siege could make a last stand while there was trouble elsewhere.⁷⁹

186. Government spokesmen have stated that the removal of Africans would take place gradually and without any disruption of the economy.⁸⁰ The Minister of Bantu Administration and Development, Mr. M. D. C. de Wet Nel, told the House of Assembly on 28 May 1963 that the Africans would be absorbed in "border industries", particularly in the Ciskeian territory.⁸¹

187. The Minister of Coloured Affairs of Community Development and of Housing, has announced plans for the provision of facilities to meet the needs of Coloureds in the intensive farming areas of Cape Province, and thus counteract migration to the cities and ensure a permanent and efficient agricultural labour force. Villages would be established at suitable places to house coloured agricultural labourers. "Coloureds

will be employed progressively in these areas as the Bantu return to their own areas."⁸²

188. The Government has, meanwhile, pressed the expulsion of Africans in order to facilitate the implementation of the removal scheme: 2,135 African men and 846 African women were "endorsed out" of the Western Cape in 1962.⁸³

189. Mrs. Helen Suzman (Progressive Party) told the House of Assembly on 29 May 1963 that hundreds of African families in Cape Town were receiving notices that they did not qualify for permanent residence and that they should return their families to their "homelands" within a month.⁸⁴

*Bantu Laws Amendment Act, 1963*⁸⁵

190. An important new measure of segregation adopted this year was the Bantu Laws Amendment Act, 1963, known popularly as the servants act, which seeks to limit the residence of African workers, including domestic servants, on the premises of their white employers, but also contains other provisions which are reviewed later in this chapter.

191. The Minister is authorized to limit the number of living-in domestic servants to one per private residence or to forbid any African to stay within any white urban area overnight. All Africans not especially exempted must leave their homes in white areas and take up residence in a location, African village, hostel or "released or scheduled native area" (reserve). Exemptions may be withdrawn at any time.

192. The Deputy Minister of Bantu Administration, Mr. M. C. Botha, speaking in the House of Assembly, expressed the hope that it would be possible to implement the provision on limiting the number of living-in servants in 1964. Exemptions to the rules would then require licences from local authorities.⁸⁶

193. The Minister of Bantu Administration and Development, Mr. M. D. C. de Wet Nel, is reported to have told officials that eventually no African would be allowed to stay overnight in any white urban area.⁸⁷

194. United Party members opposed the legislation on the grounds that domestic servants would cost more if they had to live out and commute, and that many would lose their jobs, especially in their old age, and swell the ranks of the African unemployed. The Government's plan would affect tens of thousands of African servants. In Johannesburg alone, about 50,000 African servants are reported to live on their employers' premises.⁸⁸

⁷⁵ The Minister of Bantu Administration and Development, on 28 May 1963, defined Western Cape as bounded by Humansdorp in the south through Middleburg, Colesburg and Hope-town to Prieska (on the Orange River) and Namaqualand. (Republic of South Africa, *House of Assembly Debates* (Hansard), 28 May 1963, col. 6854).

⁷⁶ *South African Digest* (Pretoria), 29 November 1962.

⁷⁷ *Government Gazette Extraordinary*, 29 March 1963.

⁷⁸ The number of persons employed in industries in Western Cape in 1959-1960 was as follows:

Whites	24,569
Coloureds (including a small number of Asians)	55,164
Bantu	22,559

(Republic of South Africa, *House of Assembly Debates* (Hansard), 5 February 1963, cols. 763-764).

⁷⁹ *Ibid.*, 28 May 1963, col. 6808.

⁸⁰ Prime Minister Verwoerd said that the Government's policy of removing African labour from the Western Cape and replacing it by coloured labour and mechanization would not be allowed to wreck the region's economy. "It would be unthinkable to push a political line of action so far as to destroy what was built up in the economic sphere". He added that the Government would promote employment for the displaced Africans through the development of border industries. (*Southern Africa* (London), 3 May 1963, p. 346).

⁸¹ Republic of South Africa, *House of Assembly Debates* (Hansard), 28 May 1963, col. 6853.

⁸² *South African Digest* (Pretoria), 11 April 1963, p. 3.

⁸³ Republic of South Africa, *House of Assembly Debates* (Hansard), 1 February 1963, col. 630. While African residents of the Western Cape are being endorsed out, others are being brought in to work as migrant labourers. Government labour bureaux in the Transkei alone recruited 892 Africans in 1962 and 1,583 in the first three months of 1963 for work in the Western Cape. (Republic of South Africa, *House of Assembly Debates* (Hansard), 26 April 1963, col. 4896).

⁸⁴ Republic of South Africa, *House of Assembly Debates* (Hansard), 29 May 1963, cols. 6886-6887.

⁸⁵ See also paragraphs 222-227 of the present report.

⁸⁶ Republic of South Africa, *House of Assembly Debates* (Hansard), 17 June 1963, col. 7999.

⁸⁷ *The Star* (Johannesburg), weekly edition, 30 March 1963. At the Transvaal Province National Party Congress in Pretoria on 3 September 1963, eight branches urged a total ban on all Africans in white urban areas at night except for those engaged in essential services. (*The New York Times*, 4 September 1963).

⁸⁸ *The Star* (Johannesburg), weekly edition, 16 February 1963.

Restrictions on African trading in urban areas

195. While segregation restricts non-white trading in white areas, the Government is proceeding with a policy of eliminating African traders altogether from these areas.

196. The Department of Bantu Administration and Development sent a directive to all local authorities on 14 February 1963 curbing any further expansion of African private enterprise in urban areas with a view to transferring the African financial and trading concerns to the reserves.

197. The directive is reported to have stated: that no new dry-cleaning business, petrol filling stations or garages may be established in urban areas by Africans; that no African may own or establish a cinema; that while the existing pattern of ownership in the township would not be changed, no African may carry on more than one business in the future; that new African companies and partnerships may not be established; that African businessmen may not erect their own buildings; and that foreign-born Africans should not be granted trading rights in the future. All existing businesses which are not concerned with the supply of "domestic essentials" may remain until they can be closed or until their owners can be persuaded to transfer to Bantu "homelands".

198. Local authorities are asked to trace all moneyed and trained Africans and to encourage them to settle in the bantustans with the assistance of the Bantu Investment Corporation. All trade by Africans in white areas is to be banned. Where African townships are small and near enough to shops in white areas, even trade in "domestic necessities" would not be allowed.⁸⁹

199. Mr. Patrick Lewis, Chairman of the Non-European Affairs Committee of the Johannesburg City Council, condemned the Government action as a terribly retrograde step, which will make for much more unsettled conditions in the townships. He said that Africans in urban areas had always considered that they had a right to trade.

"Trading in urban areas has now become a privilege, not a right. . . . A steady, urban middle class should be built up in the townships. But there is no longer any incentive to Natives. As soon as a businessman is in a position to expand, he must move to the reserve."⁹⁰

Establishment of local bodies on the basis of race

200. With the progress of residential segregation, the Government has proceeded to set up local advisory bodies on the basis of race. A voice in local government, it may be recalled, is the maximum of political rights that the non-whites are offered.

⁸⁹ This directive may affect 7,850 African businesses established in African locations, according to figures supplied by the Minister of Information (Republic of South Africa, *House of Assembly Debates (Hansard)*, 23 April 1963, cols. 4535 and 4543-4544). The Minister of Bantu Administration and Development stated in the Senate on 10 June 1963: "Trading (in Bantu residential areas) is for the convenience of the inhabitants . . . in respect of essential consumer goods. . . . It has always been the Government's policy not to allow these traders to establish in the Bantu residential areas large business undertakings. . . . When a white trader can supply the essential consumer goods to a Bantu community . . . it will be absurd to allow a Bantu trader to trade. . . ." (*The Senate of the Republic of South Africa, Debates (Official Report)*, 10 June 1963, cols. 4131-4132).

⁹⁰ *The Star* (Johannesburg), weekly edition, 13 April 1963.

201. The Urban Bantu Councils Act, 1961, provided that an urban local authority may establish an urban Bantu council for a Bantu residential area or for Bantus who belong to any "national units". The councils, consisting of representatives of chiefs and elected members, were to be advisory and replace the Advisory Boards.

202. The establishment of these Councils was delayed pending the drawing up of comprehensive regulations.⁹¹

203. The Bantu Laws Amendment Act, 1963, includes further provisions on the Urban Bantu Councils. It, *inter alia*, provides that the Minister, after consultation with the local authority may abolish any Urban Bantu Council.

204. Meanwhile, Advisory Boards exist in certain African townships. In Johannesburg, for instance, each board has six members—two nominated by the Johannesburg City Council and four elected by the tenants of the houses in the township. The function of these boards is to advise the city council on matters affecting the Bantu tenants and on expenditures from the Bantu Revenue Account.

205. The Transvaal Provincial Council approved an ordinance to provide for consultative committees for Coloureds and Indians in locations established under the Group Areas Act, 1950; voting qualifications would be determined by property and occupational requirements.⁹² Five such committees were approved for the Indian and coloured locations in Pretoria and Johannesburg.⁹³

206. The Rural Coloured Areas Act was promulgated this year and came into operation on 21 June 1963.⁹⁴ This Act consolidates and amends existing legislation in rural areas reserved exclusively for the coloured population. It provides for the removal from these areas of all non-Coloureds and establishes a comprehensive system of local government in rural coloured areas through boards of managements, in part elected by the coloured community, in part appointed by the Minister of Coloured Affairs of Community Development, and of Housing, and under the chairmanship of the magistrate or other appointee of the Minister.

207. In August 1963 the Cape Provincial Administration established machinery for limited self-government for communities of Coloureds in the Cape. Management committees with purely advisory powers are to be established and will be consulted on certain matters by local authorities. The Provincial Administrator will appoint the five members of all management committees and will determine the duration of their appointments. Eventually committees will consist of three appointed members and a maximum of two elected members.⁹⁵

Pass laws and influx control measures

208. The pass system has often been described as perhaps the most serious grievance of the African people as it restricts their freedom of movement at every turn and is regarded as deeply humiliating. Over the years, the African people have staged numerous

⁹¹ Republic of South Africa, *House of Assembly Debates (Hansard)*, 29 January 1963, col. 368.

⁹² *South African Digest* (Pretoria), 29 November 1962.

⁹³ *The Star* (Johannesburg), 14 May 1963; *South African Digest* (Pretoria), 22 May 1963.

⁹⁴ *Government Gazette Extraordinary*, 29 March 1963.

⁹⁵ *South African Digest* (Pretoria), 22 August 1963.

protests against the passes, regarded by them as "badges of slavery", including the demonstrations at Sharpeville and other areas in 1960.

209. Under the Natives (Abolition of Passes and Co-ordination of Documents) Act, 1952, the National Party Government replaced the passes of the Africans by a reference book and provided for identity cards for all the rest of the population.⁹⁶ While non-Africans rarely suffer penalties for non-possession of identity cards, the Africans are humiliated.

210. The reference books contain permits to remain in an urban area, tax receipts and other particulars. Failure to produce the book on demand is a criminal offence. Hundreds of thousands of Africans are convicted every year and are fined, imprisoned or sentenced to corporal punishment for pass offences.

211. One of the main purposes of the pass laws is "influx control"—control of movement of Africans into "white areas".

212. Under section 10 of the Natives (Urban Areas) Consolidation Act, 1945, influx control applies to every African location under the jurisdiction of a local authority, as defined in the Act. In addition, influx control is exercised in most urban areas under the Registration Regulations (Government Notice No. 1032 of 1949) and the Labour Bureaux Regulations (chapter V of Government Notice No. 63 of 1959), made pursuant to section 23 of that Act. In the smaller towns, section 10 (influx) permits have to be obtained from the office of the Town Clerk or the Secretary of the Health Committee concerned.⁹⁷

213. Africans found in white areas without permits are taken to courts, for fine or imprisonment, and expelled. Juvenile offenders may be sentenced to whipping.

214. The operation of the pass system frequently leads to untold suffering for the victims, as husbands and wives may be forcibly parted, mothers of small children may be suddenly jailed and relatives may not hear from the victims for months, for no crime other than the accidental misplacing of the reference book. A number of pathetic stories of the results of implementation of the pass system have been recorded.⁹⁸

215. The present Government has used influx control and pass laws increasingly to prevent the settlement of Africans in urban areas with their families. As Mr. D. B. Molteno observed recently, the effect of influx control was to create a helot class of African workers. "To create this helot class is to create a monster which is capable, if it goes on for long enough, of destroying any society."⁹⁹

216. The regulations have been strengthened during the period under review.

217. On 1 February 1963, Whites, Coloureds and Asians were required to be in possession of identity

cards.¹⁰⁰ Production of the card may be demanded by a peace officer, and identity numbers are required for registration of voters.¹⁰¹

218. More serious was the requirement that all African women in white areas must carry reference books from 1 February 1963. Thus, after 1 February 1963, it became compulsory for all sections of the population to possess identity cards or reference books. The full extension of the pass system to African women has always been strongly resented by Africans, and the subjection of women to such procedure may have serious consequences for their families.¹⁰² As early as 1913, when the Orange Free State attempted to introduce passes for women, the women led demonstrations against it and the laws were revoked after the protesters filled the jails to overflowing.

219. The Government proceeded to issue reference books to African women but delayed the date when they would be legally forced to carry them. Women have been trying to trace their former employers for the past fifteen years in order to establish their right to residence in urban areas.

220. Since 1955 attempts to induce women to carry reference books have resulted in many lives being lost in demonstrations.

221. The *Government Gazette* of 26 October established 1 February 1963 as the date on which all African women must carry reference books in white areas. A protest meeting and demonstration of African women in Johannesburg, scheduled for 1 February, was banned.

*Bantu Laws Amendment Act, 1963*¹⁰³

222. The Bantu Laws Amendment Bill, originally published in February 1963, provided for a very strict control over the movement of Africans into urban areas and the denial of all rights of residence to urban Africans.¹⁰⁴ The Bill aroused widespread opposition and an abridged version was later introduced in Parliament and approved.

223. Even the Act as approved considerably extends the powers of the Minister of Bantu Administration and Development to control the movements and residence of Africans outside the reserves and to reverse or nullify decisions of urban local authorities. Officers of the Department of Bantu Administration and Development "may summarily eject" any African from

¹⁰⁰ *Government Gazette*, 26 October 1962. Non-Africans do not commit a criminal offence if they fail to show an identity card on demand—they are given one week to present the card at the nearest police station or on refusal to do so, sentenced to a maximum fine of 100 rand. By 31 January 1963, identity cards had been issued to 2,149,935 Whites and 938,381 persons in the coloured group (including Asians). By that date, 8,285,674 persons in the Bantu group had been supplied with reference books (Republic of South Africa, *House of Assembly Debates (Hansard)*, 12 February 1963, cols. 1149-1150).

¹⁰¹ *Southern Africa* (London), 11 January 1963, p. 25.

¹⁰² Mothers of small children may be suddenly arrested. Also, husbands and wives may be arrested separately and expelled to their respective "homelands" which may be hundreds of miles apart. A mother may be "endorsed out" even though her child was born in the city. If she takes the child with her, the child loses the right to return to the city without special permission.

¹⁰³ See also paragraphs 190-194 of the present report.

¹⁰⁴ Under the Native (Urban Areas) Consolidation Act, 1945, an African can establish a right of residence in an urban area if he was born in the area, or could prove continuous residence for fifteen years and continuous employment with one employer for ten years.

⁹⁶ Identity cards and reference books are given free of charge. If a reference book is lost, however, a fee of two rand is charged for a duplicate reference book; the Director of the Bantu Reference Bureau may waive the fee if he is satisfied that the applicant is a pauper or that he could not prevent loss or destruction of the book by reasonable care. (Republic of South Africa, *House of Assembly Debates (Hansard)*, 26 February 1963, col. 1961.

⁹⁷ Republic of South Africa, *House of Assembly Debates (Hansard)*, 19 February 1963, cols. 1567-1569.

⁹⁸ See for instance: E. H. Brookes and J. B. Macaulay, *Civil Liberty in South Africa* (London, Oxford University Press, 1958); Muriel Horrell, *The "Pass Laws": A Fact Paper* (South African Institute of Race Relations, 1960).

⁹⁹ *Race Relations News* (Johannesburg), May 1963.

any location, native village or native hostel if his presence is deemed "undesirable".

224. "Foreign Africans", who form the bulk of the labour force in the mines and in many agricultural districts, are severely restricted. All Africans not born in the Republic or South West Africa are forbidden to enter, remain or work in any rural area, and employers are forbidden to employ them without express permission from the Department. Similar provisions are in force in regard to urban areas under section 12 of the Urban Areas Act, 1945 (see paragraphs 267-271 of the present report).

225. Defending the Bantu Laws Amendment Bill, Mr. F. S. Steyn (National Party) stated:

"This party simply adopts the historical point of view of the realities, rather than the formal legal point of view, namely that the urban Bantu are indeed subjects of the Republic, but not fellow-citizens in the full sense of the term, legally and socially, that they are more in the nature of foreigners who incidentally happen to fall within the same State constitutionally, people who belong to another country. Accordingly they are subject to restraints. . . ."¹⁰⁵

226. The Deputy Minister of Bantu Administration and Development, Mr. M. C. Botha, referred to the area outside the reserves as

"the homelands of the Whites, where the Whites have the sole right and where the Whites have unlimited opportunities and where the Bantu are of secondary importance."¹⁰⁶

227. The United Party opposed the Bill on the ground that it was further evidence that the Government regarded "the entire Bantu population, except those employed in the reserves, . . . as a floating mass of labour material which can be divided from time to time into labour units, with no right at all to permanent residence in and around our big industrial areas".¹⁰⁷

Convictions under pass laws and influx control regulations

228. One of the most striking features of the racial policies of the Republic of South Africa is the multitude of convictions under the numerous laws and regulations which restrict the freedom of movement and residence of the African people in the urban areas. According to the Department of Justice, the number of convictions under these laws in 1962 was 384,497. Over a thousand Africans have been hauled into court and convicted every day under laws which deny them the right of free movement in their country. (The total convictions in the previous decade was 3,886,568.)¹⁰⁸

¹⁰⁵ Republic of South Africa, *House of Assembly Debates (Hansard)*, 17 June 1963, col. 8013.

¹⁰⁶ *Ibid.*, col. 8007.

¹⁰⁷ *Ibid.*, 6 May 1963, col. 5367.

¹⁰⁸ Total number of convictions under pass laws and influx regulations:

1951	232,420
1952	264,324
1953	288,439
1954	314,208
1955	337,604
1956	356,812
1957	565,911
1958	396,836
1959	413,639
1960	340,958
1961	375,417
	3,886,568

Source: *Annual reports of the Commissioner of Police (from Race Relations News (Johannesburg), July 1963).*

229. A classification of these convictions indicates the nature of the laws and the character of the offences.¹⁰⁹

Contraventions of the curfew regulations (non-possession of night passes)	37,960
Foreign Bantu unlawfully entering urban areas . . .	13,774
Contravention of the Bantu Reception Depot regulations (e.g., entering urban areas without permission)	1,060
Bantus unlawfully returning to urban areas after being removed therefrom	355
Contravention of the laws relating to registration and production of documents (e.g., not showing registration book on demand, or registration book imperfectly completed)	125,256
Offences under the Natives (Urban Areas) Consolidation Act, 1945 (e.g., seeking work without permission, entering or remaining in urban areas for more than seventy-two hours without authority)	40,320
Contravention of the location mission station and Bantu reserve rules and regulations (e.g., unlawfully being in one of these areas)	93,695
Offences under the Native Trust and Land Act, 1963 (e.g., unlawfully entering a Trust Territory)	6,091
Offences under the Natives Taxation and Development Act, 1925 (non-production of tax receipts) . .	54,237
Offences under the pass laws (non-possession of permission to undertake a journey)	9,026
Contravention of the squatters laws and control of squatters	1,186
Offences under the Native Administration Act, 1927, where not otherwise defined	619
Offences under the Natal Code of Native Law (a Zulu tribal code applied independently in Natal) . .	814

230. As Mrs. Helen Suzman, Progressive Party member of Parliament, commented:

"They go to jail or pay fines they can ill afford because of minor infringements of the dozens of laws which control every aspect of their lives.

"These laws which do not apply to other races, laws which restrict their right to sell their labour in the best market, to move freely around the country of their birth and to live with their families.

"White South Africans should ponder on their own reactions if they were hauled off to jail for not paying taxes or for looking for work in the towns.

"Maybe then they would realise why pass laws and influx control are the greatest causes of racial friction in our country."¹¹⁰

231. The rate of convictions has tended to increase since 1960 when they were substantially reduced by official policy decision. In August 1960, following the Sharpeville incident and the widespread African protests against the pass system, the Commissioner of Police stated that Africans would not be arrested merely for the non-possession of the "reference books", provided that they could give a satisfactory explanation. The present increase in convictions has taken place, despite police insistence that they were continuing that policy.¹¹¹

232. In fact, the number of prosecutions by the police are only a fraction of the total convictions—a

¹⁰⁹ *Race Relations News (Johannesburg)*, July 1963.

¹¹⁰ *Ibid.*

¹¹¹ A Police Department spokesman was reported to have stated recently: "Our department is sticking to this policy and is anxious to maintain good relations between the Bantu and the police. Our policy is not to lock up people indiscriminately." (*Race Relations News (Johannesburg)*, July 1963).

little over one-thirtieth in 1962. The vast majority of prosecutions were by officials of local authorities, peri-urban boards and the other official bodies.¹¹² In other words, the problem is not only the particular legislation of the Government of the Republic of South Africa, but the entire system of administration under a policy which denies the majority of the people their share of voice in political institutions.

Expulsions from white areas

233. The urban Africans are in constant dread of being "endorsed out" of the towns and sent to the reserves. Such orders seem to have greatly increased as the Government proceeds even more vigorously with its *apartheid* policies. In 1962, 4,254 Bantu women and 677 Bantu children were "endorsed out" of Bantu townships in Johannesburg.¹¹³

234. *The Star*, Johannesburg, reported on 10 June 1963 two case histories, narrated by an African social worker, which disclose the hardships encountered by the urban Africans.

"The parents of two young boys were both working in the city to make ends meet, so they sent their children to their grandparents in the country to be properly brought up and educated.

"When the children had finished school and were old enough to work, they found there was no work for them in the country, so they were brought to Johannesburg. But in Johannesburg they were 'endorsed out' because they had not lived in the city. And when they returned to the country they were 'endorsed out' of that district, where they had spent their childhood because they were born in Johannesburg.

"Legally they are not living anywhere—they are displaced persons. So what do they do? They live illegally with their parents in Johannesburg, lying low by day and roaming the streets at night—workless, shiftless, malnourished and hopeless.

"Another boy lived in the country with his parents until they both died and he came to Johannesburg to live with an uncle. He was caught in a pass raid and 'endorsed out' of Johannesburg because he was not born there and had not lived there for 10 years.

"He was told to go back to the place in the country, but he had lost touch with the people there since the death of his parents and no longer knew anybody who could give him a home. He is only 17. So he continues to live illegally with the uncle, hoping not to be 'picked up', and his uncle supports him.

"What does the future hold for him? Will his uncle have to support him in idleness for the rest of his life?

"Is it any wonder that many of them became tsotsis—even criminals?"

Discrimination in employment and denial of trade union rights¹¹⁴

235. An integral part of the *apartheid* policy is the preservation of the skilled and higher-paid professions to the Whites and the limitation of African workers to unskilled and low-paid occupations.

¹¹² *Race Relations News* (Johannesburg), July 1963.

¹¹³ Republic of South Africa, *House of Assembly Debates* (*Hansard*), 5 February 1963, col. 744.

¹¹⁴ See also memorandum dated 4 September 1963 from the International Labour Office, annex VI to the present report.

236. Through the implementation of this policy, the Republic has provided for its white inhabitants one of the highest standards of living in the world, while the non-whites earn only a fraction of white earnings.

237. As the Economic Commission for Africa noted in paragraph 391 of its study on economic and social consequences of racial discriminatory practices:

"In the field of labour, numerous discriminatory laws and practices exist to regulate the geographical and occupational mobility of labour and to bolster the privileged position of distinct racial groups. We have seen the various instruments employed to effect the industrial colour bar: devices such as racial job reservations, 'pass laws' to control movement of labour and channel it to depressed or economically unattractive areas, migratory labour practices, extraterritorial recruitment of labour, racially restrictive trade union laws and practices and differential wage rates. The discriminatory practices in this field have aimed principally at protecting the European or settler labour market, to avoid competition by non-Europeans, and to secure a steady and abundant supply of unskilled and so-called 'cheap' labour at subsistence or near-subsistence wage levels."¹¹⁵

238. Recent data concerning job reservations, denial of trade union rights to non-whites and the preference shown to Whites in the public service are noted below.

Job reservation

239. Laws were enacted in South Africa as early as 1911 providing that skilled jobs in the mining industry were open only to Whites. The National Party Government has extended this system widely into industry.¹¹⁶

240. The Industrial Conciliation Act, 1956, provides for the reservation of occupations for particular racial groups.¹¹⁷ Though the Government claims that this provision is implemented only to maintain the *status quo* and prevent displacement of workers from their traditional occupations by the undercutting of wages, the non-whites have protested that it is meant to prevent their advancement.

241. As the Whites monopolize the political power, their interests are paramount when there is competition among racial groups. The non-whites can never be certain of being able to utilize the skills they have acquired or seek to acquire.

242. In 1962, five work reservation determinations (Nos. 9-13) were made in terms of the Industrial Conciliation Act. According to incomplete figures, 636 non-whites were affected. In some cases, existing employees may continue at their trades; ten Bantu lost their employment as a result of Determination No. 9.¹¹⁸

243. Several of the recent Work Reservation Determinations (Nos. 6, 7 and 11) prohibited Africans from driving motor trucks in excess of a specified weight.

¹¹⁵ *Economic and Social Consequences of Racial Discriminatory Policies* (United Nations publication, Sales No.: 63.II.K.1.)

¹¹⁶ Job reservations, it may be noted, are opposed by the United Party which advocates a "rate for the job" as adequate protection, and by many industrialists. The trade unions are divided: the all-white Co-ordinating Council of Trade Unions supports reservation. The South African Trade Union Council, mainly white, opposes job reservation, as does the South African Congress of Trade Unions which is composed largely of African unions.

¹¹⁷ Non-whites were already debarred from many apprenticeship programmes.

¹¹⁸ *The Senate of the Republic of South Africa, Debates* (*Official Report*), 5 March 1963, col. 1272.

The Industrial Tribunal had found that European motor vehicle drivers in certain industries and areas were being ousted by non-Europeans and that they were entitled to protection. Thus, Work Reservation No. 6 limited non-white drivers to trucks of a maximum unladen weight of 6,000 lb. in the building industry. Determination No. 7 limited them to under 6,000 lb. in the engineering industry (hollow-ware section). Determination No. 11 limited them to under 10,000 lb. in four magisterial districts.¹¹⁹

244. On 9 November 1962, the Government announced reservation of the following skilled jobs in the building industry in the urban areas of Cape and Natal for white persons, as of 9 May 1963.¹²⁰

Durban, Inanda, Pinetown, Pietermaritzburg, Richmond, New Hanover, Camperdown, Lions River: carpentry, joinery, wood-machining, plastering, plumbing, electrical wiring, office and bank fitting;

Vryheid, Dundee, Kliprivier, Estcourt, Newcastle, Utrecht: bricklaying, plastering, painting, plumbing, electrical wiring, office and bank fitting, carpentry, joinery, wood-machining;

East London: all trades excluding asphaltting;

Port Elizabeth: electrical wiring, plumbing, sign-writing, joinery, wood-working, wall and floor tiling, office and bank fitting;

Albany: joinery, wood-working, electrical wiring, plumbing, metal working, office and bank fitting;

Queenstown: plumbing, joinery, wood-working, electrical wiring, office and bank fitting;

The Cape, Wynberg, Simonstown, Bellville, Paarl, Wellington, Stellenbosch, Somerset West, Worcester: stonemasonry, marble masonry, joinery, wood-machining, electrical wiring, letter cutting, stone decorating, office and bank fitting.

245. These reservations have particularly affected coloured artisans: the existing coloured workers would be allowed to continue, but they cannot move to other cities where reservation applies and no further coloured workers would be permitted.

246. On 5 April Mr. M. D. Arendse, a coloured leader, proposed in the Council for Coloured Affairs that:

"the Council issue an ultimatum requiring the Government to withdraw all job reservation determination applying to the coloured people, within a very limited period, failing which the Council will regard itself as having no weight with the Government and accordingly will find itself unable to continue as a body representative of the coloured people".

In putting the motion Mr. Arendse said:

"Job reservation may be politically expedient, but it is morally wrong and is unjustified and unchristian... (It) is intended to preserve the white man's monopoly of political and economic power. This is a very harsh policy. Its effect cannot but be harmful to the economic growth and good relations between coloured and white groups. If applied on a wide scale it will link occupation to race in a rigid caste system in which the coloured and African people will be permanently excluded from occupations that have prestige value and are important to the national economy".¹²¹

¹¹⁹ *Ibid.*, 8 March 1963, col. 1446.

¹²⁰ *Government Gazette Extraordinary*, 9 November 1962, Republic of South Africa, *House of Assembly Debates (Hansard)*, 5 February 1963, col. 748; *ibid.*, 5 March 1963, col. 2129.

¹²¹ The motion was opposed, mainly by the fifteen nominated

247. Mr. R. G. Simmons, Secretary of the Western Province Workers' Union, consisting of 3,000 coloured workers, protested on 29 April 1963 that the purpose of the reservation "was to let it be known that coloured citizens are not a part of this country, but slaves who can stay with limited privileges. Determinations like this one are a constant source of worry for our artisans and their children".¹²²

248. *The Cape Times* commented on 1 May 1963:

"We hear with a certain sickening frequency of coloured workers having former avenues of work closed off by job reservation. It was inexcusable enough when they were prevented from being firemen and traffic constables, but the latest reservation of seven skilled crafts in the building trade are quite blatantly unjustifiable. Not only have the coloured people of the Cape been linked with the building trade at all levels for centuries, but the very areas in which the new reservations apply are predominantly coloured. We cannot blame the coloured workers for feeling shockingly treated".

249. Effective 22 July 1963, the occupation of barmen in European bars has been reserved for white persons in the municipal areas of Durban and Pietermaritzburg,¹²³ where there are a number of Indian barmen. A protest was sent to the Minister of Labour by the Hotel Association of Pietermaritzburg.¹²⁴

250. The Industrial Tribunal is currently investigating the following five industries with a view to proclaiming job reservations:¹²⁵

Motor vehicle driving	Transvaal, Orange Free State and Natal
Liquor, catering, private hotel and boarding house trade	Western Cape and Natal
Furniture manufacturing	throughout the Republic
Footwear industry	throughout the Republic
Motor assembly industry	throughout the Republic

Denial of trade union rights

251. Such blatant discriminatory measures as job reservation are facilitated by the fact that the Africans have no political rights and, indeed, are denied even trade union rights.

252. African trade unions cannot be registered and cannot make use of the machinery provided by the Industrial Conciliation Act, Africans are forbidden to engage in collective bargaining.¹²⁶

253. African workers are not permitted to strike. Penalties reach a fine of 1,000 rand, three years' imprisonment, or both.¹²⁷ Breach of contract is a criminal offence.

254. Such legal restrictions have been imposed largely for political reasons. Growing opposition in trade unions to such measures has recently been reported.

255. The Trade Union Council of South Africa, representing 174,000 union members, has recently ad-

members of the twenty-seven member Council. After the intervention of the Minister of Coloured Affairs, of Community Development and of Housing, the Council appointed a committee to seek an interview with the Minister of Labour. (*Contact* (Cape Town), 19 April 1963).

¹²² *The Cape Times*, 30 April 1963.

¹²³ *Government Gazette Extraordinary*, 18 January 1963.

¹²⁴ Republic of South Africa, *House of Assembly Debates (Hansard)*, 1 February 1963, col. 624.

¹²⁵ *Ibid.*, 24 May 1963, col. 6578; *Government Gazette*, 26 July 1963.

¹²⁶ Industrial Conciliation Acts of 1956 and 1959.

¹²⁷ Native Labour (Settlement of Disputes) Act, 1953.

mitted some African unions and African representatives attended its conference in Durban in May 1963. The Conference resolved unanimously that all workers should have the right to register their unions, and that the job reservation clause (section 77 of the Industrial Conciliation Act) should be repealed.¹²⁸

256. The South African Congress of Trade Unions, which includes mainly the African Unions, has suffered from repressive measures: a large number of its leaders were detained under the General Law Amendment Act, 1963.

	Public services				Total
	Republic	South West Africa	Department of Transport	Permanent force	
White men	124,975	3,203	108,398	12,310	248,886
White women	57,181	1,332	4,921	1,115	64,549
Non-white men	80,126	10,387	106,315	6,505	203,333
Non-white women	21,869	1,017	74	25	22,985

Source: *Senate Debates*, 1 February 1963, col. 272; and 8 February 1963, cols. 451-452.

Other apartheid measures

Race classification

259. Classification of the population by race continued to evoke serious discontent, especially in view of recent reports that a number of coloured families had been reclassified as Whites.

260. On 24 April 1963, Mr. George Golding, a coloured headmaster, referring to reports that more than 300 coloured families in the Western Cape had been reclassified as Whites since January, said that resentment among the coloured people was snowballing and that the procedure was "viciously cutting into family life". He quoted an instance of a former pupil at his school who had been reclassified: half his family were still officially classified coloured and could have no social contact with the white section. Many coloured children, themselves dark-skinned, had been taken out of coloured schools and sent to white schools because their parents had been reclassified. Without realizing the hurt they caused, these children refused to play with their former playmates.

261. Mr. Golding added that he did not believe that coloured people would seek reclassification if it were not for material inducements. Coloured teachers, for example, were paid 60 to 80 per cent of the salaries for Whites with identical qualifications.¹²⁹

Immorality Act

262. The Immorality Act, which prohibits mixed marriages and carnal intercourse between members of different races, is regarded as an important measure of *apartheid*. A number of cases in this connexion continue to be reported. The Minister of Justice informed the House of Assembly that in 1961, 801 persons (including 425 Whites) had been charged under the provision prohibiting intercourse between the races; 389 had been found guilty.¹³⁰

Apartheid in sports and professions

263. Although mixed sports are not prohibited by law, Government leaders have pressed sports associa-

Employment in public services

257. In the public services, the Whites not only monopolize the higher levels but also enjoy a disproportionate share of the total number.

258. The employment by race in the public services (including State and Provincial Education Departments), the Department of Transport (including the Perishable Products Export Control Board) and the various arms of the permanent force, at the end of 1962, was as follows:

tions to segregate members by race. The South African Broadcasting Company has followed a policy of not reporting mixed sports.¹³¹ Passports and other facilities have been denied to mixed teams and legislative measures have been threatened unless the associations comply with Government policy.¹³²

264. Segregated sports facilities have been established under the Group Areas Act and local bodies have prevented mixed sports.¹³³

265. Such measures have led to proposals in international organizations to exclude South African teams.

266. Government leaders have also exhorted professional associations to segregate their members by race. Such segregation would seriously affect the negligible number of non-white members in learned associations.

Expulsion of foreign Africans

267. While encouraging white immigration by various inducements, the Government has sought to restrict entry of foreign Africans and to expel those already in the country.

268. Large numbers of Africans from neighbouring colonial territories have traditionally come to South Africa in search of work—particularly in the mines and farms—because of the neglect of the economies of their own countries. Many entered under contracts, but many thousands enter illegally every year. Recently, following the changed political relationships with the neighbouring countries, the Government has sought to

¹³¹ Early this year, when Mr. Sewsunker "Papwa" Sewgolum, an Indian, won the Natal Open Golf Championship, the radio did not report the event. He was obliged to receive the trophy in the rain as he was not permitted, under the *apartheid* laws, to enter the clubhouse. *Sports Illustrated* (Chicago), 18 February 1963.

¹³² The Minister of the Interior announced on 5 February 1963: "If in future (Government policy) is not complied with . . . then the Government will introduce legislation which will clearly determine this positive policy . . ." (Republic of South Africa, *House of Assembly Debates (Hansard)*, 5 February 1963, col. 753).

¹³³ The municipalities of Vereeniging and Bloemfontein decided to ban non-Whites from their main sports stadiums. About 15,000 African soccer fans in Johannesburg prevented attempts by the City Council to stop multiracial soccer matches on the Indian sports grounds: the matter was taken to the Supreme Court. (The Institute of Race Relations (London), *News Letter*, May 1963).

¹²⁸ *The Star* (Johannesburg), 21 May 1963.

¹²⁹ *The Cape Times*, 25 April 1963.

¹³⁰ Republic of South Africa, *House of Assembly Debates (Hansard)*, 5 February 1963, col. 745.

restrict the influx of these Africans on the grounds of the unemployment of non-whites in South Africa.

269. The report of the Froneman commission of inquiry into foreign Bantu was tabled in Parliament in January 1963. It noted that there were 836,000 foreign Bantu in the country in September 1960, of whom 186,000 were women and dependants. About half of the men (312,344) were working in the mines.¹³⁴

270. The report urged that the influx of the foreign Bantu should be frozen, subject to exceptions by the Minister, but that obligations under agreements with neighbouring territories must be honoured; that the duty period of an incoming Bantu should be limited to a maximum of eighteen months; that unemployed foreign Bantu should forthwith be repatriated with their dependants; that an inter-departmental committee should undertake the repatriation of all foreign Bantu women and children; and that all foreign Bantu who were employed should be replaced systematically by indigenous labour in all sectors of the economy with the object of completing this task within a period of five years. The report warned that a serious replacement problem could develop, particularly in mining and agriculture, as the indigenous Africans prefer to seek work in urban areas and may find better work opportunities and higher wages as the economy expands.¹³⁵

271. Immigration restrictions were imposed from 1 July 1963, and a number of new posts were established on the borders of the protectorates.

Other measures

272. Finally, reference may be made to certain recent measures which represent a deviation from the pattern of *apartheid* practice.

Designation of Africans

273. Government leaders have recently expressed concern over the effect of discourtesy or rudeness by the Whites, especially officials, towards Africans.

274. Mr. W. W. M. Eiselen, the South African Bantu Commissioner for the North, stated before a conference in Pretoria: "We are sabotaging our own policy towards the African by the rudeness and wrong approach of officials, police and men in the street. This is most dangerous sabotage". Appealing for good relations between Africans and Whites, Mr. Eiselen said that while it was easy enough to get good relations between African officials of the State and Government, it was not so easy to cement good relations between officials and the masses of African people. The task was to educate youth so that racial groups lived as good neighbours.¹³⁶

275. He added that mention had been made frequently of heavy handed methods used by the police

in dealing with Africans, or of discourteous behaviour by other officials.

"Today when relations between groups are strained the question is not asked 'how can we make friends with these people,' but rather, 'how can we best fight them'.¹³⁷

276. One recent concrete measure recently reported in this connexion was the decision by the Johannesburg City Council on 1 May, banning the use of the word "boy" to designate any of its several thousand African employees. A report submitted to the Council said that Africans resent the word "boy". The word would be deleted from all Council documents.¹³⁸

Liquor laws

277. Under the liquor laws before 1961, Africans were prohibited from obtaining liquor, except the weak "kaffir beer" sold at Government beer halls. The illegal sale of liquor and the spread of illicit drinking parlours ("shebeens") created a serious problem of law enforcement. Almost 25 per cent of the arrests and prosecutions in the country were for liquor offences. In 1960, 312,520 liquor cases went to court.

278. Under the Liquor Amendment Act, 1961, all Africans over eighteen were permitted to purchase liquor and provision was made for the establishment of bars in African locations.

279. The new move was said to be a result of the urgings of the police and a minor concession in response to African resentment. It was, moreover, beneficial to grape farmers and distillers.

280. The Deputy Commissioner of Police, Brigadier R. J. van den Bergh, said in November 1962 that the lifting of restrictions on the sale of liquor to Africans had eased police relations with Africans and relieved the police for other duties. Previously, most police constables had spent a considerable part of their time investigating contraventions of the Liquor Act and coping with attendant red tape, including court appearances.¹³⁹

Admission of Chinese patients to hospitals

281. The Government has also been obliged to depart occasionally from strict application of its policies because of administrative and other difficulties.

282. The Department of Hospital Services instructed provincial hospitals to treat Chinese patients as Whites when their living standards, status, and "other relevant circumstances" seemed to merit it. The Department urged hospitals to be tactful and to give special attention to Chinese in the Consular Service. A spokesman for the Johannesburg General Hospital said that "a fair number" of Chinese patients had been admitted to white wards and that there had been no objections.¹⁴⁰

E. Apartheid in Education

283. One of the most significant aspects of the policy of *apartheid* of the Government of the Republic of South Africa is its determined effort to bring educa-

¹³⁴ There are 270,000 foreign Bantu working on farms in South Africa. The total number living on farms is 400,000 (*South African Digest* (Pretoria), 27 June 1963).

¹³⁵ *South African Digest* (Pretoria), 31 January 1963. A new Bill seeking additional powers to arrest, prosecute and deport illegal aliens now in the country, as well as prohibit persons who try to enter without passport, was published on 23 January 1963. Under this Bill, all persons who are not South African citizens and who have no right of permanent residency would be compelled to have a temporary permit or an exemption. Those who fail to apply for the necessary documents would be liable to a prison sentence of up to six months. Tens of thousands of aliens would be affected by this measure.

¹³⁶ *Southern Africa*, 10 May 1963, p. 361.

¹³⁷ *The Times* (London), 11 April 1963. See also paragraph 346 of the present report.

¹³⁸ Reuters, 1 May 1963.

¹³⁹ *South African Digest* (Pretoria), 22 November 1962.

¹⁴⁰ The Chinese community is larger than the Japanese, which has been treated as white since last year when South Africa began expanding trade and diplomatic relations with Japan. Reuters, 14 May 1963; *The Star* (Johannesburg), weekly edition, 18 May 1963.

tion under Government control, segregate the educational system on the basis of race and tribe, and train the non-whites for the inferior position assigned to them by Government policies.

284. A major step in this direction was taken in 1953 with the promulgation of the Bantu Education Act transferring responsibility for African education (except higher education) from the provincial governments to the Central Government, and granting wide powers to the Minister of Native Affairs¹⁴¹ over both Government and private schools.

285. All African schools are required to be duly registered, and registration may be refused if the school is considered to be "not in the interest of the Bantu people or any section of such people, or is likely to be detrimental to the physical, mental or moral welfare of the pupils". The Minister is vested with powers to make regulations concerning the code of discipline for teachers, the courses of training, the medium of instruction, the control of funds and the establishment and composition of school boards.

286. The legislation was deliberately designed to reform education in accordance with *apartheid* policies. The Government claimed that by training pupils in European ideals, the educational system created the vain hope that the Africans could occupy positions in the European community in spite of the country's policy, and thus led to frustration. Mr. Verwoerd, then Minister of Native Affairs, stated:

"Education must train and teach people in accordance with their opportunities in life, according to the sphere in which they live. Good racial relations cannot exist where education is given under the control of people who create the wrong expectations on the part of the native himself... Native education should be controlled in such a way that it should be in accordance with the policy of the State... Racial relations cannot improve if the result of native education is the creation of frustrated people".¹⁴²

287. The implementation of this policy required control over schools run by religious missions as they had been mainly responsible for African education. In 1954, all ecclesiastical bodies which had formerly controlled and administered Bantu schools were given the choice of transfer of control to the State or a gradual decrease in, and eventual abolishment of, State subsidies. Of the approximately forty ecclesiastical bodies, 90 per cent transferred their schools to the Department and only 10 per cent elected to retain them as private schools; these schools are, however, subject to registration and inspection. State subsidies to mission schools were gradually reduced and abolished in 1958.¹⁴³ Of the mission schools which wished to continue as private schools, all those in "white" areas were refused registration.¹⁴⁴

288. The Bantu schools receiving assistance from public revenues are divided into three types: (a) Gov-

ernment schools; (b) community schools established or maintained by any Bantu authority, native council, tribe or community; and (c) farm, mine and factory schools.

289. A separate account was established from which the Government may provide grants-in-aid to non-Government schools. The Government's contribution was pegged at 13 million rand, with the result that the Africans were obliged to pay for educational expansion through increased taxes and contributions by communities.¹⁴⁵

290. The Government then proceeded to extend *apartheid* into higher education by dividing the higher institutions on a racial and tribal basis, and removing African colleges from the urban areas. Mr. Verwoerd, as Minister of Native Affairs, declared the Government policy in June 1954:

"Increase in institutions for advanced education which are located in the urban areas, is not desired. Deliberate attempts will be made to keep the institutions for advanced education more and more away from the urban environment and to establish them as far as possible in the native reserves. My Department's policy is that education should stand with both feet in the reserves and have its roots in the spirit and being of Bantu Society. Thus Bantu education must be able to give itself complete expression and there it will be called upon to perform its real service. The Bantu must be guided to serve his own community in all aspects. There is no place for him in the European community above the level of certain forms of labour, within his own community, however, all doors are open."¹⁴⁶

291. By the University College of Fort Hare Transfer Act, 1959, the Government took over control of the Fort Hare College on 1 January 1960. A new all-white College Council with thirteen members was constituted and many of the Professors were not reappointed, including the Principal, the Vice-Principal, the heads of the departments of Law, English, Philosophy, Politics and Geography, the registrar, a lecturer and the librarian. Several others announced their resignation.

292. The Extension of University Education Act, 1959, provided for the establishment of separate university colleges for non-white persons. No white person may attend any of the colleges for non-whites, and after a transition period (during which students already enrolled in one of the "open" universities were to be

¹⁴⁵ In 1955, a separate Bantu Education Account was created under the Exchequer and Audit Amendment Act, 1955. This fund comprises two main categories: a fixed contribution from the Government from general revenues, and a major share of taxes paid by Africans. The Government contribution was pegged at £6.5 million or 13 million rand and to this would be added four-fifths of the general taxes paid by Africans and any receipts arising from the maintenance, management and control of the Government Bantu schools, other than the sale of land and buildings. (In 1955 taxes paid by Africans amounted to some £2 million and it was calculated that the new formula provided about the same annual amount as was then being spent on African education, i.e., about £8.5 million.) Under the Native Taxation and Development Act, 1958, the basic general tax on African men over 18 years of age was increased from two rand to three and a half rand. On 1 January 1960, women also became liable to the general tax for the first time and men earning over 360 rand yearly became liable to increased rates of general tax. The growth of the Bantu Education Account is due mainly to the consequent increase in revenue from African general tax.

¹⁴⁶ *The Senate of the Republic of South Africa, Debates (Official Report)*, 7 June 1954, cols. 2618-2619.

¹⁴¹ A separate Department of Bantu Education was established in 1959 and placed under a Minister of State.

¹⁴² See second report of the United Nations Commission on the Racial Situation in the Union of South Africa (*Official Records of the General Assembly, Ninth Session, Supplement No. 16*, para. 56).

¹⁴³ *Official Year Book of the Union of South Africa*, No. 30-1960 (Johannesburg, 1961), p. 233.

¹⁴⁴ *A Survey of Race Relations in South Africa, 1957-58*, p. 189; also 1958-59, p. 262.

allowed to finish their courses subject to the annual approval of the Minister), non-whites were to be forbidden to attend any other universities. Furthermore, the Minister may decide that particular colleges shall admit students of a special ethnic or other group.

293. The governing bodies of these institutions had to be segregated in accordance with Government policy:

"In the past, white and non-white persons had served on the Council and the Senate, and had been accommodated, on a basis of equality. This must inevitably create the fallacious impression among the non-whites that *apartheid* was something which disappeared when one attained a certain academic level, that academic training would remove discrimination in South Africa. As a result, the students would become agitators against the racial order in South Africa, instead of valuable members of their own community."¹⁴⁷

294. For each University there are to be a Council and a Senate composed of white members and an Advisory Council and Advisory Senate of representatives of the community served.

295. Regulations which have been published show the extent of State control. Students may not leave the college precincts without permission from the hostel superintendent or an authorized person; a student organization or organizational work in which students are concerned is subject to the prior approval of the Rector. No meetings may be held, nor publications circulated, nor statement made to the Press on behalf of the students without the Rector's permission.

296. Two new colleges for Africans were officially established as from 1 August 1959: the University College of the North, located in the Northern Transvaal and serving the Sotho group, and the University College of Zululand at Ngoya in the Mtunzini District. Africans previously enrolled at Cape Town University, Natal Medical School and the University of the Witwatersrand have been allowed to continue subject each year to the approval of the Minister of Bantu Education.

297. The Government has claimed that the transfer of African education to its control has resulted in great expansion of educational opportunities. The number of pupils, for instance, increased from 938,000 in 1953-1954 to 1.6 million in 1961. The figures on such expansion, however, deserve some qualifications and comments.

298. First, as the Government's share in financing African education is pegged at 13 million rand, increases in expenditure must be provided by direct taxes on Africans. The result has been a decrease in *per capita* expenditure on education.¹⁴⁸

¹⁴⁷ Republic of South Africa, *House of Assembly Debates (Hansard)*, 26 February 1959, col. 1560; and 22 April 1959, cols. 4443-4453.

¹⁴⁸ Expenditure on African education in 1953-1954 was just over 16 million rand and the enrolment was 938,000. In 1962-1963, with an enrolment of 1.6 million pupils, expenditure was 21 million rand. Discussions in the House of Assembly show that South Africa spends 3 per cent of its national income on education, but of this, less than one third of 1 per cent is spent on African pupils. (Republic of South Africa, *House of Assembly Debates (Hansard)*, 20 May 1963, cols. 6333-6341). The expenditure on European education in 1962-1963 was 97 million rand, well over four times that on African education, though the number of European pupils is only about half of the number of African pupils. The annual expenditure per pupil is about 130 rand for the Whites, 40 rand for the Coloureds

299. Second, of the 6,927 schools for Africans, only 169 are Government schools, mainly teacher-training schools, vocational training schools and a few others situated on Government property. State-aided schools number 4,793 and private schools, mainly Roman Catholic, 1,064.¹⁴⁹

300. The State-aided schools include aided farm schools established by white farmers for children of farm employees and 110 aided mine and factory schools. In 1961, it was estimated that almost one-third of the African children of school age are on farms and that the existing facilities provide for only about 25 per cent of them.¹⁵⁰

301. Third, while according to official statistics almost 70 per cent of the African children between the ages of 7 and 14 are at school, a characteristic feature is that 97 per cent of the children attending school are in the primary grades, and of these only about one quarter were in higher primary (the second four years of primary school).¹⁵¹ In 1961, with a total enrolment of 1.6 million, only 839 pupils sat for matriculation and of these only 212 passed. In 1962, 911 sat for the examination and 362 passed.¹⁵²

302. Fourth, many African leaders and educationists oppose Bantu education on the ground that it seeks to promote tribalism and restrict learning by emphasizing mother-tongue instruction and greatly reducing instruction in English and Afrikaans, especially at the higher primary level. Primary schools have been organized on an ethnic basis, with each providing education in only one of the seven recognized African languages.¹⁵³ Regulations drawn up under the provisions of the Bantu Education Act, 1953, have made it mandatory

and Asians and 13 rand for the Africans. (Statement by Mr. B. F. Mason at the 21st meeting of the Special Committee on 22 August 1963; and by the Minister of Bantu Education (Republic of South Africa, *House of Assembly Debates (Hansard)*, 5 March 1963, col. 2129).

¹⁴⁹ Republic of South Africa, Department of Information, *The Progress of the Bantu Peoples towards Nationhood* (Consolidated ed.), pp. 29-30.

¹⁵⁰ *Survey of Race Relations in South Africa, 1961*, p. 230:

	No. of African children 7-14 years of age	Places available in schools	Per cent provided for
Reserves	851,600	696,000	81
Urban areas	618,200	690,000	95
European farms	698,600	172,000	25
TOTAL	2,168,400	1,558,000	67

¹⁵¹ Distribution of African pupils by grade (1958 figures calculated from *Official Year Book of the Union of South Africa*, No. 30-1960, p. 245).

	Number of pupils	Percentage of total
Total	1,336,655	100
Sub-Standards A and B	609,262	45.2
Standard I	218,183	16.3
Standard II	163,784	12.2
Standard III	128,382	9.6
Standard IV	80,046	6.0
Standard V	59,018	4.4
Standard VI	46,277	3.5
Standard VII	30,010	2.2
Standard VIII	8,852	0.7
Standard IX	1,768	0.0015
Standard X	938	0.0007

¹⁵² Republic of South Africa, *House of Assembly Debates (Hansard)*, 14 May 1963, cols. 5968-5969.

¹⁵³ Xhosa, Zulu, North Sotho, South Sotho, Tswana, Tsonga, and Venda.

for African languages to be used not only in the lower primary stage (comprising four years) but also in the higher primary. Equal time is given to English and Afrikaans which are taught as subjects, and each is allotted less than two hours a week. Since 1958-59, Standard VI (representing 8 years of primary education) examinations are conducted only in the officially designated African vernaculars.

303. Mr. B. F. Mason, a petitioner before the Special Committee stated at the 21st meeting that in the primary schools, instruction was given in the language of the tribe; the non-white child therefore had a very inadequate knowledge of English or Afrikaans, which greatly impeded his adaptation to modern life and prevented him from communicating with Whites and with members of other tribes (see A/AC.115/SR.21).

304. Fifth, the increase in university enrolment of Africans is misleading, as the increase is mainly in extension or correspondence courses in the University College of South Africa,¹⁵⁴ and in non-degree courses at tribal colleges.¹⁵⁵

New legislation since 6 November 1962

305. During the period since 6 November 1962, the Government has taken further steps towards implementation of its *apartheid* policies, particularly with regard to the education of Indians and coloured persons. Three new acts are related to this purpose.

306. The Higher Education Amendment Act, 1963,¹⁵⁶ empowers the State President to assign the administration of institutions of higher education to separate Ministries. The Act was passed specifically to enable the transfer of control of higher education and vocational training for Indians from the Department of Education, Arts and Science to the Department of Indian Affairs.¹⁵⁷

307. The Extension of University Education Amendment Act, 1963,¹⁵⁸ increases the Government's administrative control over non-white university colleges.

308. The Coloured Persons Education Act, 1963,¹⁵⁹ extends *apartheid* into the provision and administration of primary and secondary education to Coloureds, as the Bantu Education Act, 1953, did for the African population.

¹⁵⁴ The total African enrolment in South African Universities for 1956 and 1961 was as follows:

	1956	1961
Cape Town University	23	27
Natal Medical School	138	108
University of the Witwatersrand	66	38
Fort Hare College	288	248
University College of the North	—	122
University College of Zululand	—	53
	515	596
University College of South Africa	945	1,171

(see *A Survey of Race Relations, 1957-58*, p. 193; and *The Progress of the Bantu Peoples Towards Nationhood*, p. 41).

¹⁵⁵ "The introduction of non-degree courses has kept up the numbers at tribal university colleges". (*Race Relations News* (Johannesburg), July 1963).

¹⁵⁶ *Government Gazette Extraordinary*, 15 March 1963.

¹⁵⁷ Republic of South Africa, *House of Assembly Debates* (*Hansard*), 20 February 1963, col. 1631.

¹⁵⁸ *Government Gazette Extraordinary*, 3 July 1963.

¹⁵⁹ *Ibid.*, 24 May 1963.

309. The Act provides for the complete transfer of the education of Coloureds from the several church bodies and provincial administrations to the Department of Coloured Affairs, and empowers the Minister to stipulate the most detailed requirements concerning admission, courses of training, syllabuses and discipline. Teachers would be subject to disciplinary action for political activities disapproved by the Government.

310. During the Parliamentary debates on the Bill the Minister and other members suggested that the intent of the Act was to lay the economic and educational foundations of *apartheid*, particularly in the Cape Province. The Minister of Coloured Affairs, of Community Development and of Housing, Mr. P. W. Botha, stated:

"Education is not, after all, only a means of gaining knowledge. It is the road along which the child is trained to serve. . . . The system of education that is to be established . . . will determine the whole future of these people, and will be dependent upon the attitudes of white South Africa".¹⁶⁰

Dr. A. H. Jonker (National Party) stated: "All education is indoctrination".¹⁶¹

311. Mr. J. W. van Staden (National Party) stated that, under the previous system, educated Coloureds "became a threat to the white people because even with their learning they found that all doors were closed to them and so they became receptive to Communism and they became communist agitators".¹⁶² Mr. J. B. van Zyl (National Party) said that, under the Act, coloured children must be taught patriotism, made to realize that "they are a group peculiar to itself, . . . (and) given Christian national education".¹⁶³ Mr. J. W. van Staden (National Party) said:

"The education of the Coloured must be adapted to his nature and prepare him to qualify himself as an artisan in certain selective activities".¹⁶⁴

312. Mrs. H. Suzman (Progressive Party) criticized the Bill on the ground that it limits the education of Coloureds to vocational and technical training in certain areas of agricultural and industrial labour so as not to jeopardize the entrenched position of white labour in skilled and professional jobs, and that it is not designed "to make rational human beings out of children".¹⁶⁵

313. Several United Party members noted the special significance of the Act in the light of plans to remove all Africans from the Western part of the Cape. They argued that the Act was designed to train Coloureds for jobs now performed by Africans so that the elimination of Africans would not create a labour shortage.¹⁶⁶

314. The Bill was opposed by representatives of the coloured voters in the House of Assembly. Mr. A. Bloomberg, representative of the coloured voters of the Cape, said that it had been forced on the Coloureds

¹⁶⁰ Republic of South Africa, *House of Assembly Debates* (*Hansard*), 21 February 1963, cols. 1742-1743.

¹⁶¹ *Ibid.*, 25 February 1963, col. 1929.

¹⁶² *Ibid.*, 21 February 1963, col. 1755.

¹⁶³ *Ibid.*, 5 March 1963, col. 2171.

¹⁶⁴ *Ibid.*, 21 February 1963, col. 1759.

¹⁶⁵ *Ibid.*, 26 February 1963, col. 1996.

¹⁶⁶ See for example Mrs. S. M. van Niekerk (United Party) and Mr. A. Gorschel (United Party) (Republic of South Africa, *House of Assembly Debates* (*Hansard*), 4 March 1963, cols. 2046 *et seq.* and 2090 *et seq.*).

and that the Minister had failed to assure them that Whites and Coloureds would enjoy the same educational standard.¹⁶⁷

Unrest at segregated educational institutions

315. A number of cases of indiscipline, violence and protests in the schools and colleges, involving thousands of students, have been reported in the past few months, and the Government took severe measures against teachers and students.

316. Two full time lecturers at the M. L. Sultan Technical College in Durban were suspended after a demonstration by 500 students against the transfer of the College from the Department of Education to the Department of Indian Affairs.¹⁶⁸

317. After a strike of students at the Lovedale Institution at Alice, Cape Province, in March 1963, 311 students (or three-fifths of the student body) and two African teachers were dismissed, and two other African teachers transferred.¹⁶⁹

318. At the Wilberforce School, 336 African students refused to attend classes in March. All of the students were expelled and 103 barred from all Government Bantu schools in future.¹⁷⁰

319. In April 1963, 200 students boycotted the graduation ceremony at Fort Hare College in pursuance of a resolution not to help the Government promote *apartheid*.¹⁷¹

320. Riots occurred at the Mfundisweni Mission School on 22 April 1963: 6 African students were expelled, 92 sentenced to six strokes each and 12 fined.¹⁷²

321. At the Healdtown School 27 African students refused to attend classes in May 1963: 29 students were suspended and barred from all Government schools in future.

322. A total of 471 African secondary school students have been expelled for disturbances during 1963.¹⁷³ Since the Government took over direct control of the schools, offences committed by pupils became offences against the State: the affected pupils are banned from all Government and State-aided schools.

323. African educators are reported to have stated that the disturbances reflect political unrest.¹⁷⁴ *The Evening Post* of Port Elizabeth reported, on the basis of interviews with African teachers and students, that the new generation of students was even more militant and extremist than that before the Bantu Education Act, 1953, and that this was largely due to resentment against tight Government control.¹⁷⁵

¹⁶⁷ Republic of South Africa, *House of Assembly Debates (Hansard)*, 25 February 1963, cols. 1932-1940.

¹⁶⁸ *Natal Mercury* (Durban), 2 April 1963.

¹⁶⁹ Republic of South Africa, *House of Assembly Debates (Hansard)*, 21 June 1963, col. 8522; Institute of Race Relations (London), *News Letter*, May 1963.

¹⁷⁰ Republic of South Africa, *House of Assembly Debates (Hansard)*, 19 March 1963, cols. 2987-2988.

¹⁷¹ Institute of Race Relations (London), *News Letter*, May 1963.

¹⁷² Republic of South Africa, *House of Assembly Debates (Hansard)*, 21 June 1963, col. 8522.

¹⁷³ *Ibid.*, 21 June 1963, cols. 8523 and 8528. During 1963 a total of 483 African students were expelled for disturbances (*Ibid.*, 19 February 1963, cols. 1589-1590).

¹⁷⁴ *Contact* (Cape Town), 19 April 1963.

¹⁷⁵ *Race Relations News* (Johannesburg), July 1963.

F. ECONOMIC AND SOCIAL CONSEQUENCES OF THE POLICIES OF *apartheid*

324. The iniquities suffered by the non-whites under individual laws or aspects of policy, described in the previous chapters, provide but a partial picture of the varied effects of the *apartheid* policy in terms of poverty, malnutrition, disease, break-down of family life and humiliation of the majority of the population, and racial tension.

325. Because of racial discrimination, the white population of the Republic of South Africa has been able to enjoy one of the highest standards of living, while the non-whites are denied an equitable share of the national income. A few facts from a recent report to the Economic Commission for Africa on Government expenditure and racial discrimination (E/CN.14/189) are illustrative:¹⁷⁶

(a) The ratio between the average wage earnings of Whites and Africans in the mining industry is approximately 15:1; in secondary industry it is 5:1.

(b) In 1960, the Whites who constituted 19.3 per cent of the population accounted for 67 per cent of the national income; the Africans who constituted 68.4 per cent of the population received 26.5 per cent; and the Coloureds and Asians, who constituted 12.4 per cent of the population, received 6.5 per cent.

(c) In 1959, the Whites had a *per capita* income of £425 a year; Africans £39; and Asians and Coloureds £54.

326. The economic developments of the post-war years had tended to narrow the gap between the Whites and non-whites, but the *apartheid* measures such as job reservation and denial of trade union rights restrained this trend.

327. Poverty, malnutrition and disease are so widespread among the non-whites in South Africa, despite the vast economic resources of the country, that the situation has caused national concern and led recently to debates in the Parliament and the Press.

328. A recent survey by Natal University among African families in Durban showed that the average income of African families was only about three-fifths of the minimum monthly expenditure required for decent living. Fifty-five to sixty per cent of the African families were living in a state of perpetual debt.¹⁷⁷ A pilot study by the National Nutrition Research Institute reported that the incidence of malnutrition and associated diseases is especially high among the Bantu and Coloureds.¹⁷⁸ The South African National

¹⁷⁶ Racial discrimination, moreover, has tended to arrest economic development and to create economic imbalance. As the Economic Commission for Africa noted: "... (racially discriminatory) practices, particularly in the form of the industrial colour bar and discrimination in technical training, inevitably result in, or create, vertical immobility, on a racial basis, of the human factor of production. In like manner, by concentrating income in a small section of the population, a process which may initially result in a relatively high rate of capital formation as has been the case in South Africa and the Rhodesias, these practices sooner or later drive the economy to a point where the limited internal market arising from the limited purchasing power of the mass of the population arrests economic development, or at any rate creates grave economic imbalance." *Economic and Social Consequences of Racially Discriminatory Policies*, para. 399 (United Nations publication, Sales No.: 63.II.K.1).

¹⁷⁷ *The Star* (Johannesburg), 3 May 1963.

¹⁷⁸ Gastro-enteritis is the most prevalent disease among both racial groups. Kwashiorkor is the most prevalent nutritional disease among Bantu children and marasmus among coloured children. (*Southern Africa* (London), 18 January 1963).

Tuberculosis Association (SANTA) expressed alarm at the possibility that a sharp increase in tuberculosis cases in 1962 was due to the famine and hunger caused by drought in many parts of the country during the last three years.¹⁷⁹

329. Mrs. H. Suzman, Progressive Party member, gave striking facts on the situation in a debate in the House of Assembly on 22 February 1963. She pointed out that, while a survey carried out by the University of South Africa in Pretoria in 1961 disclosed that 43 rand a month was the minimum essential amount needed to provide a family of five in that area with the ordinary decencies of life, the average monthly earnings of unskilled and semi-skilled Africans in private manufacturing and construction were only about 31 rand a month in 1961.¹⁸⁰ A survey of farm wages, in cash and kind, in two districts showed an average of less than 18 rand per month for a family of roughly between six and seven. Mine wages were also far too low, because they were based on the fallacious assumption that the reserves were able to supply a proper subsistence for the families of migratory mine workers, and because a majority of workers were recruited from adjoining territories.¹⁸¹

330. Mrs. Suzman noted results of recent surveys which showed that 60 per cent of African workers in Durban whose cases had been investigated had no breakfast and that a large number of African school-children investigated in Durban and other areas had nothing to eat until supper-time.¹⁸²

331. Speaking of the consequences of poverty, Mrs. Suzman pointed out that Dr. Mitchell, Health Officer of the Cape Divisional Council, had warned in October 1962 of the mounting incidence of diseases such as kwashiorkor, gastro-enteritis, pellagra, tuberculosis, etc., which are all due to malnutrition or are aggravated by malnutrition, and that the high mortality rate due to these diseases had now assumed the proportions of a national crisis. At a recent hospital survey in the Cape, 54 per cent of the non-white children had been found to be severely under-weight and 17 per cent to be at a level indicative of gross starvation. Dr. Hansen, associate professor of Child Health at Cape Town University, had stated in October 1962:

"The total mortality rate for all cases on the age group one to four shows that Bantu children are dying at 25 times and coloured children at 15 times the rate of white children.

"There is a close association of protein calorie deficiency with over-all mortality rates."

332. Mrs. Suzman continued:

"Now in Cape Town, according to the M.O.H., 100 times as many non-white as white children die per year of gastro-enteritis, and it is a known medical fact that mortality in gastro-enteritis is closely related

to malnutrition. In the eight major urban areas alone some 10,000 non-white infants die annually of gastro-enteritis. Last year the Minister of Health informed me in this House, in response to a question, that the annual morbidity rate of tuberculosis amongst African children under five is 9,469. The corresponding figure for white children is 161. The general infant mortality rates of African children are simply appalling, varying from over 200 per 1,000 in the cities to 300 to 400 in some of the rural areas. The corresponding figure for white children is 27, which, to our credit, is one of the lowest in the world, whilst the African figure is one of the highest recorded figures in the world. Now kwashiorkor is considered medically as being the index of the general state of malnutrition in a community. According to the C.S.I.R. report, No. 190 on Nutritional Deficiency, kwashiorkor was found in 5 per cent of the Bantu children treated by doctors who assisted in the study. The hon. the Minister himself told us last year that it was estimated that 22,000 children in Cape Town and vicinity alone had kwashiorkor. . . ."¹⁸³

333. The problem of malnutrition was discussed this year in the House of Assembly on 8 March 1963. Members noted that children were particularly affected by malnutrition.¹⁸⁴ Dr. E. L. Fisher, a member of the House of Assembly, referring to the high rate of infant mortality, stated:

"We do not show up so favourably when we compare the infant mortality figures in Nigeria and Ghana which we still regard as backward in comparison with the progress South Africa has made. In Nigeria there are 70 deaths per 1,000 and Ghana 90 deaths per 1,000, whereas in South Africa we have 400 deaths per 1,000."¹⁸⁵

334. The Government recognized the problem and, in 1960, set up a central committee with representatives of five Government Departments to campaign against malnutrition.¹⁸⁶ The Government, however, underrated the significance of poverty as the cause of malnutrition and places the blame on the Africans. The Minister of Health declared on 8 March 1963:

"Generally speaking, with the exception of minor instances there is no famine in South Africa and there really is no under-feeding, but what one does find in South Africa is malnutrition. In other words . . . there is enough food available in South Africa and that is within the reach of everyone, but the thing to which we have to devote attention is the wrong use of that food . . . there is malnutrition in South Africa, but it is not so much the result

¹⁸³ *Ibid.*, 22 February 1963, col. 1800. The Minister of Health stated in the House of Assembly that 7,170 cases of kwashiorkor among Africans had been identified by his Department from January to May 1963 (*Ibid.*, 25 June 1963, col. 8714).

¹⁸⁴ The Minister of Health noted that a survey of 240 Africans in Natal at the end of 1962 revealed that every one of them suffered from malnutrition. (*Ibid.*, 8 March 1963, col. 2446).

¹⁸⁵ *Ibid.*, 8 March 1963, col. 2446.

¹⁸⁶ Mr. S. J. J. de Swardt, Chairman of the Central Committee of the South African Campaign against Malnutrition, announced in December 1962 that it was promoting three projects: distribution of skimmed milk powder to needy families, campaign against tuberculosis through food and better nutrition, and feeding of factory workers during working hours (*South African Digest* (Pretoria), 20 December 1962).

¹⁷⁹ *SANTA News*, quoted in *Race Relations News* (Johannesburg), May 1963.

¹⁸⁰ Republic of South Africa, *House of Assembly Debates (Hansard)*, 22 February 1963, col. 1798. The Minister of Economic Affairs and of Mines stated on 19 April 1963 that the total average earnings of Africans in mining, secondary industry and the public sector were 22.6 rand per month in 1962. (Average monthly earnings of Whites in the same industries were 161.9 rand.) (Republic of South Africa, *House of Assembly Debates (Hansard)*, 19 April 1963, col. 4340).

¹⁸¹ Republic of South Africa, *House of Assembly Debates (Hansard)*, 22 February 1963, col. 1798.

¹⁸² *Ibid.*, col. 1801.

of economic factors. Nor is it the result of socio-economic factors. It is mainly the result only of sociological factors.”¹⁸⁷

335. He blamed ignorance, refusal by Africans to follow advice given by the Whites, the Bantu customs and the “moral degeneration” of the Africans as the main reasons for bad eating habits and malnutrition.¹⁸⁸

336. Opposition speakers argued that the Government was avoiding the basic causes of malnutrition and disease because they were created largely by the Government’s policies of *apartheid*. The Government has imposed the system of migrant labour despite its inefficiency. It has kept down African advancement though there is a scarcity of skilled workers and a half a million Africans, as well as large numbers of Coloureds and Indians, are unemployed. It has prevented full African participation in productive activity though such participation can expand the internal market, give fillip to the economy and help solve the social problems.

337. Mrs. Suzman pointed out that the existence of poverty and malnutrition in South Africa was unnecessary. The country had accumulated large surpluses of essential foodstuffs so desperately needed by the poor, but was exporting them at a loss, or destroying them. She continued:

“Not only is the public being called upon to bear the loss, but in addition we have to bear the cost of treating malnutrition and malnourished children in hospitals, children who should never have been ill had their parents’ income been sufficient to buy protective foods. Dr. Hansen of the Department of Child Health at the University of Cape Town estimated that the cost of hospitalization of a malnourished child is R 10 a day, enough to supply adequate protein for that child for a whole year.”¹⁸⁹

338. Added to poverty, malnutrition and disease is the constant humiliation suffered by the Africans because of the complex laws restricting their freedoms and laying down heavy penalties for breaches.

339. An African cannot enter an urban area without a permit and cannot stay for more than 72 hours without a work permit. An African cannot establish the right to residence in an urban area unless he has lived there continuously since birth or worked continuously for a single employer for ten years, or is the wife or unmarried child under eighteen of an African meeting such requirements. Even then he can be “endorsed out” if he takes employment in another area or fails to report within three days of his being unemployed.

340. Even the limited right to residence of wives and children is being eliminated as the official policy is that African men should be allowed to seek work only if they agree to live in “bachelor quarters”.

341. The wife of an African worker in town can visit him for no more than 72 hours and only if she obtains a permit from officials on the ground, for example, that she wishes to conceive.

342. Such laws and regulations have led to serious social problems. The rate of illegitimacy among African children in urban areas is extremely high. The Annual

¹⁸⁷ Republic of South Africa, *House of Assembly Debates (Hansard)*, 8 March 1963, cols. 2459-2460.

¹⁸⁸ “Moral degeneration” is emphasized because of the high incidence of malnutrition among illegitimate children. The Minister of Health quoted figures from the Edenvale hospital that 85 per cent of the African children suffering from kwashiorkor were illegitimate. (*Ibid.*, cols. 2459-2464).

¹⁸⁹ *Ibid.*, 8 March 1963, col. 1802.

Report of the City Medical Officer of Health for Durban for the calendar year 1961 states that out of a total of 5,864 births amongst the Africans, 3,665 were illegitimate.¹⁹⁰ The Government, however, blames the high rate of illegitimacy on the moral degeneration of the urban Africans, and absolves its own policy of preventing African family life in urban areas.

343. For infractions of the onerous laws and regulations, in the making of which the Africans have no voice, they are repeatedly imprisoned, fined or “endorsed out” of their town.

344. Mrs. Helen Suzman, speaking in the House of Assembly on 29 May 1963 on the “burning injustices” caused by *apartheid* laws, declared that the Bantu Commissioners’ Courts were conducted like “sausage machines”. In the Bantu Commissioner’s Court in Port Elizabeth, she said, sentences ranged from 15 rand or 15 days’ imprisonment to 90 rand or 90 days’ imprisonment for pass offences. Youths were given up to eight cuts for not carrying reference books. In nine weeks, 316 men and 47 women were sentenced to a total of 11,206 rand in fines and 74 youths and 24 young men received a total of 640 cuts.¹⁹¹

345. Flogging is a mandatory punishment for various offences. Official figures indicate that in the past ten years 850,000 strokes have been inflicted on penal offenders. Floggings are currently running at the rate of 80,000 strokes a year on 17,000 offenders. The number of offenders flogged today is eight times what it was twenty years ago.¹⁹²

346. Not surprisingly, the situation has led to bitterness and racial tension and this is recognized even by responsible officials who support the policies of *apartheid*. Mr. Justice J. H. Snyman warned in July 1963:

“Inter-racial relationships in this country must be put on a proper footing. There must be a change in our attitude to the Bantu, and, unless there is a change, this country is doomed . . .

“We must not only change our attitude but we must also find a policy that is acceptable to the black man or find a way to make our policies acceptable to him.”

He declared that the attitudes that had been built up over 300 years must be broken down in less than 300 days.¹⁹³

¹⁹⁰ *Ibid.*, col. 2421. The figures for other racial groups were as follows: 69 out of 3,108 births amongst the Whites; 242 out of 748 amongst the Coloureds; and 59 out of 5,959 amongst the Asians.

¹⁹¹ Republic of South Africa, *House of Assembly Debates (Hansard)*, 29 May 1963, cols. 6885-6906.

¹⁹² *The Cape Times*, 8 April 1963. The Minister of Justice told the House of Assembly on 3 May 1963 that more than 167,000 youths had been sentenced to corporal punishment in four years. In 1961, 1,407 Whites, 8,335 Coloureds, 661 Asians and 32,622 Africans (all youths) received strokes. Republic of South Africa, *House of Assembly Debates (Hansard)*, 3 May 1963, col. 5288.

¹⁹³ *Southern Africa* (London), 19 July 1963. In connexion with Mr. Justice Snyman’s advice, Archdeacon C. P. Wood of the Anglican Church made the following comment:

“Many Anglicans would be wholeheartedly behind what Judge Snyman has said, but many of us feel completely frustrated by the *apartheid* laws of the country and even where there is not a specific law, I fear that there might be one. . . .

“Where can we meet and entertain in public an African or a Coloured? Apparently we are not allowed even to walk on the same beach together nor sit on the same bench in a public park.

G. REPRESSIVE MEASURES AND VIOLENT RESISTANCE

Repressive measures

347. In the second interim report (see annex IV, appendix III) the Special Committee gave an account of the mass of repressive legislation enacted in the Republic of South Africa. This legislation, designed to silence and suppress all opposition to the policies of *apartheid*, provides extremely harsh penalties for crimes against the security of the State, grants wide discretion to the Minister of Justice and local administrative officials, and restricts the powers of the courts and protection by the due process of law. It has been greatly strengthened during the past year.

348. Two particularly rigorous laws were promulgated in 1963. The Explosives Amendment Act, 1963,¹⁹⁴ has greatly increased penalties for unauthorized possession, manufacture or use of explosives.

349. The General Law Amendment Act, 1963, promulgated in May, provides *inter alia* for the detention without trial of persons for 90 days at a time on suspicion of having committed a crime or of possessing information on the commission of a crime. This legislation, intended as it was to further restrict opposition to *apartheid*, evoked widespread criticism in South Africa and abroad as ending the rule of law and creating a police state.

350. The Minister of Justice is now empowered to ban political organizations and public meetings. He is authorized to prohibit persons from public activities, restrict their movements, banish them, place them under house arrest or detain them for recurring periods of ninety days each. He may prohibit publications or require deposits of 20,000 rand for the registration of newspapers. In many cases, the Minister is not required to give grounds for action or may only have to charge the victim with furthering the aims of communism, defined so widely as to cover all active opposition to the policies of *apartheid*. The powers of the courts to review his actions are extremely circumscribed.

351. The enforcement of repressive measures has intensified since General Assembly resolution 1761

"How does the Church, that is, the ordinary Christian, set about breaking down these barriers in the way that Judge Snyman would recommend?"

"Are we to break them down by defying the law or by acquiescing in the law and passing by on the other side? . . ."

"How, for instance, are we to uphold the sanctity of marriage and teach Christian family life when the Government regulations prevent their being implemented?"

"As long ago as 1960 all the churches except the Dutch Reformed Churches pleaded for consultation with the recognized Christian leaders of the African people as our one hope. That door was deliberately slammed in our faces." (*The Star* (Johannesburg), weekly edition, 13 July 1963).

¹⁹⁴ The mere possession of any type of explosives may result, at the discretion of the Minister of Justice, in a charge of "sabotage" under the General Law Amendment Act, 1962, and subject the accused to the maximum penalties under that Act. If charges of "sabotage" are not brought, the maximum penalty for the possession of explosives under circumstances that may give rise to "a reasonable suspicion that (the accused) intended to use such explosives for the purpose of injuring any person or damaging any property" is increased from two to fifteen years' imprisonment. The maximum penalty for wilful damage to property is increased from twelve to fifteen years' imprisonment and penalties for unauthorized sale, import, export or use of explosives are drastically increased. (Text in *Government Gazette Extraordinary*, 15 March 1963.) On 3 September 1963, the annual congress of the National Party in Pretoria adopted a resolution calling on the Government to establish a minimum sentence of ten years' imprisonment for an African found in possession of firearms. (*The New York Times*, 4 September 1963.)

(XVII), and particularly from the end of March 1963 when the Government launched a wave of arrests throughout the country alleging that Poqo, an underground organization associated with the Pan-Africanist Congress, planned a violent uprising in 1963.

352. The developments during this period are briefly reviewed below.

353. On 16 November 1962, the Government announced a list of 437 persons (129 Whites and 308 non-whites), described as persons who had been office-bearers, members or active supporters of the banned Communist party.¹⁹⁵

354. On 28 December 1962, the Minister of Justice forbade these persons from being members or office-bearers of any organization which in any manner discusses, criticizes, defends, or attacks any form of State or any principle or policy of the government of a State, or which in any manner undermines the authority of the government of a State, and specifically prohibited them from office or membership in thirty-six organizations.¹⁹⁶

355. Banning orders—under the terms of the Suppression of Communism Act, 1950, the Riotous Assemblies Act, 1956, and the General Law Amendment Act, 1962—have been issued to a large number of persons. On 30 July 1962, 102 persons were prohibited from attending public meetings: publication of their statements was forbidden in terms of the General Law Amendment Act of 1962. By March 1963, the number of banned persons rose to 148.¹⁹⁷ Between 1 March and 30 August 1963, 92 persons have been banned, some of them placed under house arrest.¹⁹⁸ The banning orders vary from case to case, and include such restrictions as: (a) confinement to a magisterial district or location; (b) forbidding entrance to factories, locations and offices of organizations or newspapers; (c) forbidding communication with other banned persons or persons listed as Communists; (d) requirement to report daily to the police.

356. By 15 February 1963, twenty persons, including many leaders of the major non-white organizations, and white opponents of *apartheid*, were served with "house arrest" orders under the General Law Amendment Act, 1962.¹⁹⁹ The Act does not provide an opportunity for the victims to refute police information on which the orders are based.

357. The weekly newspaper, *New Age*, was banned in November 1962.²⁰⁰ Another paper, *Fighting Talk*,

¹⁹⁵ *Government Gazette Extraordinary*, 16 November 1962. Some additions and deletions have been made to the list since that date. Under the Suppression of Communism Act of 1950, the listed persons cannot become members of Parliament or Provincial Councils. The Minister of Justice may restrain them from attending gatherings or accepting office, confine them to a place or prohibit them from communicating with other persons.

¹⁹⁶ *Ibid.*, 28 December 1962.

¹⁹⁷ *Southern Africa* (London), 22 March 1963.

¹⁹⁸ *Government Gazette Extraordinary*, 1 March-30 August 1962.

¹⁹⁹ Republic of South Africa, *House of Assembly Debates* (*Hansard*), 15 February 1963, cols. 1389-1392. The provision for house arrest seems to have largely gone out of use after some of the victims escaped and the Minister of Justice was enabled under the General Law Amendment Act, 1963, to detain persons for 90-day periods without trial. Among those remaining under house arrest is Mrs. Helen Joseph, national secretary of the multiracial Federation of Women and a founder of the Congress of Democrats.

²⁰⁰ *Government Gazette Extraordinary*, 30 November 1962.

was prohibited on 1 March 1963.²⁰¹ The weekly *Spark*, run by the same staff as the banned *New Age*, ceased publication on 28 March, following orders placing five of its senior staff members under house arrest and banning them from journalism.²⁰²

358. Journalists Peter Hjul and Randolph Vigne were served with orders restricting their journalistic activities and were obliged to withdraw from *Contact*, a "non-racial" Liberal fortnightly.²⁰³

359. Numerous books have been banned. The Publications and Entertainments Act, which expands the State's censorship powers, was adopted by Parliament in the last week of March 1963.

360. The sabotage sections of the General Law Amendment Act, 1962, were utilized increasingly. The first case to be tried under these sections concluded in January 1963 in the Port Elizabeth Supreme Court when two non-white men were convicted of throwing petrol bombs into the house of a native policeman on 6 October 1962. The number of trials and convictions increased to hundreds after the nation-wide arrests in March-April 1963.

361. Towards the end of March 1963, the Government began a wave of arrests throughout the country of persons alleged to belong to the Poqo, an underground organization, or to other unlawful organizations.

362. The Minister of Justice stated in the House of Assembly on 24 April 1963 that 2,294 persons had been arraigned under the General Law Amendment Act, 1962.²⁰⁴ By 5 June, the number of alleged Poqo members in gaol reached 3,246.²⁰⁵ Later in June, the Commissioner of Prisons stated that 5,293 persons had been arrested in the previous year for alleged security crimes; of these, 2,047 had been arrested on charges of attempting to further the aims of the African National Congress or the Pan-Africanist Congress.²⁰⁶

²⁰¹ *Ibid.*, 1 March 1963.

²⁰² *Ibid.*, 7 December 1962 and 8 March 1963.

²⁰³ *Ibid.*, 15 March 1963 and 22 March 1963.

²⁰⁴ Twenty-three cases involving the conviction of 90 persons had been disposed of to 22 April. There remained 894 cases involving 1,355 accused persons to be dealt with, including 344 persons accused of murder. (Republic of South Africa, *House of Assembly Debates (Hansard)*, 24 April 1963, col. 4647, and statement by the Commissioner of Police, General J. M. Keevy, on 29 April (Reuters, 29 April 1963)).

²⁰⁵ The Minister of Justice told the House of Assembly on 12 June:

"... in so far as sabotage is concerned, to date the courts have convicted 126 people who have been charged since we passed the Sabotage Act last year, and the lightest sentence any of them received was eight years. . . . Cases are still being dealt with in the courts every day, and the courts are still giving judgement daily. . . . There are still 511 accused persons awaiting trial. If hon. members ask me how many Poqo members have been charged with murder, I can tell them that to date 124 have been convicted and 77 are still in the process of being tried. Seventeen have been charged with attempted murder . . .

"Then I come to the continued existence of banned organizations. In that regard action has already been taken against 670 people, and apart from those who are under arrest, 1,357 are in the process of being tried, and the total number of arrests of active Poqo members up to 5 June was 3,246. . . . I have said before, and I think I should repeat it, that had it not been for the timely and prompt action of the police, these people who were foolish enough to believe it possible, and who made preparations for taking over South Africa in 1963, would have caused a bloodbath in South Africa". (Republic of South Africa, *House of Assembly Debates (Hansard)*, 12 June 1963, col. 7771).

²⁰⁶ *The New York Times*, 21 June 1963.

363. The General Law Amendment Act, 1963, providing for 90-day detention without trial and other rigorous measures, was promulgated in May 1963 and the Government immediately proceeded to implement it along with earlier measures. Mr. Robert Sobukwe, President of the Pan-Africanist Congress, was detained on Robben Island after his release on 3 May from a three-year sentence of imprisonment. Four organizations—Poqo, Dance Association, *Umkonto We Sizwe* (Spear of the Nation) and one other—were banned on 10 May.²⁰⁷ On 12 July the S. A. A. Football League was banned.²⁰⁸ By 2 July, 150 persons had been detained under the 90-day detention clause.²⁰⁹ Later in July, the Government placed an embargo on information about detainees. It was known, however, that at least 195 persons had been detained by 10 August 1963.²¹⁰

364. A succession of cases were conducted during the past few months, involving hundreds of persons charged with sabotage, association with or furthering the aims of unlawful organizations or of communism as broadly defined in the Suppression of Communism Act, 1950. Extremely severe sentences were imposed even on a large number of juveniles involved.

365. Allegations of torture were often made against the police.

366. One result of this series of repressive actions was to convince the opponents of *apartheid* that there was no legal means of fighting the policy of *apartheid* and that the choice was to go abroad or underground. A number of persons, prominent in the movement against *apartheid*, left the country illegally or with the approval of the Government.²¹¹ Several others were reported to have gone underground.

367. The Government's claims to have preserved peaceful conditions must be seen in the light of the fact that a number of major non-white organizations and other groups opposed to *apartheid* are banned; that all their leaders are under imprisonment or silenced; that thousands of political prisoners are held, many without ever being tried; that anyone demanding full equality of the races faces harsh persecution; and that the Government enjoys and employs arbitrary powers associated with a police state.

368. The arm of the police has reached very far. Rev. Arthur Blaxall, a 72-year old Anglican priest and social worker, was charged under the Suppression of Communism Act in April and obliged to report to the police regularly. Bishop Alpheus Zulu was questioned by the Security Police and his home searched. The Liberal Party has come under severe attack: many of its leaders have been banned or arrested, and its meetings prohibited.

²⁰⁷ *Government Gazette Extraordinary*, 10 May 1963.

²⁰⁸ *Ibid.*, 12 July 1963.

²⁰⁹ A total of 163 persons had been arrested but 13 were subsequently released. (*Cape Times*, 3 July 1963.) In addition, 176 persons are detained without trial under the Emergency Regulations (Proclamation No. 400 of 1960) in the Transkei. (Republic of South Africa, *House of Assembly Debates (Hansard)*, 25 June 1963, col. 8711).

²¹⁰ *The Star* (Johannesburg), weekly edition, 10 August 1963. See also paragraph 426 of the present report.

²¹¹ The Minister of Justice told the House of Assembly in June that 195 persons connected with subversive organizations had left the country since 1960. (Republic of South Africa, *House of Assembly Debates (Hansard)*, 12 June 1963, col. 7767).

Violent resistance

369. The progressive elimination of all avenues of peaceful protest has led to the growing conviction among opponents of *apartheid*, including all the major non-white organizations, that violent resistance is the only means to secure equal rights for all the people of the country.

370. It may be recalled that the non-white people of South Africa had tried a variety of peaceful means to achieve their aims and faced harsh persecution by the Government.

371. In the post-war period alone, one may recall the Indian passive resistance movement of 1946-1948 in which 2,300 persons courted arrest; the Campaign of Defiance against Unjust Laws in 1952 in which over 8,500 persons of all races were arrested for non-compliance with *apartheid* regulations; and numerous demonstrations, boycotts, and strikes. All these had been put down by the harshest measures of repression and ever more rigorous laws. The Government has consistently refused to recognize that the demand for a share of political power in the country is legitimate, and has put down all such demands as mortal dangers to the social order.

372. This has created increasing frustration and discontent, and increasing disillusionment in methods of non-violence followed by the principal non-white organizations.

373. A recent survey of attitudes of middle class Africans, published by the South African Institute of Race Relations, indicated that most of them were prepared to accept violence as a method of political action and that nearly half held that force had become inevitable.²¹²

374. As Mr. Nelson Mandela, leader of the African National Congress, told the Court before his conviction last fall:

"Always we have been conscious of our obligations as citizens to avoid breaches of the law, where such breaches can be avoided to prevent a clash between the authorities and our people, where such a clash can be prevented, but nevertheless we have been driven to speak up for what we believe is right and work for it and try to bring about changes which will satisfy our human conscience... Government violence can do only one thing and that is to breed counter-violence. We have warned repeatedly that the Government by resorting continually to violence will breed, in this country, counter-violence amongst the people, till ultimately if there is no dawning of sanity on the part of the Government, ultimately the dispute between the Government and my people will finish up by being settled in violence and by force. Already there are indications in the country that people, my people, Africans, are turning to deliberate acts of violence and of force against the Government in order to persuade the Government in the only language which this Government shows by its own behaviour, that it understands."²¹³

375. In the past two years, the major African nationalist organizations and their allies have announced that they accept force as essential to bring about changes in the situation in South Africa.

376. According to South African officials and press reports, a number of underground organizations have been established since 1960: "Poqo was formed by adherents of the Pan-Africanist Congress and *Umkonto We Sizwe* (Spear of the Nation) by adherents of the African National Congress. The latter is said to emphasize sabotage, while Poqo had resorted to terrorism."²¹⁴

377. A wave of sabotage and violence has been reported since the middle of December 1961 when bombs were exploded in a Johannesburg post office and an attempt was made to destroy an electric power station in Port Elizabeth.²¹⁵ The Government sought to counter this trend by the severe penalties imposed for sabotage under the General Law Amendment Act, 1962.

378. Despite this Act there was a great increase in incidents of sabotage in the weeks after the adoption of General Assembly resolution 1761 (XVII). Cases of sabotage against the telephone and telegraph system, electric pylons and railroads were reported at a number of places throughout the Republic, including Port Elizabeth, Cape Town, Durban, Johannesburg and Roodepoort.²¹⁶ An explosion damaged the editorial offices of the Afrikaans weekly newspaper, *Die Nataller*, on 18 January 1963. Explosions took place in the Bantu Administration Offices in Durban and Johannesburg in March 1963. A Johannesburg store dealing in firearms was attacked on 9 April 1963.

379. Simultaneously, a number of cases of violence were reported, particularly in Western Cape and the Transkei.

380. On 22 November 1962, disturbances broke out in Paarl when, according to press reports, about a hundred Africans surrounded the police station in an effort to release seven African prisoners. The police opened fire and five Africans were shot dead. Two Whites were killed and three others critically injured before the police could restore order. Four hundred Africans were subsequently arrested and an inquiry into the disturbances was ordered by the Government.²¹⁷

381. In Transkei, clashes occurred between police and Africans at Queenstown and Qamata in December 1962: thirteen Africans were killed and hundreds arrested. Five Whites were murdered near Bashee River in February 1963: over a hundred police, assisted by two South African Defence Force helicopters, combed the area and a large number of arrests were made. About 35 Africans were reported to have attacked police and administrative offices in King William's Town on 8 April 1963: a number of Africans were arrested.

382. Meanwhile on 21 March 1963, an interim report by Mr. Justice J. H. Snyman, acting as a one-

²¹⁴ *Ibid.*, 25 March 1963, cols. 3343-3345; 24 April 1963, cols. 4643-4648.

²¹⁵ The Press reported the appearance of a poster which claimed that these attacks had been organized by units of *Umkonto We Sizwe*, an independent body formed by the Africans, but including South Africans of all races. It stated that though the main national liberation organizations had consistently followed a policy of non-violence, "the peoples' patience was not endless". (*African World* (London), 1 February 1962).

²¹⁶ According to *Southern Africa* (London), 7 December 1962, there had been over 40 acts of sabotage in South Africa in the previous three months.

²¹⁷ *Government Notice* No. 1982, 30 November 1962; Republic of South Africa, *House of Assembly Debates (Hansard)*, 5 February 1963, cols. 745-746.

²¹² *The Star* (Johannesburg), weekly edition, 13 July 1963.

²¹³ Quoted in Republic of South Africa, *House of Assembly Debates (Hansard)*, 23 January 1963, col. 109.

man commission of inquiry into the Paarl disturbances, was introduced in the House of Assembly. He warned that terrorism and unlawful activities by Poqo would increase to alarming proportions and should be expected to increase on a national scale with the object of overthrowing the white rule in South Africa in 1963 unless drastic action was taken immediately. He stated that Poqo, with a membership of many thousands, appeared to be at its strongest in the locations of Cape Town—especially Langa. It aimed to destroy the white government by revolutionary methods and replace it with an African socialist democratic State in which only Africans would have a say. He recommended special legislation and “special courts” to deal with the organization.²¹⁸

383. The Government immediately announced acceptance of his findings and recommendations,²¹⁹ and the police began large-scale arrests of alleged members of Poqo. The Prime Minister, Mr. H. F. Verwoerd, told the House of Assembly that in combating subversive activities and communism he would not hesitate to “put the safety of the State and of its citizens above mere technicalities” of ordinary court procedure. He argued that the Government could not sit back because it did not have enough evidence to deal with the violent activities of the Poqo in the normal way through the courts.²²⁰

384. After the wave of arrests and convictions, and the promulgation of the General Law Amendment Act, the Government began to claim that the situation had been brought under control, but its statements concede that it had not ended.²²¹

385. Mr. Justice Snyman, in his final report on the Paarl riots submitted in June, said that Poqo was

²¹⁸ Republic of South Africa, *House of Assembly Debates (Hansard)*, 25 March 1963, cols. 3312-3314, 3322-3329 and 3343-3345; *ibid.*, 24 April 1963, cols. 4658-4660; Reuters, 22 March 1963.

²¹⁹ Republic of South Africa, *House of Assembly Debates (Hansard)*, 25 March 1963, cols. 3321-3330.

²²⁰ *Ibid.*, 26 March 1963, col. 3434.

²²¹ Speaking in the House of Assembly on 24 April 1963, the Minister of Justice, Mr. Vorster, said that the Poqo had been “crippled” by the arrests but not destroyed. He quoted Mr. Justice Snyman as stating that the country should be prepared for Pan-Africanist Congress activities for several years. He advised that the country should also keep an eye on the *Umkonto We Sizwe*, as the police did not have as much success with it as they had with Poqo. (Republic of South Africa, *House of Assembly Debates (Hansard)*, 24 April 1963, cols. 4643-4647). In May, the Minister of Justice claimed that though there might be minor flare-ups by individuals, the new legislation would ensure that there would be no trouble for at least two years. (*The Star* (Johannesburg), 20 May 1963.)

declining as a result of the drive against it, but that the African National Congress was gaining in strength.²²²

386. Soon, the Government detained a number of suspected members of the African National Congress under the General Law Amendment Act of 1963. Officials claimed significant success in their efforts to suppress the African National Congress on 11 July when they arrested 17 persons, including Walter Sisulu and Ahmed Kathrada, who had earlier escaped from house arrest. They were detained without trial under the 1963 Act. (Four of the prisoners escaped on 11 August.)

387. The African National Congress asserted, however, that the underground organization was carrying on under new leaders (see A/AC.115/L.28).

H. BUILD-UP OF MILITARY AND POLICE FORCES²²³

388. In the two interim reports, the Special Committee has reviewed the tremendous expansion of military and police forces since 1960 and showed that the expansion of all branches of the armed forces, the setting up of air commando units, the establishment of police reserves and home guards, the training of civilians in the use of arms, the development of the radio network to link all of the nearly one thousand police stations in the Republic, the import of vast quantities of modern arms, and the great increase in the defence and police budgets were indicative of the increasing tension in the country. Some of the information is briefly summarized here and supplemented by additional data.

Increases in defence and police budgets

389. During the period between 1960-1961 and 1963-1964, the defence budget of the Republic of South Africa nearly quadrupled, while the expenditures on police increased by over one-third. Estimates for the current year are far in excess of the highest annual expenditure during the period of the Second World War when South African forces saw action in many theatres.²²⁴⁻²²⁵

²²² *Southern Africa* (London), 28 June 1963; *South African Digest* (Pretoria), 4 July 1963.

²²³ The Special Committee transmitted detailed information on this question in annex II to the second interim report to the General Assembly and the Security Council (See annex IV, appendix II, of the present report).

²²⁴⁻²²⁵ In 1944-1945, the expenditure on defence was 102,500,000 rand, and on police 7,190,322 rand. (*Official Year Book of the Union of South Africa*, 1948, p. 631.) A rand is equivalent to 10 shillings (sterling) or \$1.40.

ESTIMATES OF EXPENDITURE FOR DEFENCE AND POLICE

(1960-1961 to 1963-1964)

(Rand)

	1960-1961	1961-1962	1962-1963	1963-1964
Defence	43,591,000	71,550,000	119,755,000	157,000,000 ^a
Police	36,200,000	38,396,000	40,800,000	50,870,000
TOTAL SECURITY BUDGET	79,791,000	109,946,000	160,555,000	207,870,000

(Source: *Republic (Union) of South Africa: Estimates of the expenditure to be defrayed from revenue account during the years ending 31 March 1961, 1962, 1963 and 1964.*)

^a This amount includes 26,111,000 rand allocated from the Loan Account for 1963-1964; 7,000,000 rand from the 1961-1962 surplus for the Defence Special Equipment Account; and 2,000,000 rand to the Special Account. (Republic of South Africa, *House of Assembly Debates (Hansard)*, 20 March 1963, col. 3056.)

390. A break-down of the expenditures shows that the largest increases are for the acquisition of arms and ammunition, by importation and increase in domestic production. Increases in the strength of the armed forces do not require proportionate increases in public expenditure, as the standing army is kept relatively small.

Increases in strength of the Military and Police Forces

391. The South African Defence Force consists of:

(a) The Permanent Force, or the standing army (the Army, Air Force and Navy);

(b) The Citizen Force, comprising volunteers and citizens drawn by ballot and enrolled in the Force; and

(c) The Commandos, comprising volunteers and citizens not drawn by ballot for enrolment in the Citizen Force.

392. The strength of the Permanent Force has increased between 1960-1961 and 1963-1964 from 9,019 to 15,288.

STRENGTH OF THE PERMANENT FORCE, 1960-1961 TO 1963-1964

	1960-1961	1961-1962	1962-1963	1963-1964
Officers	1,275	1,421	1,903	2,288
Other ranks	7,744	9,036	10,797	13,000
TOTAL	9,019	10,457	12,700	15,288

(Source: *Estimates of Expenditure*, 1960-1961, 1961-1962, 1962-1963, 1963-1964.)

393. The Citizen Force consists of about 10,000 men called to service annually to serve for four years, or a total of 40,000 men available at any time. Before

STRENGTH OF POLICE FORCE, 1960-1961 TO 1963-1964

	1960-1961	1961-1962	1962-1963	1963-1964
Whites	13,452	13,455	13,459	14,560
Non-Whites	14,635	14,645	14,645	14,783
TOTAL	28,087	28,100	28,104	29,343

(Source: *Estimates of Expenditure*, 1960-1961, 1961-1962, 1962-1963, 1963-1964.)

The staff of the Security Branch of the police, however, has been more than tripled between January and July 1963, and further enlargement is planned.²²⁸

398. The strength of the police reserve was 12,000 in July 1963 and was expected to increase to more than 15,000 by the end of the year. Brigadier J. A. C. Reay, Assistant Commissioner in charge of the Police Reserve, said that it was conceivable that the reserve could have 50,000 men in the next few years.²²⁹

399. In May 1963, the Parliament approved the Defence Amendment Act, 1963, which enabled members of the Citizen Force or Commando to carry out police duties, and authorized magistrates to call on them to help the police when necessary for the maintenance of public safety. The Minister's approval would have to be obtained in four days.

²²⁸ Statement by the Commissioner of Police, Lieut. General Johannes Keevy, on 18 July. (Reuters, 18 July 1963.)

²²⁹ *The Star* (Johannesburg), weekly edition, 20 July 1963.

1961, members of this Force underwent a three-month continuous training in the first year, and a three-week training in the second, third and fourth years. Under the Defence Amendment Act, 1961, the period of training was increased to nine months in the first year and three months in the following years.

394. The greatest expansion has been in the Commando in which every able-bodied South African citizen is required by law to serve for four consecutive years in case he has not been previously a member of the Permanent Force or the Citizen Force or the Reserve unit of either. Members of the Commando are trained in the use of weapons and in combat operations, and are subject to call for service at any time.

395. The Defence Amendment Act, 1963, provided for the formation of Air Commandos whose primary task would be to assist the armed forces and the police in transporting troops and equipment, in reconnaissance flights and in providing other forms of air support to the ground commandos.

396. The Minister of Defence, Mr. J. J. Fouché, stated in the House of Assembly on 28 May 1963: "Our aim is to train every young man for military service whether he is flat-footed or not."²²⁶ He announced in June 1963 that South Africa could have 140,000 men in uniform by the end of 1964.²²⁷

397. The police force has not been correspondingly increased, but has been supplemented by a police reserve and assured of support by the Armed Forces in dealing with internal disturbances.

²²⁶ Republic of South Africa, *House of Assembly Debates (Hansard)*, 28 May 1963, col. 6784 (See also paragraph 433 of the present report).

²²⁷ Republic of South Africa, *House of Assembly Debates (Hansard)*, 3 June 1963, col. 7056.

400. Significantly, the security forces remain largely white. The military forces are fully white: non-whites are employed only in the police forces. While continuing to exclude Africans from the security forces,²³⁰ except the police force, the Government has taken some limited measures to utilize the services of Coloureds and Indians.

²³⁰ Mr. Harry F. Oppenheimer, the prominent industrialist, recently suggested that Africans should be allowed to take a greater part in the defence of the country, as the major arms build-up taking place could well be interpreted overseas as a means of repression and oppression of racial groups within its borders.

"Overseas opinion will not accept that our purpose of having a large, efficient defence system is to fight totalitarianism, aggression and oppression of our people from outside sources.

"Until now the defence of the country has rested entirely with the white population—we must see that in future other races are fully represented in our defence programme." (*The Star* (Johannesburg), weekly edition, 30 March 1963).

401. On 11 April 1963, the Minister of Justice announced a decision to create police reserves of Coloureds and Indians.

402. The Government has also decided to revive the Cape Corps, which had been abolished after the Second World War, as an integral part of the Permanent Force. The Minister of Defence announced on 19 February 1963:

"Initially and for the first year the intake of recruits will be restricted to 140. Some of these will be specially selected with a view to being trained as instructors. . . . Members of the Corps will not be trained and used in combatant capacities. Initially their services will be utilized in musterings for which there is an immediate requirement, e.g., drivers, guards, stretcher bearers, cooks, etc. . . . Members of the Cape Corps will for the first year . . . receive training in regimental duties, e.g., drill and ceremonial, first aid and hygiene, driving and maintenance of vehicles. . . . Regarding musketry, however, they will only be trained in the handling of single-shot small arms for self-defence and the protection of Government property which may be entrusted to them."²³¹

403. In view of the re-establishment of this Corps, the Government introduced an amendment to the Defence Act, 1957, to preclude a non-white officer from arresting a white soldier or exercising authority over a white soldier.

Role of Military Forces with respect to internal security

404. In view of the stated policies of other Governments that they would not supply arms which may be utilized for the implementation of the policies of *apartheid*, the Government has recently insisted that the military expansion is for external defence and not for internal purposes. The provisions of the Defence Amendment Act, however, make clear the close connexion between military and police duties. Military forces have frequently been used in recent months in connexion with local disorders.

405. Moreover, a number of statements made by the Government since 1960, when the expansion was undertaken, show that internal security is regarded as one of the main functions of the defence forces.

406. On 28 March 1960, the Minister of Defence, Mr. J. J. Fouché, declared in the Senate:

"It is accordingly the defence policy of the Union first of all to concentrate its defence organization upon the implementation of internal security tasks and secondly, to protect the sea-routes around South Africa, in company with the British Royal Navy. . . .

"The task of the Army and the Air Force is to take action for internal security as soon as disturbances have reached a degree where the police are unable to control them. . . . Greater mobility, armoured protection and increased striking power have been given to twelve of the infantry units at strategic places in the form of Saracens. These Citizen Force units, together with the two Mobile Watches which are organized as Saracen units for internal security, form a shock element in the Army. . . . Besides these Watches and the units of the Citizen Force the

commandos have been organized over the past years in order to ensure that they will be able to act more efficiently for internal security. At the moment, there is a scout corps of twenty-five men with each commando and these will be available immediately in case of internal emergency. . . ."²³²

He further stated before the Senate on 26 April 1961:

"Our policy is, Mr. President, within the limits of our financial and manpower ability, to establish an armed force and equip it so that (1) it can ensure internal peace and order in co-operation with and in support of the South African Police. The South African Defence Force has already been largely equipped for this task. (2) At the same time the armed forces must be in a position to take action against such aggression as we may expect; (3) the armed forces have to be able to enter the fray immediately after mobilization without further training and (4) in the course of time produce more and better-trained reservists. . . ."²³³

"I want to point out, Mr. President, that in the internal sphere the armed forces and the police have to work together closely. The police have their own duties in which the armed forces do not participate, namely, the combating of crime. The armed forces have their demarcated duty, namely, the combating of aggression in which the police do not share. However, between these two extremes lies the central field which concerns the safeguarding of internal peace and order. Here both forces have their responsibilities. We learnt a great deal during the estate of emergency last year and also in Pondoland. . . .

"Because our armed forces have to be prepared to combat internal subversion as well as outside aggression, the best weapons have to be supplied for this purpose. Automatic small-arms have already been obtained and the Citizen Force and the Permanent Force are now being equipped with them as far as the combat units are concerned. Eventually the weapons will also be made available to the commandos. Large numbers of radio sets have already been ordered and more are being ordered for the improvement of communications in our field forces. Competent officers have been sent overseas to evaluate the main equipment on the market with a view to obtaining it."²³⁴

407. As recently as 24 June 1963, the Minister of Defence confirmed that the first of the three main tasks of the armed forces was "to assist the police to maintain internal order."²³⁵

Foreign sources of arms and ammunition

408. In recent years, the Government of the Republic of South Africa has spent enormous amounts of public funds for the purchase from other countries of modern arms, such as frigates, minesweepers, and various types of aircraft.

409. The United Kingdom was the main supplier of arms to South Africa, particularly in connexion with agreements signed by the two countries on 30 June 1955 concerning the transfer of the Simonstown naval base to South Africa and co-operation for the defence

²³¹ Republic of South Africa, *House of Assembly Debates (Hansard)*, 19 February 1963, cols. 1576-1577.

²³² *The Senate of the Republic of South Africa, Debates (Official Report)*, 28 March 1960, col. 1403.

²³³ *Ibid.*, 26 April 1961, col. 3684.

²³⁴ *Ibid.*, 26 April 1961, cols. 3669-3670.

²³⁵ Republic of South Africa, *House of Assembly Debates (Hansard)*, 24 June 1963, col. 8267.

of the sea routes around South Africa.²³⁶ Lately, however, the Republic of South Africa has made substantial purchases in other countries (see annex II, paras. 33-44).

410. Subsequent to the Special Committee's second interim report, the representative of the United States of America announced in the 1052nd meeting of the Security Council on 2 August 1963 that his Government expected to bring to an end the sale of all United States military equipment to the Government of South Africa by the end of 1963.

411. The Secretary of State for Foreign Affairs of the United Kingdom, Lord Home, stated on 3 August:

"We agree that no arms should be exported to South Africa which could be used to further the policy of *apartheid*.

"Like the Americans, we do have certain outstanding commitments. We are members of the Simonstown Agreement, which provides for the defence of sea routes round the Cape—a matter very important to Britain. We shall continue to supply arms, like ships, which are legitimate weapons for self-defence. We shall certainly oppose, though, any suppression of the natives by arms."²³⁷

412. On 13 August, the Prime Minister of the United Kingdom, Mr. H. Macmillan, stated that the United Kingdom would carry out its obligations under the Simonstown Agreement and would continue to export arms to South Africa "for that country's strategic defence, but not weapons which can be used for suppression." He added that the United Kingdom would meet the strategic needs of both countries "such as warships or something of that sort; the position is broadly that taken by the United States."²³⁸

413. The representative of France stated at the 1054th meeting of the Security Council on 6 August 1963 that "the French authorities will take all measures which they consider necessary to prevent the sale to the Government of South Africa of weapons that might be used for measures of suppression."

Manufacture of arms and ammunition in South Africa

414. Manufacture of weapons and munitions in South Africa has been greatly expanded in recent years. The budget provision for the manufacture of munitions has increased over the past four years as follows:

1960-1961	368,000 rand
1961-1962	3,341,000 rand
1962-1963	14,289,000 rand
1963-1964	23,572,000 rand

(Source: *Estimates of Expenditure*, 1960-1961, 1961-1962, 1962-1963, 1963-1964.)

415. On 15 March 1963 the Minister of Defence stated:

"We have drawn up a comprehensive programme which provides for the manufacture locally of ninety-two major items of ammunition."²³⁹

²³⁶ Agreement on Defence of the Sea Routes round Southern Africa, and Agreement relating to the Transfer of the Simonstown Naval Base (see *Exchanges of Letters on Defence Matters between the Governments of the United Kingdom and the Union of South Africa, June 1955* (London, H.M. Stationery Office, Cmd. 9520)). These agreements were maintained in force after South Africa left the Commonwealth.

²³⁷ *The Times* (London), 5 August 1963.

²³⁸ *The Star* (Johannesburg), weekly edition, 17 August 1963.

²³⁹ *The Senate of the Republic of South Africa, Debates (Official Report)*, 15 March 1963, col. 1764.

He announced on 30 March 1963 that twice as many shifts would be worked soon to produce twice as much ammunition of certain types as before.

416. Production of automatic weapons is planned for 1964. Production of tear gas and other gases used against rioters has been commenced because there was some doubt whether the Republic would be able to import enough of these for "peace time use".²⁴⁰ The Government is reported to be planning to train scientists and engineers to build rockets with conventional warheads.²⁴¹

I. DEVELOPMENTS SINCE THE ADOPTION OF THE SECURITY COUNCIL RESOLUTION OF 7 AUGUST 1963

417. On 7 August 1963, the Security Council strongly deprecated the policies of South Africa in its perpetuation of racial discrimination as being inconsistent with the principles contained in the United Nations Charter and contrary to its obligations as a Member State of the United Nations; called upon the Government of South Africa to abandon the policies and discrimination as called for in the previous resolution of 1 April 1960; and further called upon that Government to liberate all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of *apartheid*.

418. This resolution, based on the Council's conviction that the situation in South Africa was seriously disturbing international peace and security, obviously required urgent and adequate measures by the Government of the Republic of South Africa. However, instead of giving earnest consideration to measures to comply with its terms, the Government of the Republic of South Africa has taken a hostile attitude and continued to impose its policies of *apartheid* on the people of South Africa.

419. In an address on 17 August 1963, Prime Minister Verwoerd declared with reference to the Security Council resolution:

"We will never give in. If we weaken we are lost... Here I stand. I cannot do otherwise.

"Like Luther, we too say that we cannot do otherwise. Our conscience shows us the road—but so does our 'selfishness'. If we yield we throw away everything—our money, our goods, and our lives."

420. He added that it may be that South Africa was the country where the Whites of the world were destined to regain their inspiration:

"We are here to hold the fort so that they can regain their strength and start anew the battle for Christianity and civilization."

421. He claimed that if South Africa appeared to be isolated in regard to its racial policies, the country was definitely not isolated in the very important spheres of life because its purchasing power was of great value in the international market. South Africa's prosperity ensured that it could afford to implement separate development which, he said, could not be achieved without money.²⁴²

422. Speaking on 28 August to the annual Congress of the National Party of Natal in Durban, Prime Minister Verwoerd claimed that the world would once more consider it right and proper for the white man

²⁴⁰ *The Star* (Johannesburg), weekly edition, 20 April 1963.

²⁴¹ Reuters, 27 August 1963.

²⁴² Reuters, 17 August 1963; *South African Digest* (Pretoria), 22 and 29 August 1963.

to act as guardian and protector of the developing black nations. He argued that mixed democracy would inevitably lead in the end to majority rule, despite constitutional blocks, and added:

"I am not prepared to give away our heritage. I am prepared to fight to the death for my right and that of the nation to exist.

"... we can only go ahead, no matter how stubborn the people call us when we stick to our guns; it remains our duty to stand by our convictions. Why must we be called stubborn, when we fight for our existence?"

He set out three ways in which he said that the Republic of South Africa could stand fast and ward off the onslaught and criticism from outside: (a) South Africans should stand together as a bold white nation; (b) they should preserve the strength and independence of South Africa—thus preserving peace and order; and (c) they should put South Africa's message across to the other Western nations to whom South Africa had pledged support if they should be threatened.²⁴³

423. On 3 September 1963 Prime Minister Verwoerd stated that *apartheid* was the road to economic prosperity, good will between the races and good neighbourliness between self-governing territories established on a strictly racial basis, and indicated his opinion that the extension of *apartheid* to Basutoland, Bechuanaland and Swaziland under South African guardianship would be to their advantage. He declared:

"We offer a new deal for them which is better than anything they can get under the British... South Africa... would under her guidance free them in the same way as she is doing in the Transkei."²⁴⁴

424. The Government continues to implement all *apartheid* legislation and refuses to negotiate the grievances of non-whites with their leaders and organizations. On 27 August 1963, the Prime Minister, Mr. Verwoerd, declined a proposal of fifteen Indian leaders for a meeting between Indian representatives and the Cabinet to discuss problems of the Indian community.²⁴⁵

425. Moreover, the Government of the Republic of South Africa has taken no measures to comply with the demand of the Security Council that it "liberate all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of *apartheid*", but has, on the contrary, implemented harsher repressive measures.

426. A number of persons have been detained since 7 August under the provisions of the General Law Amendment Act, 1963.²⁴⁶ The Minister of Justice, Mr. B. J. Vorster, announced on 23 August that more than 300 persons were under detention under this Act (see also paragraph 363). He stated that 165 detainees would be charged in the coming weeks with sabotage and related activities and that similar charges against eighty-five other detainees were being investigated.

427. He claimed:

²⁴³ *South African Digest* (Pretoria), 5 September 1963.

²⁴⁴ *The New York Times*, 4 September 1963.

²⁴⁵ South African Press Agency, 27 August 1963.

²⁴⁶ The Act, it may be recalled, provides for ninety-day detention without trial. On 7 August 1963 the first person to serve the full ninety-day period without trial was released and immediately re-arrested before leaving police headquarters in Johannesburg. His family was not notified of his re-arrest, nor allowed to see him during his moment of freedom (*The Star* (Johannesburg), weekly edition, 10 August 1963).

"I do not want to say that we have finally put an end to subversive activities, but I regard our success as a tremendous breakthrough."

He added that frequent arrests of this nature would continue in connexion with the "normal investigations of the police".²⁴⁷

428. Also in August, the Minister of Justice threatened to take action against the National Union of South African Students, which, he said, was planting "Progressive-Liberalist" ideas in certain universities and misleading the youth.²⁴⁸

429. Meanwhile, trials on charges of sabotage and membership in unlawful organizations continue and the accused are sentenced to harsh penalties.²⁴⁹

430. These repressive measures seem to have heightened the danger of violence. On 17 August, the offices of the Bantu Affairs Commissioner at Wynberg, which contained vital statistics covering the African population of Alexandra and Johannesburg North, were completely destroyed by fire. At the same moment, the largest Dutch Reformed Church in Alexandra was completely destroyed by fire.²⁵⁰

431. On 3 September 1963, saboteurs dynamited signal cables at five different places on a suburban railway near Cape Town. The dynamiting was considered the boldest action by saboteurs in recent months. Police said that it appeared to have been carried out by four separate groups of saboteurs working together.²⁵¹

432. Finally, the Government is contemplating steps to expand its security forces further. Prime Minister Verwoerd stated on 17 August 1963 that the State was able to provide the Police Force with all equipment necessary to maintain order and that the Defence Force could also be enlarged and strengthened to an almost unbelievably high level.²⁵² On 23 August 1963, he added that South African industries could supply all the arms and ammunition needed for the country's internal defence.²⁵³

433. On 4 September 1963 the Transvaal Congress of the National Party voted overwhelmingly to extend military training to white women. The Minister of Defence, Mr. J. J. Fouché, said that the build-up of a strong and balanced defence force was progressing well and that by 1964, 62 per cent of South Africa's white youth would have received military training. He added that in the light of current programmes it would be economically impossible to extend full military training to white women, but that the Department was considering employing women as office workers, transport drivers, and in a variety of such jobs in the Permanent Force, thus releasing men for other duties.²⁵⁴

²⁴⁷ *The Star* (Johannesburg), weekly edition, 24 August 1963.

²⁴⁸ *Ibid.*, 31 August 1963.

²⁴⁹ On 23 August 1963, twenty-one Africans were sentenced to imprisonment for periods ranging from five to twenty years on charges of sabotage or membership in an unlawful organization. (*The Star* (Johannesburg), weekly edition, 24 August 1963; Agence France Presse, 23 August 1963). On 30 August 1963 the Supreme Court sentenced twelve Africans to terms of imprisonment ranging from three to fifteen years on similar charges. (Reuters, 30 August 1963).

²⁵⁰ *The Star* (Johannesburg), weekly edition, 17 August 1963.

²⁵¹ Reuters, 3 September 1963.

²⁵² *South African Digest* (Pretoria), 22 August 1963.

²⁵³ *The Star* (Johannesburg), weekly edition, 31 August 1963.

²⁵⁴ In response to another proposal at the Congress that automatic rifles be freely made available to all Whites, the Minister of Defence said that it could not be done but that enough arms were available to ensure that every member of the Commandos was well armed in case of need. (Reuters, 5 September 1963.)

CHAPTER III

CONCLUSIONS AND RECOMMENDATIONS

A. RACIAL POLICIES OF THE REPUBLIC OF SOUTH AFRICA AND THEIR REPERCUSSIONS

434. In the discharge of its mandate under operative paragraph 5 of General Assembly resolution 1761 (XVII), the Special Committee has carefully reviewed the racial policies of the Government of the Republic of South Africa; taken note of numerous communications from Governments, non-governmental organizations and individuals; heard a number of petitioners; and studied official statements and documents of the South African Government, as well as reports in the Press.

435. The results of the Committee's study, as indicated in the two interim reports and the present report, make it clear that the Government of the Republic of South Africa has not only not complied with the General Assembly resolution, but has taken further measures to aggravate the situation. It has likewise not complied with the provisions of the Security Council resolutions of 1 April 1960 (for the text, see annex II) and 7 August 1963 (for the text, see paragraph 57).

436. The Special Committee notes that the Government of the Republic of South Africa continues to implement the mass of discriminatory and repressive legislation, and has added to it serious new measures such as the Transkei Constitution Act, 1963, the Bantu Laws Amendment Act, 1963, and the General Law Amendment Act, 1962.

437. During the period since 6 November 1962, the Government has uprooted thousands of families from their homes in the urban areas and expelled many thousands of persons from these areas. Hundreds of thousands of persons have been arrested under pass laws and other racially discriminatory measures. The non-whites have been excluded from new categories of employment. A reign of terror has been instituted against opponents of *apartheid*: the leaders of the non-Whites have been jailed or restricted, and thousands of persons have been thrown in jail for opposition to *apartheid*, with no certainty of ever being set free. Harsh penalties have been imposed on members of the major non-white organizations. Simultaneously, efforts are being made to set up colonial enclaves in the African reserves as a means to consolidate white supremacy.

438. The Government has openly relied on its political, military and economic power to defy the will of the great majority of the people of South Africa, as well as that of the United Nations. With ruthless measures of repression, it has denied all avenues for peaceful change, greatly increased tension within the country and has created the grave danger of a violent conflict which cannot but have serious international repercussions.

439. The Special Committee notes that, far from pausing to consider means of complying with the provisions of the resolutions of the General Assembly and the Security Council, the Government of the Republic of South Africa has reacted to these resolutions by new and harsher measures of repression against its opponents, the hastening of *apartheid* measures, and attempts to rally its supporters to mere stubborn resistance to the legitimate and urgent demands of the international community. The unrepresentative and minority Government of the Republic of South Africa continues

thus to pursue an increasingly isolationist course and policy, dragging the overwhelming majority of the inhabitants against their wishes away from the mainstream of international life and co-operation and from the benefits and advantages deriving therefrom.

440. The Special Committee notes that the attitude of the Government of the Republic of South Africa to the Security Council resolution of 7 August 1963, described in the previous chapter, deserves particular condemnation in the light of Article 25 of the United Nations Charter. In calling for a report by the Secretary-General by 30 October 1963, the Security Council gave sufficient time for the South African Government to reconsider its position and take meaningful steps towards compliance so that additional measures may be avoided. The Special Committee feels that the utterly negative reaction of the South African Government makes it essential to consider, with no further delay, possible new measures in accordance with the Charter which provides for stronger political, diplomatic and economic sanctions, suspension of the rights and privileges of the Republic of South Africa as a Member State, and expulsion from the United Nations and its specialized agencies.

Certain aspects of the situation in the Republic of South Africa

441. Before discussing such measures, the Special Committee wishes to submit certain observations on the salient aspects of the problem.

442. First, the Special Committee wishes to emphasize that the problem in South Africa is not merely the perpetuation of inequalities arising from historical developments or the continued existence of such inequities as the denial of franchise to a majority of the population, the separation of peoples by race or the discrimination in the sharing of the fruits of labour. Such terms as segregation and discrimination can hardly describe the humiliation and oppression to which millions of people, who constitute a large majority of the population of the country, have been subjected by the policies of its Government.

443. Second, the Special Committee considers that the problem is not one of a peculiar political or social system which democratic-minded peoples find objectionable, but of an official policy of a State, a tyrannical policy imposed for purposes which are repugnant to the fundamental principles of the United Nations Charter. The racist creed that the policies of *apartheid* are based on is not only unjust, but is the very antithesis of the concept of international co-operation which is at the root of the existence of the United Nations.

444. Third, the Special Committee rejects the claims of the Government of the Republic of South Africa that it is, by its policy, defending the Western or Christian civilization in its territory or that it is the victim of attacks led by one of the protagonists of the cold war. The Special Committee notes that the policies of the Republic of South Africa are a matter of concern to all States and to all peoples. They have been denounced almost unanimously by Member States and by world public opinion. It is the responsibility of all Member States, irrespective of other differences, to co-operate in an endeavour to put an end to the dangerous situation in the Republic of South Africa, in

the interests solely of the people of South Africa and the maintenance of international peace and security.

445. Fourth, the Special Committee reiterates its view, stated in its first interim report (see annex III), that the problem in the Republic of South Africa is not one of colour or race but “the consequence of a racialist ideology enshrined as State policy and implemented by force against the majority of the people of the country, despite the obligations of the Government of the Republic of South Africa under the United Nations Charter” (annex III, para. 22).

446. The hearings of the petitioners and the review of the developments have underscored the Committee’s view that the policies of *apartheid* are detrimental to the interests of all sections of the population of the Republic of South Africa. These policies cannot be implemented without undermining the freedom and human rights of all persons, Whites and non-whites alike. Indeed, as the Committee stated in the declaration issued by its Chairman and Rapporteur on the occasion of the publication of its second interim report, which appeared in United Nations Press Release GA/AP/13:

“The present Government of the Republic of South Africa offers for all time no other future to its non-white population than perpetual subordination. Though it describes itself as engaged in a struggle for the survival of the white population, it deliberately imperils their own safety and offers them no other destiny than a hopeless struggle for domination.”

447. The Special Committee rejects as unfounded the claim of the Government of South Africa that the choice in South Africa is between white domination and the end of the white community in the country. It feels that the white community cannot ensure its survival by seeking perpetual domination over the non-whites, and that efforts to that end can only lead to catastrophic consequences.

448. Contrary to the assertions of the Government of the Republic of South Africa, the Special Committee noted that the major non-white organizations favour equality of all citizens, irrespective of race, and that they have repeatedly expressed a desire for discussions to ensure progress towards equality. It has also noted with great satisfaction that among those who oppose the policies of *apartheid*, despite severe repression, are members of all racial groups in the country, including many Whites.

449. The United Nations has already made clear in General Assembly resolution 616 B (VII), reaffirmed in subsequent resolutions, that the peaceful development of a unified community in multiracial societies such as the Republic of South Africa would best be assured “when patterns of legislation and practice are directed towards ensuring equality before the law of all persons regardless of race, creed or colour, and when economic, social, cultural and political participation of all racial groups is on a basis of equality”. The Special Committee feels that this is the only course which can serve the true interests of all the peoples of the Republic of South Africa, irrespective of race or colour.

450. Fifth, the Special Committee notes that the harsh repressive measures instituted by the Government frustrate the possibilities for peaceful settlement, enhance hostility among the racial groups, and precipitate a violent conflict with incalculable harm to persons of all racial groups in the country, to friendly relations among States and to the maintenance of peace in Africa and the world.

451. The Special Committee, therefore, attaches the utmost importance to the release of political prisoners, withdrawal of orders of banishment and other restraints against political leaders and the abolition of repressive legislation. Moreover, it takes note of the serious and special hardship faced by the families of persons persecuted only because of their opposition to the policies of *apartheid* and considers that the international community, for humanitarian reasons, should provide them with relief and other assistance.

452. Sixth, it is the duty and in the interest of the leaders and people of the Republic of South Africa to seek the aid and support of the United Nations to help them overcome the burdensome legacy of inequality, prejudice, tension and fear.

453. The present Government, however, has aggravated the tensions in the country and attempted to entrench itself in power by utilizing the fears and prejudices of the white population. The Special Committee feels, therefore, that in order to put an end to the explosive situation in the country, it is essential that the white community in South Africa should be made to realize that the Government’s plans to reinforce white supremacy cannot succeed and will only lead to needless suffering for all concerned.

454. Seventh, the Special Committee notes that the racial policies of the Government of the Republic of South Africa have long been matters of international concern. The General Assembly has dealt with this problem at every session since 1946 and adopted numerous resolutions with a view to dissuading the South African Government from its racial policies. The Security Council has twice considered the matter and adopted resolutions on 1 April 1960 and 7 August 1963.

455. The Special Committee recalls that, as early as the first session in 1946, the General Assembly noted that friendly relations between South Africa and India had been impaired because of the treatment of people of Indian origin in South Africa. It notes that the refusal of the South African Government to implement the recommendations of the General Assembly led to further aggravation of its relations with the Governments of India and Pakistan.

456. The Special Committee also recalls that the General Assembly and the Security Council have repeatedly recognized that the continuance of the racial policies of the Government of South Africa has led to international friction and seriously endangered international peace and security.

457. It recalls further that the Government of South Africa has extended its racial policies to the mandated Territory of South West Africa, and has refused to fulfil its obligation towards that Territory, defying numerous resolutions of the General Assembly. The report on South West Africa by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/5446/Rev.1, chap. IV), and recent statements of the Government of the Republic of South Africa concerning South West Africa, indicate the grave dangers created by the policies of *apartheid*, as the South African Government threatens to prevent by force the fulfilment of the responsibilities of the United Nations towards the people of South West Africa.

458. Further, the recent developments in the colonial territories in southern Africa indicate that the racial

policies of the South African Government are a grave hindrance to the peaceful and speedy development of the neighbouring colonial territories to independence and prosperity.

459. The Special Committee wishes to emphasize that, in the context of the historic developments in Asia and Africa since the establishment of the United Nations, the policies and actions of the Republic of South Africa have increasingly serious international repercussions. They have become a constant provocation to peoples beyond the borders of the Republic who feel an affinity with the oppressed people of South Africa, and to all opponents of racism everywhere. They have compelled many States to break relations with the Republic of South Africa or to refrain from establishing relations. They have caused friction between African and other States on the one hand, and Governments which, these States feel, have not taken adequate measures to dissuade the Government of the Republic of South Africa from its present policies. Finally, they constitute a serious threat to the maintenance of international peace and security.

B. MEASURES TO DISSUADE THE GOVERNMENT OF SOUTH AFRICA FROM ITS PRESENT POLICIES

460. The General Assembly and the Security Council have repeatedly appealed to the Government of South Africa since 1946 to modify its policies in order to conform with its obligations under the Charter. As these appeals were not heeded, it became essential that effective measures be taken to induce that Government to recognize the folly of its policies and fulfil its obligations. General Assembly resolution 1761 (XVII) of 6 November 1962 represented a new stage in the United Nations consideration of the matter as it recommended specific measures for implementation by all Member States.

461. In operative paragraph 4 of that resolution, the General Assembly

“Requests Member States to take the following measures, separately or collectively, in conformity with the Charter, to bring about the abandonment of those policies:

“(a) Breaking off diplomatic relations with the Government of the Republic of South Africa or refraining from establishing such relations;

“(b) Closing their ports to all vessels flying the South African flag;

“(c) Enacting legislation prohibiting their ships from entering South African ports;

“(d) Boycotting all South African goods and refraining from exporting goods, including all arms and ammunition, to South Africa;

“(e) Refusing landing and passage facilities to all aircraft belonging to the Government of South Africa and companies registered under the laws of South Africa.”

462. The Security Council, in its resolution of 7 August 1963, taking note of General Assembly resolution 1761 (XVII) and the interim reports of the Special Committee, again called upon the Government of South Africa to abandon its policies of *apartheid* and discrimination; called for the liberation of all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of *apartheid*; and solemnly called upon all States to cease forthwith the sale and shipment of arms, ammunition of all types and military vehicles to South Africa (see paragraph 57).

463. The Special Committee considers that these resolutions represent important steps in the efforts of the United Nations to dissuade the Government of South Africa from its disastrous policies and deserve full support by all Member States. In this connexion, the Special Committee wishes to make the following observations.

464. The Special Committee notes the increasing abhorrence by world public opinion of the racial policies of the Government of the Republic of South Africa and the growing recognition that the continuation of these policies would seriously endanger the maintenance of international peace.

465. Member States of the United Nations have condemned the racial policies of the Republic of South Africa by ever-increasing majorities, and recognized that effective and prompt measures need to be taken by the international community to deal with the problem. No Member State has condoned or defended these policies.

466. A number of United Nations bodies have been obliged to take action in view of the effects of the policies of *apartheid* in their fields of competence.

467. The sixteenth World Health Assembly in May 1963 adopted a resolution noting that the conditions imposed upon the non-white population of South Africa seriously prejudiced their physical, mental and social health, and was contrary to the principles of the Organization; inviting the Government of the Republic of South Africa to renounce the policy of *apartheid*, and take appropriate measures so that all populations of South Africa would benefit by the public health services of that country; undertaking, within the provisions of the Constitution of the Organization, to support all measures that may be taken to contribute towards the solution of the problem of *apartheid*; and requesting the Director-General to transmit the resolution to the Special Committee (see A/AC.115/L.13).

468. The Governing Body of the International Labour Office adopted three resolutions in June 1963 deciding *inter alia* that the Republic of South Africa be excluded from meetings of the International Labour Organisation, the membership of which is determined by the Governing Body; that the Director-General be invited to provide the full co-operation of the Organisation in United Nations action relating to the Republic of South Africa; and that the Director-General, accompanied by a tripartite delegation of the Governing Body, should meet the Secretary-General of the United Nations to express the grave concern of the forty-seventh International Labour Conference and the Governing Body on the subject of *apartheid* and jointly seek a solution of the problems posed by the membership of the Republic of South Africa so long as it continues to maintain its present policy (see A/AC.115/L.12).

469. The Economic and Social Council decided by resolution 974 D (XXXVI), part IV, adopted on 30 July 1963 that, in accordance with the recommendation of the Economic Commission for Africa, the Republic of South Africa “shall not take part in the work of the Economic Commission for Africa, until the Council, on the recommendation of the Economic Commission for Africa, shall find that conditions for constructive co-operation have been restored by a change in its racial policy”.

470. The Special Committee has, moreover, taken note of the condemnation of the racial policies of South

Africa by numerous non-governmental organizations which represent great segments of humanity, and of concrete measures taken by many organizations and individuals, despite serious sacrifices, to assist in the solution of the problem (see paragraph 26).

471. The Special Committee attaches great significance to the moral isolation of the Government of the Republic of South Africa which these developments represent. However, in view of the failure of efforts at persuasion to dissuade the Government of the Republic of South Africa from pursuing its disastrous course, the implementation of the concrete measures recommended by the General Assembly and the Security Council has become imperative.

472. The Special Committee draws the attention of the General Assembly and the Security Council to the replies received from Member States to the letter dated 11 April 1963 by the Chairman of the Special Committee, which are annexed to this report (see annex V).

473. The Special Committee notes with great satisfaction that a number of Member States have reported effective measures taken by them in accordance with the provisions of General Assembly resolution 1761 (XVII). It notes that a number of other States have taken similar measures and awaits reports from them in due course. It recognizes that the adoption of such measures represents a substantial sacrifice for many Member States.

474. The Special Committee wishes to express its great appreciation to all Member States which have thus given concrete evidence of their attachment to international solidarity and their abhorrence of racial discrimination. It has noted with satisfaction the fact that many developing countries have made great sacrifices and have thereby shown their determination to contribute to the speedy solution of the problem.

475. The Special Committee notes in connexion with operative paragraph 4 (a) of General Assembly resolution 1761 (XVII), that States other than those which maintained diplomatic representatives in the Republic of South Africa on 6 November 1962, have refrained from establishing diplomatic relations with the Republic. A number of States have taken effective action in pursuance of operative paragraph 4 (b) to (e) concerning trade, and the landing and passage rights of South African ships and aircraft.

476. Moreover, the Special Committee notes that in the light of the conclusions of its first interim report (see annex III), supported unanimously by the Summit Conference of Independent African States, a number of countries have broken off consular relations or have refrained from establishing such relations, and have denied use of their air space to the aircraft of the Republic of South Africa.

477. The Committee notes, however, that a number of countries continue to maintain diplomatic relations with the Republic of South Africa, and some have substantially increased their trade with the Republic of South Africa. The colonial powers have granted new passage and overflight facilities to provide alternate routes to South African aircraft, while various non-African States continue to grant landing and passage rights.

478. The Special Committee feels, therefore, that the United Nations must insist that all Member States should adopt the measures recommended in General Assembly resolution 1761 (XVII) and the Security

Council resolution of 7 August 1963. Further, in view of the rapid deterioration of the situation in the Republic of South Africa and in order to ensure effective international action, the Special Committee feels that consideration should be given to appropriate additional measures.

479. The Special Committee is convinced that the Government of the Republic of South Africa could not have continued its disastrous policies and cannot continue them further, in opposition to world opinion, if the international community had not been patient and refrained from effective economic and other measures to induce it to abandon its policies.

480. The crucial aspect of the present system in the Republic of South Africa, defended by the power of its Government, is the appropriation of a disproportionate share of the fruits of labour of all racial groups for the benefit of the white minority. Political rights are restricted to the Whites and a tyranny imposed over the country to ensure a perpetuation of this inequity. The Government appeals to the material interests of the Whites, and to the very dangers and fears generated by its policies, to ensure the support of the white electorate and remain in power.

481. The international community, however, has adequate means to disabuse the Government of South Africa and its supporters of their short-sighted and dangerous calculations.

482. Foreign trade plays a great role in the economy of the Republic of South Africa which depends largely on the export of a few commodities. The international community can show its determination to end the policies of *apartheid* by a boycott of these exports. Moreover, as the Special Committee suggested in its second interim report (annex IV), an effective embargo on petroleum and on the means to manufacture arms would have a decisive effect on South Africa.

483. Foreign investments—mainly from a few countries—have contributed greatly to the economic development of the Republic and continue to play a significant role. A freeze on such investments can have a serious effect on the economy of South Africa.

484. The Government of the Republic of South Africa realizes its vulnerability to international action, but has persisted in its course in the belief that effective measures to dissuade it from pursuing its policies of *apartheid* would not be taken in the near future. The Special Committee considers that South African statements in this connexion deserve serious consideration.

485. Spokesmen of the South African Government express confidence that the moral isolation of the Republic of South Africa with respect to its racial policies will not lead to isolation in other fields. They claim that measures recommended by the United Nations will remain ineffective as they will not be implemented by Member States which have the closest relations with the Republic. They note that the Member States which voted for General Assembly resolution 1761 (XVII) accounted for less than one-sixth of the foreign trade of the Republic of South Africa, while the Member States opposed to it accounted for nearly two-thirds. They claim, moreover, that South Africa's strategic position is so important and South Africa's role in the "cold war" so significant that the Western Powers could not accept and implement effective measures against the Republic of South Africa.

486. The Special Committee reiterates its view that the question of the policies of *apartheid* of the Government of the Republic of South Africa is not an aspect of the cold war (see paragraph 444). It feels, however, that the small number of States on whose co-operation the Government of the Republic of South Africa counts have a special responsibility to implement effective measures to disabuse that Government and its supporters of its hopes of continuing its policies.

487. In this connexion, the Special Committee recalls its recommendation, in the first and second interim reports (annexes III and IV), that a special appeal be addressed to the Governments of (a) the States with traditional relations with South Africa; (b) the small number of States which account for most of the foreign trade of, and foreign investment in, the Republic of South Africa and which are the principal suppliers of arms and equipment to that country; and (c) the colonial powers responsible for the administration of territories neighbouring South Africa.

488. The Special Committee wishes to reiterate and emphasize the importance of effective measures by these States, for, without the co-operation of these States, the practical effect of the sacrifices being made at present by many others towards promoting a solution of the problem would be limited.

489. The Special Committee draws the attention of these States to the negative response of the Government of the Republic of South Africa to all efforts at persuasion by the United Nations and by Member States, and to the appeals of the major non-white organizations in South Africa for effective measures despite the temporary sacrifices which they might entail for the people of South Africa.

490. The Special Committee feels that the geographical position or strategic value of the Republic of South Africa cannot justify policies and actions which tend to permit perpetuation of racial oppression and thereby aggravate international friction and the threat to international peace and security. It notes, moreover, that the policies of the present Government of South Africa have evoked such abhorrence that any recognition of a community of interest with it tends to be regarded by large segments of world public opinion as an encouragement to that Government in its oppressive policies. Countries which claim to have special interests in the area should bear a special responsibility for taking all measures to end the present dangerous situation and ensure the speedy implementation of the decisions of the United Nations.

491. The Special Committee feels that all Member States have an obligation to respect the decisions and recommendations of the General Assembly and the Security Council, to attempt to implement them in good faith and to bring any difficulties of implementation to the attention of the United Nations, if necessary.

492. The Special Committee, however, cannot but express its regret at the actions of certain States which have increased their trade with and investment in, the Republic of South Africa, signed new trade agreements with it, provided new facilities for South African aircraft, or continue to supply military equipment to the Republic of South Africa.

493. The Special Committee feels, moreover, that special attention should be devoted to the attitudes and actions of Member States which administer colonial territories neighbouring the Republic of South Africa.

494. It notes with regret that the Government of Portugal has provided new facilities for South African aircraft and has entered into agreements for greater co-operation with the Government of the Republic of South Africa.

495. The Special Committee has watched with serious anxiety the treatment of South African nationals opposed to the policies of *apartheid* in the colonial territories administered by the United Kingdom.

496. In the first three months of 1963, forty-six South Africans were arrested in Southern and Northern Rhodesia by the authorities of the Federation of Rhodesia and Nyasaland and handed over to the South African police.²⁵⁵

497. On 1 April 1963, Basutoland police arrested eleven persons at the offices of the Pan-Africanist Congress in Maseru (six were subsequently reported to have been released). Mr. Potlako Leballo was reported to have disappeared mysteriously during the raid.

498. On 23 May, twelve South African refugees were arrested as prohibited immigrants in Lusaka, Northern Rhodesia, by the immigration authorities of the Federation of Rhodesia and Nyasaland. They were released on 4 June after strong protests by Northern Rhodesia authorities and a successful *habeas corpus* action by one of the prisoners.

499. Sir John Maud, United Kingdom Ambassador to the Republic of South Africa, stated on 15 May 1963 that there could be "no question" of the United Kingdom refusing political asylum to South African refugees in the three High Commission territories of Basutoland, Swaziland and Bechuanaland, but that the United Kingdom was "against the territories being used for fomenting violence in the Republic".²⁵⁶

500. But complaints have been made by South African refugees that the authorities in these territories have denied political asylum even within the limits of that policy statement. A number of South African refugees have been declared prohibited immigrants in the High Commission territories—among them Mr. Patrick Duncan, a petitioner before the Special Committee.

501. The Special Committee noted with grave anxiety the reports that Dr. Kenneth Abrahams and three other South African political refugees had been kidnapped in Bechuanaland by South African authorities on 11 August 1963.²⁵⁷

502. It has, further, noted with grave anxiety that an aircraft chartered to fly South African political refugees to Tanganyika was destroyed by explosion and

²⁵⁵ Nine were convicted in Pretoria on 4 April 1963 and thirty-seven on 5 April on charges of leaving the country without valid travel documents. *Southern Africa* (London), 12 April 1963.

²⁵⁶ Reuters, 15 May 1963.

²⁵⁷ In an application to the Cape Town Supreme Court on 20 August 1963, Dr. Abrahams stated that he and his three companions had been held up in Bechuanaland, about 100 miles from the South African border, by six armed men, two of whom were members of the South African police, and taken by road to South Africa. The South African Minister of Justice denied the allegation, but the United Kingdom authorities were reported convinced that the four persons had been abducted from Bechuanaland (Reuters, 29 August). On 30 August, the Minister of Justice ordered the return of the prisoners to Bechuanaland and they arrived in Francistown on 5 September.

fire at the Francistown airport, Bechuanaland, on 29 August. It has noted reports that Bechuanaland authorities suspected sabotage and that the South African Press had hinted that unorthodox methods might be used by the South African Government to deprive the refugees of their sense of security in neighbouring territories.²⁵⁸

503. The Special Committee considers it essential that the General Assembly and the Security Council should insist that the colonial powers concerned provide asylum and other facilities to South African refugees and should take no action to assist the Government of the Republic of South Africa in the pursuit of its policies of *apartheid*.

504. Finally, the Special Committee recalls that, in its two interim reports, it reviewed the rapid expansion of the military and police forces in the Republic of South Africa, and noted with grave anxiety that this expansion not only reflects the gravity of the present situation in the country but is likely to have serious international repercussions. It provided information on the main sources of arms (see paragraphs 408-413 and annex IV, appendix II) and recommended that the General Assembly and the Security Council call upon the States concerned to halt forthwith all assistance to the Government of South Africa in strengthening its armed forces. It emphasized the importance of the provision in paragraph 4 (b) of General Assembly resolution 1761 (XVII) requesting Member States to refrain from exporting any arms or ammunition to South Africa.

505. The Special Committee has noted with great satisfaction the provision in the Security Council resolution of 7 August 1963 solemnly calling upon "all States to cease forthwith the sale and shipment of arms, ammunition of all types and military vehicles to South Africa". It has also noted with satisfaction the declaration by the United States of America that the sale of all military equipment to the Government of South Africa would be brought to an end by the end of 1963 (see paragraph 410 and annex V). It has also taken note of the declaration made by a number of other Member States concerning the measures taken by them in this respect. The Special Committee, however, cannot but express its regret that certain main suppliers of arms have not taken requisite action.

506. In connexion with the question of arms supplies, the Special Committee wishes to reiterate its conclusion that the provision in paragraph 4 (d) of General Assembly resolution 1761 (XVII) "covers the supply of all material, from government or private sources, which can be used for military purposes or for the suppression of resistance to the policies and practice of *apartheid*, as well as assistance, direct or indirect, for the manufacture of such material in the Republic of South Africa". It recalls, further, the following observations made by it in paragraphs 22 and 23 of its second interim report (see annex IV):

"...the Special Committee wishes to emphasize that Member States, in taking appropriate measures, should note that there is not merely the danger of a racial conflict within the Republic of South Africa, but that the present situation constitutes a threat

to international peace and security. They should refrain from supplying not merely the small arms and ammunition, but any means to increase the mobility of the security forces, as well as material which can be used by the Government of South Africa to perpetuate by force the policies of *apartheid* and by the abnormal military build-up pose a threat to the security of the other States which abhor the policies of *apartheid*.

"The Special Committee also notes, in this connexion, that the Government of the Republic of South Africa has continued to refuse to fulfil its obligations with respect to the mandated Territory of South West Africa."

507. The Special Committee wishes to emphasize that any distinction between equipment for external defence and that for internal security purposes is bound to be illusory and devoid of any practical interest, as the Government of the Republic of South Africa has viewed the two aspects as complementary and regards the defence forces as intended, in the first place, for the maintenance of internal security.

C. RECOMMENDATIONS

508. In the light of the foregoing observations and conclusions, the Special Committee wishes to submit the following recommendations to the General Assembly and the Security Council for their consideration.

509. First, in view of the non-compliance of the Government of the Republic of South Africa with the provisions of General Assembly resolution 1761 (XVII) and its defiance of the Security Council resolutions of 1 April 1960 (see annex II) and 7 August 1963 (see paragraph 57), the Special Committee feels that the situation should be considered without delay and with particular reference to the obligations of the Republic of South Africa under Article 25 of the Charter.

510. Second, the Special Committee deems it essential that the General Assembly and the Security Council should: (a) take note of the continued deterioration of the situation in the Republic of South Africa, in consequence of the continued imposition of discriminatory and repressive measures by its Government in violation of its obligations under the United Nations Charter, the provisions of the Universal Declaration of Human Rights and the resolutions of the General Assembly and the Security Council; (b) affirm that the policies and actions of the Republic of South Africa are incompatible with membership in the United Nations; (c) declare the determination of the Organization to take all requisite measures provided in the Charter to bring to an end the serious danger to the maintenance of international peace and security; (d) call upon all United Nations organs and agencies and all States to take appropriate steps to dissuade the Republic of South Africa from its present racial policies.

511. Third, the Special Committee deems it essential that all Member States be called upon to take requisite measures speedily to implement the relevant provisions of General Assembly resolution 1761 (XVII) and the Security Council resolution of 7 August 1963. It feels that Member States which have taken effective measures in this respect should be commended, and that an urgent invitation should be addressed to all others to take action and report without delay. It feels, more-

²⁵⁸ Reuters, 29 and 30 August 1963; *The Observer* (London), 1 September 1963.

over, that the General Assembly and the Security Council should express disapproval at the actions of certain States which have taken measures contrary to the provisions of the resolutions of the General Assembly and the Security Council on the policies of *apartheid* of the Government of the Republic of South Africa (see paragraphs 472-478 and 492-505).

512. Fourth, the Special Committee feels that the States responsible for the administration of territories adjacent to the Republic of South Africa should be called upon to provide asylum and relief to South African nationals who are obliged to seek refuge because of the policies of *apartheid* and to refrain from any action which may assist the South African authorities in the continued pursuit of their present racial policies (see paragraphs 495-503).

513. Fifth, in view of the persecution of thousands of South African nationals for their opposition to the policies of *apartheid* and the serious hardship faced by their families, the Special Committee considers that the international community, for humanitarian reasons, should provide them with relief and other assistance. It recommends that the Secretary-General should be requested, in consultation with the Special Committee, to find ways and means to provide such relief and assistance through appropriate international agencies (see paragraph 451).

514. Sixth, with regard to the request to the Member States by the General Assembly that they refrain from exporting all arms and ammunition to South Africa, and by the Security Council that they cease forthwith the sale and shipment of arms, ammunition of all types and military vehicles to South Africa, the Special Committee submits the following supplementary recommendations: (a) Member States should be requested not to provide any assistance, directly or indirectly, in the manufacture of arms, ammunition and military vehicles in South Africa, including the supply of strategic materials, provision of technical assistance, or the granting of licenses; (b) Member States should be requested to refrain from providing training for South African military personnel; and (c) Member States should be requested to refrain from any form of co-operation with South African military and police forces.

515. Seventh, the Special Committee suggests that the General Assembly and the Security Council give consideration to additional measures, including the following, to dissuade the Government of the Republic of South Africa from its racial policies: (a) recommendation to all international agencies to take all nec-

essary steps to deny economic or technical assistance to the Government of the Republic of South Africa, without precluding, however, humanitarian assistance to the victims of the policies of *apartheid*; (b) recommendation to Member States to take steps to prohibit or discourage foreign investments in South Africa and loans to the Government of the Republic of South Africa or to South African companies; (c) recommendation to Member States to consider denial of facilities for all ships and aircraft destined to or returning from the Republic of South Africa; (d) recommendation to Member States to take measures to prohibit, or at least discourage, emigration of their nationals to the Republic of South Africa, as immigrants are sought by it to reinforce its policies of *apartheid*; and (e) study of means to ensure an effective embargo on the supply of arms and ammunition, as well as petroleum, to the Republic of South Africa, including a blockade, if necessary, under the aegis of the United Nations.

516. Finally, the Special Committee feels that Member States should be urged to give maximum publicity to the efforts of the United Nations with respect to this question and take effective steps to discourage and counteract propaganda by the Government of the Republic of South Africa, its agencies and various other bodies which seek to justify and defend its policies.

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517. Considering the extreme gravity of the situation in the Republic of South Africa, and its serious international repercussions, the Special Committee deems it essential that the General Assembly and the Security Council should keep the matter under active consideration in order to take timely and effective measures to ensure the fulfilment of the purposes of the Charter in the Republic of South Africa. The Special Committee feels that they should consider, with no further delay, possible new measures in accordance with the Charter, which provides for stronger political, diplomatic and economic sanctions, suspension of rights and privileges of the Republic of South Africa as a Member State, and expulsion from the United Nations and its specialized agencies. The Special Committee will actively pursue its task of assisting the principal organs in connexion with this problem, and to this end invites the continued co-operation of the Member States and the specialized agencies, as well as all organizations and individuals devoted to the principles of the Charter.

ANNEXES

ANNEX I

GENERAL ASSEMBLY RESOLUTION 1761 (XVII) OF
6 NOVEMBER 1962

[See *Official Records of the General Assembly, Seventeenth Session, Supplement No. 17 (A/5271)*.]

ANNEX II

SECURITY COUNCIL RESOLUTION OF 1 APRIL 1960

[See *Official Records of the Security Council, Fifteenth Year, Supplement for April, May and June 1960, document S/4300*.]

ANNEX III

FIRST INTERIM REPORT OF THE SPECIAL COMMITTEE ON THE
POLICIES OF *apartheid* OF THE GOVERNMENT OF THE REPUBLIC
OF SOUTH AFRICA*

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* Originally circulated as documents A/5418 and S/5310.

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INTRODUCTION

1. The Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa was established by General Assembly resolution 1761 (XVII) of 6 November 1962, with the following terms of reference:

"(a) To keep the racial policies of the Government of South Africa under review when the Assembly is not in session;

(b) To report either to the Assembly or to the Security Council or to both, as may be appropriate, from time to time."

2. In accordance with the provisions of that resolution, the President of the General Assembly, on 18 February 1963, announced the appointment of the following members to serve on the Committee: Algeria, Costa Rica, Federation of Malaya, Ghana, Guinea, Haiti, Hungary, Nepal, Nigeria, Philippines, Somalia.^a

3. The Special Committee held its first meeting on 2 April 1963 and elected Mr. Diallo Telli (Guinea) as Chairman, Mr. Fernando Volio Jiménez (Costa Rica) as Vice-Chairman, and Mr. Matrika Prasad Koirala (Nepal) as Rapporteur. The Committee agreed that Mr. Ram C. Malhotra (Nepal) should act as the Rapporteur in the absence of Mr. Koirala.

A. THE BACKGROUND OF THE QUESTION AND THE ORGANIZATION OF WORK OF THE SPECIAL COMMITTEE

4. The racial policies of South Africa have been under consideration by the principal organs of the United Nations since the first session of the General Assembly when the Government of India complained of the treatment of population of Indian origin in the Union of South Africa. The question of *apartheid*—*apartheid* was proclaimed as a State policy by the National Party of South Africa, which came to power in 1948—has been before every session of the General Assembly since 1952, when it was brought up in the wake of the institution of a series of discriminatory measures against the non-white population and severe repressive measures to suppress the "defiance campaign" launched by the victims and opponents of such discrimination. This question was also considered by the Security Council, in March-April 1960, when large-scale killings of unarmed and peaceful demonstrators against racial discrimination and segregation in South Africa led to an urgent complaint by twenty-nine Member States.^b

^a See A/5400.

^b See *Official Records of the Security Council, Fifteenth Year, Supplement for January, February and March 1960*, documents S/4279 and Add.1.

5. The two main organs of the United Nations adopted no less than twenty-seven resolutions on the discriminatory racial policies of the Government of South Africa (see appendix II). In these resolutions, they declared that these policies were contrary to the obligations of the Government of the Republic of South Africa under the provisions of the United Nations Charter, that they had led to international friction and that a continuation of the policies was likely to endanger international peace and security. Increasing majorities of Member States have rejected the persistent contention of the South African Government that its racial policies were essentially within the domestic jurisdiction of the country. Virtually all the Member States of the United Nations have now recorded their conviction that the present policies of the Government of the Republic of South Africa are contrary to the purposes and principles of the Charter. The resolutions of the General Assembly and the Security Council reflect the universal feeling that the policies of *apartheid*, and the repressive measures designed to enforce those policies, have become increasingly dangerous. Any conflict in South Africa arising from the oppressive racial policies of *apartheid* cannot but have grave international repercussions affecting relations between Member States.

6. The United Nations has also been seriously concerned for many years over the forcible extension of *apartheid* policies to the Mandated Territory of South West Africa (the General Assembly resolutions concerning South West Africa are listed in appendix II). This action of the Government of the Republic of South Africa added to its gross violation of its obligations as a Mandatory Power towards the United Nations and its suppression of the people of South West Africa under its colonial rule has considerably increased tension in that area.

7. Repeated appeals by the General Assembly and the Security Council, expressions of regret and concern and demands that it desist from the discriminatory racial policies and initiate measures aimed at bringing about racial harmony based on equality have failed to receive a positive response from the Government of the Republic of South Africa, which pressed forward with further measures of racial discrimination and more intensive repression to enforce such policies. The danger of racial conflict in South Africa increased from year to year as all legal and peaceful means of protest and redress were progressively closed.

8. In view of the negative attitude of that Government, despite its clear obligations under the Charter, and the growing danger of conflict, the General Assembly recommended in resolution 1598 (XV) of 13 April 1961 and resolution 1663 (XVI) of 28 November 1961 that all States take separate and collective action, in conformity with the Charter of the United Nations, to bring about the abandonment by the Government of the Republic of South Africa of the present policies of racial discrimination.

9. By resolution 1761 (XVII), which provided for the establishment of the Special Committee, the General Assembly again deplored the failure of the Government of the Republic of South Africa to comply with the repeated requests and demands of the General Assembly and of the Security Council; strongly deprecated the continued and total disregard by the Government of the Republic of South Africa of its obligations under the Charter of the United Nations and, furthermore, its determined aggravation of racial issues by enforcing measures of increasing ruthlessness involving violence and bloodshed; reaffirmed that the continuance of those policies seriously endangers international peace and security; requested Member States to take certain measures, separately or collectively, in conformity with the Charter, to dissuade the Government of the Republic of South Africa from pursuing its policies of *apartheid*; and requested the Security Council to take appropriate measures, including sanctions, to secure compliance by the Government of the Republic of South Africa with the resolutions of the General Assembly and of the Security Council on this subject and, if necessary, to consider action under Article 6 of the United Nations Charter.

10. The Special Committee, in considering its mandate to "keep the racial policies of the Government of South Africa under review" and to "report either to the Assembly or to the

Security Council or to both, as may be appropriate, from time to time", took account of the course of the consideration of the question by the United Nations organs and the purposes of General Assembly resolution 1761 (XVII). It noted that the General Assembly and the Security Council had already studied and reviewed the racial policies of the Government of South Africa, on the basis of a number of documents and reports, including three reports of the United Nations Commission on the Racial Situation in the Union of South Africa,^c and had clearly declared their conclusions. As early as 2 December 1950, in resolution 395 (V), the General Assembly held that "a policy of 'racial segregation' (*apartheid*) is necessarily based on doctrines of racial discrimination". On 8 December 1953, in the preamble to resolution 721 (VIII), the Assembly took note of the following conclusions of the United Nations Commission on the Racial Situation in the Union of South Africa that:

"(a) 'It is highly unlikely, and indeed improbable, that the policy of *apartheid* will ever be willingly accepted by the masses subjected to discrimination', and

"(b) That the continuance of this policy would make peaceful solutions increasingly difficult and endanger friendly relations among States."

11. On 14 December 1954, by resolution 820 (IX), the General Assembly noted the profound conviction of the Commission that the policy of *apartheid* constituted a grave threat to the peaceful relations between ethnic groups in the world. In its resolution of 1 April 1960,^d the Security Council recognized that the situation in the Union of South Africa was one that had led to international friction and if continued might endanger international peace and security. On 13 April 1961, by resolution 1598 (XV), the Assembly affirmed that the racial policies being pursued by the Government of the Union of South Africa were a flagrant violation of the Charter of the United Nations and the Universal Declaration of Human Rights and were inconsistent with the obligations of a Member State; and that their continuance endangered international peace and security.

12. These conclusions of the General Assembly and the Security Council indicate, in the view of the Special Committee, that the review to be undertaken by the Special Committee was not intended as a compilation of relevant information or as a basis for the characterization of the policies of *apartheid* in the light of the Charter, but as an essential element in the efforts of the General Assembly to dissuade the Government of the Republic of South Africa from pursuing its policies of *apartheid*, and to ensure the upholding of the purposes and principles of the Charter in South Africa. The work of the Special Committee was to be a basis for individual and collective efforts by Member States to secure a speedy and effective solution of the grave situation in South Africa.

13. In the light of these considerations and taking into account the provisions of operative paragraph 6 of General Assembly resolution 1761 (XVII), requesting all Member States:

"(a) To do everything in their power to help the Special Committee to accomplish its task;

"(b) To refrain from any act likely to delay or hinder the implementation of the present resolution",

the Special Committee decided at its 1st meeting, on 2 April 1963, to send letters to the Government of the Republic of South Africa (appendix III) and to the Governments of other Member States (appendix IV) inviting their co-operation and assistance to the Special Committee in the accomplishment of its task. Further, on 5 April 1963, at its 2nd meeting, the Special Committee decided to announce that it would receive memoranda from organizations and individuals and hear persons or representatives of organizations who might be in a position to provide it with information on the racial policies of the Government of the Republic of South Africa.

^c Official Records of the General Assembly, Eighth Session, Supplement No. 16; *ibid.*, Ninth Session, Supplement No. 16; and *ibid.*, Tenth Session, Supplement No. 14.

^d See annex II above.

14. The Special Committee then proceeded to an examination of the recent developments concerning the racial policies of the Government of the Republic of South Africa and, in the light of General Assembly resolution 1761 (XVII), decided to submit an interim report to the General Assembly and the Security Council in accordance with operative paragraph 5 (b) of that resolution. The Committee felt that such an interim report should be submitted not only to inform the principal organs of the progress of its work but also to draw their attention to the serious situation created by the attitude of the Government of the Republic of South Africa, in particular the recent adoption of the further discriminatory and repressive measures and the build-up of military and police forces in South Africa. The Committee would continue with further consideration of all aspects of the situation covered by its mandate, in the light of the replies from Member States to its letter dated 11 April 1963 and of further developments in South Africa, and would submit one or more reports to the General Assembly or the Security Council or both, as and when necessary.

B. RESPONSE OF THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA TO GENERAL ASSEMBLY RESOLUTION 1761 (XVII)

15. The recent statements and actions of the Government of the Republic of South Africa reveal no desire or willingness to accept General Assembly resolution 1761 (XVII) and adjust its racial policies in accordance with the Assembly's recommendations. On the contrary, it has repeatedly denounced the provisions of that resolution, and indicated that it would not be deterred from proceeding with its policies.

16. The Minister for Foreign Affairs of the Republic of South Africa, on 4 April, took exception to the very presence of the Secretary-General at the 1st meeting of the Special Committee, on 2 April, in such terms that the Committee was obliged to express its strong indignation.

17. Moreover, in a reply dated 16 April 1963 to the Special Committee's letter of 5 April inviting the co-operation and assistance of the Government of the Republic of South Africa in the accomplishment of its task, the Minister for Foreign Affairs categorically refused, by claiming that his Government regarded the adoption of resolution 1761 (XVII), including the establishment of the Special Committee, as contrary to the provisions of the Charter (see A/AC.115/L.4).

18. South African official statements have sought to belittle the significance of the General Assembly resolution on the ground that it had not been supported by the major trading partners of the Republic of South Africa and that it would therefore remain largely ineffective.

19. South African official statements have also claimed that the United Nations had disregarded its purposes and commands little respect, and that the Western Powers had lost or were losing confidence in the United Nations. Such statements are often accompanied by derogatory references to a majority of Member States.

20. The Special Committee wishes to draw the attention of all Member States, especially those with diplomatic, economic, military and cultural relations with the Republic of South Africa, to the tenor of these statements so that effective steps may be taken to discourage the Government of the Republic of South Africa from persisting in its present attitude towards the United Nations.

21. The Special Committee also notes the argument in South African official statements that the purposes of the opposition to South African racial policies is not the elimination of discrimination, but the institution of discrimination against the white population in Africa.

22. In this connexion, the Special Committee wishes to affirm its view that the problem is not one of colour or race or an aspect of the cold war, but the consequence of a racialist ideology enshrined as state policy and implemented by force against the majority of the people of the country, despite the obligations of the Government of the Republic of South Africa under the United Nations Charter.

23. The Special Committee recalls the provisions of operative paragraph 1 of General Assembly resolution 616 B (VII), reaffirmed by subsequent resolutions, by which the Assembly:

"Declares that in a multiracial society harmony and respect for human rights and freedoms and the peaceful development of a unified community are best assured when patterns of legislation and practice are directed towards ensuring equality before the law of all persons regardless of race, creed or colour, and when economic, social, cultural and political participation of all racial groups is on a basis of equality."

The doctrine of *apartheid* is based on the assumption that a majority of the population can be forced to remain indefinitely in a subordinate position as hewers of wood and drawers of water under the permanent control of a minority of the population. The imposition of discrimination not only is inequitable to a majority of the population, but is repugnant to the purposes and principles of the United Nations Charter and the Universal Declaration of Human Rights, and carries with it the danger of international friction and a threat to the peace. It is, therefore, the responsibility of all Member States, irrespective of other differences, to seek an end to the present policies of the Government of the Republic of South Africa and promote the evolution of policies consonant with the purposes and principles of the United Nations Charter.

24. In this connexion, several members of the Special Committee expressed their regret at the absence in the Committee of members from certain regions of the world, especially of States which, through their traditional relations with South Africa, are able to exercise an effective influence on that country. The Committee considers that the co-operation of all States, especially those which have had close diplomatic, economic, military and cultural relations with South Africa, is essential for the most effective performance of its work and for the success of other efforts by the Organization to dissuade the Government of the Republic of South Africa from pursuing its present policies of racial discrimination.

C. CONTINUED PURSUIT OF *apartheid*

25. Despite the provisions of the Security Council resolution of 1 April 1960 and General Assembly resolution 1761 (XVII) of 6 November 1962, reports from South Africa indicate that the Government of the Republic of South Africa continues to pursue its policies of *apartheid* and, indeed, is proceeding to adopt and implement serious legislative and administrative measures at the risk of greatly heightened tension in the country. A few of these measures are illustrative.

26. The Group Areas Act, designed to impose segregation in the "white areas", which was specifically referred to by the General Assembly in resolution 395 (V) of 1950, continues to be implemented.

27. The *Government Gazette* of the Republic of South Africa has reproduced a large number of decisions by the Group Areas Development Board proclaiming "group areas" in cities and towns. These decisions require the uprooting of tens of thousands of persons from their homes. The Government has proceeded to implement these decisions despite protests by the people affected and by local authorities.

28. Illustrative of the policy is the recent decision to remove 2,000 Africans from their homes in Besterspruit, where they have lived for fifty years, to the Vryheid location. In February 1963, these Africans were moved, despite opposition from the Vryheid Town Council, before alternative accommodation was ready and were obliged to live in tents.

29. The Government has also announced its decision to reserve the Western Cape Province for the Whites and the Coloureds (people of mixed descent) and established two committees on 23 November 1962 to help implement the decision. This move involves the gradual removal of the African inhabitants, who constitute a large segment of the labour force in the area, and appears to have created widespread unrest.

30. The Government has further announced its intention to resettle the people of Indian and Pakistani origin, and coloured (mixed descent) residents of the East Rand and the

Cape Peninsula. In the latter area, an estimated 10,000 Indians are to be removed.^e

31. The Special Committee has received two memoranda complaining against the implementation of the Group Areas Act. The first of these memoranda, from the Council for Muslim Unity and Progress, Johannesburg, protested, in particular, against the taking over by the State of Mosque property in Piet Retief, developed for fifty years by charitable contributions, despite the injunctions of Islamic religious laws that such property cannot be sold, abandoned or exchanged.

32. The second memorandum, from the Transvaal Indian Congress, gives details on the effect of the application of the Group Areas Act on the people of Indian and Pakistani origin in the province of Transvaal, estimated at about 60,000. Under this legislation, the memorandum claims, a majority of these people are being uprooted from their places of trade and residence, at the cost of millions of rand in property, and forced to move to desolate areas outside the centres of towns. A number of persons, including Mr. Nana Sita, former President of the Transvaal Indian Congress, were recently sentenced to imprisonment for refusing to move from their homes and places of business.^f

33. Moreover, the Government has recently published the Bantu Laws Amendment Bill, designed to impose stricter controls on the movement of Africans into urban areas and to send back by force to the Bantu reserves such Africans as are not considered essential, even though they had lived in the urban areas for long periods of time. This Bill, in effect, denies rights of residence to Africans in the so-called white areas, which constitute over six sevenths of the area of the country, and has evoked widespread opposition. The South African Institute of Race Relations commented in a memorandum on this Bill:

"If the Bill is passed it will mean that all Africans throughout the area outside the reserves are to be treated as foreigners and as interchangeable pawns, there solely to serve the interests of the white man, instead of as human beings with human aspirations, who have every moral right, equal to that of white residents, to remain where they are."^g

34. The Government is also taking steps to expel "foreign Bantu", many of whom have resided in South Africa for long periods of time, while providing inducements for the immigration of Europeans. Almost a million alien Africans are affected.

35. On 24 January 1963, the report of the Froneman Committee on the question of the foreign Bantu was tabled in the House of Assembly. The Committee recommended that unemployed foreign Bantu, as well as all wives, children and other dependants, should be repatriated immediately to the countries of their birth; that detention camps should be set up near the borders to detain Africans convicted of illegal entry; and that "all foreign Bantu who are in service should be replaced determinedly and methodically by indigenous labour in all sectors of the economy" within five years.^h

36. The Government has ordered that all African women should carry "reference books" from 1 February 1963. The enforcement of the pass system for African women has been protested widely for many years as it threatens to disrupt the lives of urban African families. The Government has prohibited protest meetings planned for 1 February on the grounds that they would endanger the peace.

37. Finally, the Government is proceeding with the creation of "bantustans" by consolidating the African reserves and

^e *Race Relations News* (Johannesburg), March 1963.

^f Mr. Nana Sita was condemned in December 1962 to three months' imprisonment for refusing to vacate a shop he had occupied for thirty years in a Pretoria suburb now declared a white area. He was again sentenced to six months' imprisonment on 4 April 1963 on the same charge.

^g *Race Relations News* (Johannesburg), March 1963.

^h There were about 800,000 foreign Africans in the Republic of South Africa in 1960; of these, 186,000 were wives and children. (*The Star* (Johannesburg), weekly edition, 25 January 1963.)

establishing local authorities. The Transkei Constitution Bill was introduced in the current session of the Parliament.

38. The promotion of bantustans, though publicized by the Government as evidence of its sincerity in pursuing "separate development", is, in the view of the Special Committee, a measure which seeks to accentuate and reinforce inequality. This move followed the abolition of even token and indirect representation of Africans in the sovereign Parliament. The reserves, covering less than a seventh of the land area of the country, are economically not viable, and depend on the migration of labour to the mines, farms and urban areas. The Constitution for Transkei provides that a majority of the "Parliament" of the region should consist of tribal chiefs, and that tribal affinities, rather than residence, should determine the eligibility of voters for this "Parliament". The powers of self-government are limited and all decisions are subject to approval by the State President.

39. The Special Committee notes that the moves towards bantustans have aroused widespread opposition on the ground that they are designed to divide the Africans and to justify denial to them of rights in the greater part of the country. They have contributed to tension in the reserves and to serious disturbances, particularly in the Transkei.

40. The Special Committee, in accordance with the provisions of operative paragraph 5 (a) of General Assembly resolution 1761 (XVII), is undertaking a more detailed review of relevant legislative and other measures of the Government of the Republic of South Africa.

41. The *apartheid* policies of the Government of the Republic of South Africa have undermined the economic, cultural, social and political rights of a majority of the population. They have denied the opportunity for persons of all "racial" groups to contribute to the development of the country. The denial of opportunities for the Africans to advance into skilled jobs and professions, and the measures of forcible segregation, have tended to retard the growth of the national economy. The present policy, at once inequitable and irrational, has heightened tensions within the country and could only be enforced by a régime of repression.

D. REPRESSIVE MEASURES AND THE QUESTION OF "RACIAL CONFLICT"

42. The Special Committee wishes to express its most serious concern over the repressive measures of the Government of the Republic of South Africa, which are designed to impose its discriminatory racial policies. These measures have progressively closed the legal and peaceful means of protest and redress available to the victims and opponents of discrimination and segregation. The recent incidence of sabotage and violence, and even more intensified repressive measures, have greatly enhanced the dangers of racial conflict in South Africa, which cannot but have serious national and international repercussions.

43. The Special Committee would recall the accounts in the reports of the United Nations Commission on the Racial Situation in the Union of South Africa concerning the measures adopted before 1955 to suppress protests against discriminatory racial policies—notably the Suppression of Communism Act, the Riotous Assemblies Act, the Public Safety Act, the Criminal Law Amendment Act and the various restrictions on the right of assembly.

44. The repressive measures were continuously strengthened to suppress the activities of the major non-white organizations and all the uncompromising opponents of *apartheid*. Prominent leaders of these movements were banned from addressing public gatherings or publishing their views. Many of them were arrested in 1956 on a charge of treason and held for long periods until released by the courts.

45. Despite such measures, however, resistance to *apartheid* continued, as evidenced by the demonstration in Sharpeville in March 1960 and in many other areas in the subsequent period. Though the Security Council deplored the measures

adopted by the Government, leading to the loss of life of many Africans, and called upon the Government of South Africa to abandon its policies of *apartheid* and racial discrimination and initiate measures aimed at bringing about racial harmony based on equality, the South African Government proceeded to intensify its repressive measures by proclaiming a state of emergency and promulgating new repressive legislation. The African National Congress and the Pan-Africanist Congress were banned under a newly adopted Unlawful Organizations Act.¹ A number of prominent leaders of all racial groups were obliged to go into exile, while thousands of persons were imprisoned in South Africa or placed under severe restraints.

46. The General Assembly, in resolutions 1598 (XV) of 13 April 1961 and 1663 (XVI) of 28 November 1961, took note of these measures and deprecated the ruthless enforcement of ever-increasing discriminatory laws and measures accompanied by violence and bloodshed.

47. A new stage in the repression of protest and resistance was reached in June 1962 with the promulgation of the General Law Amendment Act, which strengthened earlier repressive legislation. This law was referred to by a number of delegations at the seventeenth session of the General Assembly, and the General Assembly, in resolution 1761 (XVII), strongly deprecated the "determined aggravation of racial issues [by the Government of the Republic of South Africa] by enforcing measures of increasing ruthlessness involving violence and bloodshed".

48. The Government of the Republic of South Africa, however, has proceeded to implement this law, as well as earlier repressive legislation, even more actively since the adoption of General Assembly resolution 1761 (XVII).

49. The primary purpose of the repressive measures would seem to be to immobilize and silence the organizations and leaders who are most consistently opposed to the fundamental premises of *apartheid* and advocate the complete equality of races. By these repressive measures, backed by greatly expanded military and police forces, the Government seeks to impose its racial policies on an unwilling population.

50. The main brunt of the attack has been directed against the major non-white organizations, and against those Whites who have actively opposed *apartheid*, with the result that the groups which were prepared to utilize every means of legitimate and peaceful protest have been left no opportunity for action within the framework of legal restraints. Some of the actions taken by the State in the recent past are illustrative.

51. Over 400 persons have been named "statutory Communists" under the Suppression of Communism Act, the outstanding feature of which, according to the United Nations Commission on the Racial Situation in the Union of South Africa, is "its very broad definition of the meaning of Communism".² These persons were prohibited from office or membership in thirty-six organizations. The Minister of Justice told the Parliament in March 1963 that 148 persons had been banned under the Suppression of Communism Act, the Riotous Assemblies Act and the General Law Amendment Act. Since 30 July 1962, more than a score of persons have been served with house arrest orders. A number of persons have been charged with sabotage—defined in very broad terms under the General Law Amendment Act, No. 76 of 1962.³ Others were

¹ A proclamation extending the ban on the two organizations for a further twelve months from 7 April 1963 was published in the *Government Gazette* on 1 March 1963.

² For further details, see *Official Records of the General Assembly, Eighth Session, Supplement No. 16*, para. 716.

³ Sub-sections (1) and (2) of section 21 of the General Law Amendment Act read:

"(1) Subject to the provisions of sub-section (2), any person who commits any wrongful and wilful act whereby he injures, damages, destroys, renders useless or unserviceable, puts out of action, obstructs, tampers with, pollutes, contaminates or endangers—

"(a) The health or safety of the public;

"(b) The maintenance of law and order;

"(c) Any water supply;

prosecuted for defying orders under the Group Areas Act. Several newspapers opposed to the Government's racial policies were banned; a number of journalists were prevented from pursuing their professions.

52. A list of some of the persons affected by repressive measures is indicative of the present situation. Chief Albert Luthuli, President General of the African National Congress, is interned and the Press is prohibited from quoting him. Mr. Oliver Tambo, Executive Vice-President of the African National Congress, is in exile. Mr. Walter Sisulu, former Secretary-General of the African National Congress, has been sentenced to six years in prison and served with a twenty-four-hour house arrest order while on bail pending appeal. Mr. Duma Nokwe, Secretary-General of the African National Congress, and Mr. Moses Kotane, a member of its executive committee, were put under house arrest, but fled the country in January 1963. Mr. Nelson Mandela, another member of the executive committee, is serving a five-year term of imprisonment, and his wife is under house arrest; Mr. Alfred Nzo, a member of the executive committee of the African National Congress, is under house arrest. Mrs. Florence Matsomela, women's branch leader of the African National Congress, has been served with five banning orders.

53. Mr. Robert Sobukwe, President of the Pan-Africanist Congress, completed a three-year term of imprisonment on 3 May 1963, in connexion with the agitation against pass laws in 1960, and is being continued in detention under the new General Law Amendment Act. Mr. Potlako Leballo, Acting President, took refuge in Basutoland, where, following a search

"(d) The supply or distribution at any place of light, power, fuel, foodstuffs or water, or of sanitary, medical or fire extinguishing services;

"(e) Any postal, telephone or telegraph services or installations, or radio transmitting, broadcasting or receiving services or installations;

"(f) The free movement of any traffic on land, at sea or in the air;

"(g) Any property, whether movable or immovable, of any other person or of the State,

"or who attempts to commit, or conspires with any other person to aid or procure the commission of or to commit, or incites, instigates, commands, aids, advises, encourages, or procures any other person to commit, any such act, or who in contravention of any law possesses any explosives fire-arm or weapon or enters or is upon any land or building or part of a building, shall be guilty of the offence of sabotage and liable on conviction to the penalties provided for by law for the offence of treason: Provided that, except where the death penalty is imposed, the imposition of a sentence of imprisonment for a period of not less than five years shall be compulsory, whether or not any other penalty is also imposed.

"(2) No person shall be convicted of an offence under subsection (1) if he proves that the commission of the alleged offence, objectively regarded, was not calculated and that such offence was not committed with intent to produce any of the following effects, namely—

"(a) To cause or promote general dislocation, disturbance or disorder;

"(b) To cripple or seriously prejudice any industry or undertaking or industries or undertakings generally or the production or distribution of commodities or foodstuffs at any place;

"(c) To seriously hamper or to deter any person from assisting in the maintenance of law and order;

"(d) To cause, encourage or further an insurrection or forcible resistance to the Government;

"(e) To further encourage the achievement of any political aim, including the bringing about of any social or economic change in the Republic;

"(f) To cause serious bodily injury to or seriously endanger the safety of any person;

"(g) To cause substantial financial loss to any person or to the State;

"(h) To cause, encourage or further feelings of hostility between different sections of the population of the Republic;

"(i) To seriously interrupt the supply or distribution at any place of light, power, fuel or water, or of sanitary, medical or fire extinguishing services;

"(j) To embarrass the administration of the affairs of the State."

of his residence by the police, he disappeared mysteriously.¹ Mr. John Mokone, a leader of the Pan-Africanist Congress, was arrested in April 1963 and charged under the Suppression of Communism Act. A number of other leaders of the Pan-Africanist Congress—including Mr. Nelson Mahomo, Mr. P. Molotsi, Mr. Vusumzi Make, Mr. J. Molefi, Mr. E. L. Ndoedibe and Mr. E. M. Mfana—are in exile.

54. Dr. Yusuf M. Dadoo, President of the South African Indian Congress, is in exile.

55. A number of Whites have also been persecuted for their active opposition to governmental policies. Among those under house arrest and bans are Mrs. Helen Joseph, Secretary of the Federation of South African Women, and Mrs. Violet Weinberg, Vice-President of the Federation; Mr. Leon Levy, former President of the South African Congress of Trade Unions; Mr. Randolph Vigne, deputy national chairman of the Liberal Party, and Mr. Peter Hjul, its Cape Chairman. Mr. Patrick Duncan, a leader of the Liberal Party, was served with a banning order and fled from South Africa. A number of others are in exile.

56. Repression is increasing in severity and scope as the succession of discriminatory and repressive measures tends to extend opposition and to heighten resistance. As the General Assembly and the Security Council declared in a number of resolutions, the discriminatory and repressive policies, if continued, are likely to aggravate racial tension and precipitate a conflict with serious repercussions on international peace and security.

57. The Special Committee views with grave concern the development of the situation in South Africa in the past few years, especially since the adoption of General Assembly resolution 1761 (XVII). The discriminatory and repressive policies of the Government, instead of stifling opposition, appear to have turned it into clandestine and violent channels. A number of incidents of sabotage and violence have been reported by South African officials and the Press during recent months. The Government has reacted with increasingly severe measures, such as firings, mass arrests and intimidation.

58. A report submitted to the Parliament on 21 March 1963 by a commission of inquiry into the disturbances at Paarl last November stated that attacks by a clandestine organization called Poqo, with many thousands of members, had increased to "alarming proportions" and might spread on a national scale unless even more stringent security measures were adopted. The Minister of Justice accepted the recommendations of the report and the police began nation-wide arrests of Poqo suspects. Over 1,500 persons are reported to have been imprisoned.

59. On 22 April 1963, the Government introduced a new bill which provides for indefinite detention, without trial, of persons suspected of contravening the security laws or of having information on acts of sabotage. It also provides for sentences ranging from five years' imprisonment to death to persons convicted of receiving training abroad in violence or of advocating the forcible overthrow of the Government. This provision is retroactive to 1950 and is applicable to statements made before international organizations. The bill, furthermore, provides for summary trials and contains a number of other drastic provisions. The Minister of Justice indicated that even more repressive legislation may be introduced if necessary.

¹The Special Committee received a cable on 5 April 1963 from a representative of the Pan-Africanist Congress in Dar es Salaam that reports from Basutoland suggested that Mr. Leballo had been kidnapped and possibly killed by the police. In response to the Committee's request for information, the Permanent Representative of the United Kingdom stated in a letter dated 11 April 1963, that the Basutoland police, acting on their own initiative and having obtained a warrant from a magistrate, had searched the premises of the Pan-Africanist Congress in Maseru and also Mr. Leballo's house. A number of people were arrested and detained, but Mr. Leballo was not among them, and his whereabouts were unknown. The warrant for Mr. Leballo's arrest had been issued following the statements he had made in a press interview on 24 March.

60. The General Law Amendment Bill was rushed through the Parliament and was signed by the State President on 2 May. The Government immediately proceeded to implement it by continuing the detention of Mr. Robert Sobukwe.

61. The Special Committee considers that the new legislation reflects the explosive situation which has developed in the Republic of South Africa as a result of increasing discriminatory and repressive policies pursued by its Government. It regards the recent repressive measures, particularly the mass arrests and the new legislation, as an open challenge to the United Nations.

62. The Special Committee wishes to draw the urgent attention of the General Assembly and the Security Council to the grave dangers inherent in the recent acts of the Government of the Republic of South Africa. It would express the hope that every effort would be made to dissuade that Government from its present course, and to persuade it to take immediate steps to end the bans on non-white political organizations, release political prisoners, withdraw restrictions imposed on the opponents of the policy of *apartheid*, and annul the repressive legislation.

63. In this connexion, the Special Committee also wishes to draw the attention of the General Assembly and the Security Council to the persecution of South African political refugees in neighbouring colonial territories, and to demand that the colonial Powers should forthwith end any collusion with or assistance to the Government of the Republic of South Africa in its repressive measures.

E. THE EXPANSION OF MILITARY AND POLICE FORCES

64. The Special Committee has noted with deep anxiety the rapid expansion of South African military and police forces, which not only reflects the gravity of the present situation in the country but is likely to have serious international repercussions. The Special Committee notes the statements made, particularly by representatives of African States, at the seventeenth session of the General Assembly, and in the Special Committee, that they regard the arms build-up in South Africa as a threat to their own security. The Committee also notes the concern expressed over this matter in other bodies of the United Nations in connexion with the consideration of the situation in neighbouring colonial territories.

65. The budget provisions in South Africa for defence and police during the past few years provide an indication of the rate of increase in security forces. The expenditures for defence rose from 44 million rand in the fiscal year 1960/1961, to 72 million rand for 1961/1962, and 129 million rand in 1962/1963.^m The estimate for 1963/1964 is 157 million rand,ⁿ or nearly four times the amount spent before the Sharpeville incident and the Security Council resolution of 1 April 1960, and considerably in excess of the expenditure at the height of the Second World War, when South Africa maintained its fighting contingents in Europe.

66. The budget for police increased from 36 million rand in 1960/1961 to 38 million rand in 1961/1962 and 42 million rand in 1962/1963. A further increase in expenditure of 5 million rand is estimated for 1963/1964.

67. In presenting the 1963/1964 budget to the Parliament, the Minister of Finance declared that for South Africa the present time could almost be regarded as a period of cold war, calling for large expenditure over a relatively short period on expensive defence equipment.^o He said, in reply to questions raised in the debate on the budget, that peace would be ensured by "taking certain steps, as if one were preparing for war, so that the economy can be stimulated".^p The increase in defence spending, he continued, would also stimulate the confidence of investors and immigrants.

^m See relevant volumes of *Estimates of the Expenditure to be defrayed from Revenue Account*, published annually by the Government of the Republic of South Africa.

ⁿ See Republic of South Africa, *House of Assembly Debates (Hansard)*, 20 March 1963, col. 3056.

^o *Ibid.*, col. 3054.

^p *South African Digest* (Pretoria), 11 April 1963.

68. The Special Committee notes the repeated statements of spokesmen of the Government of the Republic of South Africa that the primary task of the Defence Forces is the maintenance of internal security in close co-operation with the police force. The expansion of the security forces, with primary emphasis on the Defence Forces, which remain exclusively white, would seem to indicate the Government's fear of resistance to its racial policies and its determination to suppress such resistance by force of arms.

69. The bulk of the increase in expenditure is devoted to the acquisition of modern weapons and equipment—aircraft, naval vessels, military vehicles, rockets, and automatic rifles—to increase the mobility and striking power of the armed forces. Local manufacture of arms and equipment is being greatly expanded.

70. Simultaneously, the Government is pushing ahead with plans for the expansion of the permanent Force, as well as for increasing the number of armed Whites available in an emergency. The Minister of Defence told the Parliament on 11 February 1963 that the Government was increasing the number of army posts by 50 per cent and undertaking a similar expansion in the Navy and the Air Force. The Government is also greatly increasing the strength of the Citizen Force and the Commandos, and forming civil air commandos to provide non-offensive support to ground commandos and the police in times of emergency. It has also established a police reserve initially of white citizens, with the task of attending to normal police duties such as patrolling residential areas and keeping a watch on dangerous points in times of emergency when the police are engaged in combating riots or disturbances. It is providing rifle training to many more civilians, including women and youth at school age.

71. Present plans are reported to call for the mobilization of 250,000 men at short notice.

72. The Government of the Republic of South Africa has thus taken measures to have at its disposal the strongest military establishment on the African continent south of the Sahara. It has built a military establishment far in excess of defence needs and is maintaining the country on a war footing in peace time.

73. The Special Committee expresses its grave anxiety and indignation at the continued provision of arms and equipment by other Powers to the Government of the Republic of South Africa, and the assistance rendered for the local manufacture of weapons, despite the provisions of operative paragraph 4 of General Assembly resolution 1761 (XVII) and operative paragraph 8 of General Assembly resolution 1805 (XVII). The Special Committee cannot accept the military build-up in South Africa as a normal security measure, within the sovereign rights of a State, in view of the scale of this expansion and the nature of the racial policies pursued by that Government despite the resolutions of the General Assembly and the Security Council. The Special Committee feels that the General Assembly and the Security Council should call upon the States concerned: (a) to halt forthwith all assistance to the Government of the Republic of South Africa in strengthening its armed forces, and, (b) to dissociate themselves from South African official claims that they regard the political and strategic importance of the country so highly that they would assist its Government in case of any conflict.

F. CONCLUSION

74. In submitting this interim report to the General Assembly and the Security Council, in accordance with operative paragraph 5 (b) of General Assembly resolution 1761 (XVII), the Special Committee wishes to draw their attention urgently to the explosive situation resulting from the attitude of the Government of the Republic of South Africa towards the resolutions of the General Assembly and the Security Council. The Government of the Republic of South Africa has not only not complied with the repeated resolutions calling for the abandonment of the policies of *apartheid*, but has in recent months intensified discriminatory and repressive policies. The serious danger to international peace and security, recognized

by the General Assembly in operative paragraph 3 of resolution 1761 (XVII), has been further aggravated by the recent discriminatory and repressive measures, and the expansion of military and police forces, described in this interim report.

75. In order to prevent an aggravation of the situation and to fulfil the purposes of General Assembly resolution 1761 (XVII), the Special Committee attaches the greatest importance to the immediate adoption of measures by all States to implement all the provisions of operative paragraph 4 of that resolution, including the denial of the use of their air space by the aircraft of the Republic of South Africa. While noting with satisfaction the measures taken by a number of Member States, which have broken diplomatic and commercial relations with the Government of the Republic of South Africa or refrained from establishing such relations, the Special Committee notes with regret that nearly twenty Member States belonging to several regions of the world still maintain diplomatic relations with that Government. The Special Committee deems it essential that all States which maintain diplomatic, consular, commercial and other economic relations with the Government of the Republic of South Africa should be urged to adopt the effective measures recommended by the United Nations and report to the General Assembly and the Security Council at an early date.

76. The Special Committee feels that the States with traditional relations with South Africa bear a special responsibility to take all measures to dissuade its Government from its present policies and help save the people of South Africa from the disastrous consequences of these policies and thus assist in the maintenance of international peace and security. The Special Committee feels that a special and urgent appeal should be addressed to the Governments of these States.

77. The Special Committee notes that only eight States, including their dependencies, together shared over three-quarters of the exports and imports of South Africa in the first ten months of 1962.^a They account for most of the foreign investments in the country and include the principal suppliers of arms and equipment to South Africa. In the light of the sixth preambular paragraph of General Assembly resolution 1761 (XVII), by which the Assembly expressed its regret that "the actions of some Member States indirectly provide encouragement to the Government of South Africa to perpetrate its policy of racial segregation", the Special Committee considers that the special responsibility of these States should be emphasized by the General Assembly and the Security Council, and that they should be urged to end all such encouragement.

78. A particularly serious obligation rests on the colonial Powers responsible for the administration of territories neighbouring South Africa, and they should be urged to take appropriate measures towards the fulfilment of the objectives of General Assembly resolution 1761 (XVII).

79. The Special Committee has taken note of the provisions of the Security Council resolution of 1 April 1960 and the reports of the Secretary-General^b in accordance with operative paragraph 5 of that resolution. It deems it essential that, in view of the non-implementation of its resolution by the Government of South Africa and in the light of the latest, serious developments in South Africa, the Security Council should re-examine the situation. The Special Committee further deems it essential that the Security Council should remind the South African Government of its obligations under Article 25 of the United Nations Charter and take immediate and effective steps to halt the dangerous drift of events in South Africa.

*Adopted by the Special Committee at its
10th meeting on 6 May 1963.*

^a See Republic of South Africa, *Monthly Abstract of Trade Statistics*, January-October 1962 (Pretoria, The Government Printer).

^b *Official Records of the Security Council, Fifteenth Year, Supplement for April, May and June 1960*, document S/4305; *ibid.*, *Supplement for October, November and December 1960*, document S/4551; *ibid.*, *Sixteenth Year, Supplement for January, February and March 1961*, document S/4635.

APPENDIX I

LIST OF RESOLUTIONS OF THE GENERAL ASSEMBLY AND THE SECURITY COUNCIL WITH REGARD TO THE RACIAL POLICIES OF THE GOVERNMENT OF SOUTH AFRICA

General Assembly

<i>Resolutions</i>	<i>Date</i>
44 (I)	8 December 1946
265 (III)	14 May 1949
395 (V)	2 December 1950
511 (VI)	12 January 1952
615 (VII)	5 December 1952
616 A (VII)	5 December 1952
616 B (VII)	5 December 1952
719 (VIII)	11 November 1953
721 (VIII)	8 December 1953
816 (IX)	4 November 1954
820 (IX)	14 December 1954
917 (X)	6 December 1955
919 (X)	14 December 1955
1015 (XI)	30 January 1957
1016 (XI)	30 January 1957
1178 (XII)	26 November 1957
1179 (XII)	26 November 1957
1248 (XIII)	30 October 1958
1302 (XIII)	10 December 1958
1375 (XIV)	17 November 1959
1460 (XIV)	10 December 1959
1597 (XV)	13 April 1961
1598 (XV)	13 April 1961
1662 (XVI)	28 November 1961
1663 (XVI)	28 November 1961
1761 (XVII)	6 November 1962

Security Council

Resolution of 1 April 1960 (S/4300).

APPENDIX II

LIST OF RESOLUTIONS OF THE GENERAL ASSEMBLY WITH REGARD TO SOUTH WEST AFRICA

<i>Resolutions</i>	<i>Date</i>
65 (I)	14 December 1946
141 (II)	1 November 1947
227 (III)	26 November 1948
337 (IV)	6 December 1949
338 (IV)	6 December 1949
449 (V)	13 December 1950
570 (VI)	19 January 1952
651 (VII)	20 December 1952
749 (VIII)	28 November 1953
851 (IX)	23 November 1954
852 (IX)	23 November 1954
904 (IX)	23 November 1954
934 (X)	3 December 1955
935 (X)	3 December 1955
936 (X)	3 December 1955
937 (X)	3 December 1955
938 (X)	3 December 1955
939 (X)	3 December 1955
940 (X)	3 December 1955
941 (X)	3 December 1955
942 (X)	3 December 1955
943 (X)	3 December 1955
1047 (XI)	23 January 1957

APPENDIX II (continued)

<i>Resolutions</i>	<i>Date</i>
1054 (XI)	26 February 1957
1055 (XI)	26 February 1957
1056 (XI)	26 February 1957
1057 (XI)	26 February 1957
1058 (XI)	26 February 1957
1059 (XI)	26 February 1957
1060 (XI)	26 February 1957
1061 (XI)	26 February 1957
1138 (XII)	25 October 1957
1139 (XII)	25 October 1957
1140 (XII)	25 October 1957
1141 (XII)	25 October 1957
1142 (XII)	25 October 1957
1143 (XII)	25 October 1957
1243 (XIII)	30 October 1958
1244 (XIII)	30 October 1958
1245 (XIII)	30 October 1958
1246 (XIII)	30 October 1958
1247 (XIII)	30 October 1958
1333 (XIII)	13 December 1958
1356 (XIV)	17 November 1959
1357 (XIV)	17 November 1959
1358 (XIV)	17 November 1959
1359 (XIV)	17 November 1959
1360 (XIV)	17 November 1959
1361 (XIV)	17 November 1959
1362 (XIV)	17 November 1959
1563 (XV)	18 December 1960
1564 (XV)	18 December 1960
1565 (XV)	18 December 1960
1566 (XV)	18 December 1960
1567 (XV)	18 December 1960
1568 (XV)	18 December 1960
1593 (XV)	16 March 1961
1596 (XV)	7 April 1961
1702 (XVI)	19 December 1961
1703 (XVI)	19 December 1961
1704 (XVI)	19 December 1961
1705 (XVI)	19 December 1961
1804 (XVII)	14 December 1962
1805 (XVII)	14 December 1962
1806 (XVII)	14 December 1962

APPENDIX III

LETTER DATED 5 APRIL 1963 FROM THE CHAIRMAN OF THE SPECIAL COMMITTEE TO THE MINISTER FOR FOREIGN AFFAIRS OF THE REPUBLIC OF SOUTH AFRICA

I have the honour to inform you that the Special Committee which was established on 6 November 1962 under General Assembly resolution 1761 (XVII), and the composition of which was announced by the Secretary-General in his note A/5400 of 18 February 1963, began its work on 2 April 1963.

Being anxious to fulfil the task assigned to it under the above-mentioned resolution to the best of its ability and with the utmost objectivity and effectiveness, the Special Committee has asked me to invite the Government of the Republic of South Africa to lend its co-operation and assistance to the Committee in the accomplishment of this task. To that end, the Special Committee would be glad to know, as soon as possible, the form and manner in which this co-operation and assistance might be provided.

(Signed) DIALLO Telli
Chairman

APPENDIX IV

LETTER DATED 11 APRIL 1963 FROM THE CHAIRMAN OF THE SPECIAL COMMITTEE TO THE MINISTERS FOR FOREIGN AFFAIRS OF MEMBER STATES

I have the honour to inform you that the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa held its first meeting on 2 April 1963.

You will no doubt recall that in resolution 1761 (XVII) of 6 November 1962 the General Assembly, after establishing the Special Committee, requested all Member States to do everything in their power to help the Committee to accomplish its task.

The Special Committee has asked me to emphasize to you the vital importance that it attaches to the implementation of the recommendation made to Member States in the above-mentioned resolution and to express the Committee's gratitude for any information you may be good enough to transmit to it in accordance with operative paragraph 6 (a) of the resolution, in writing or orally, both on racial policies in South Africa and on the manner in which your Government proposed to apply resolution 1761 (XVII).

I have the honour to enclose a copy of the text of General Assembly resolution 1761 (XVII) for your ready reference.

(Signed) DIALLO Telli
Chairman

ANNEX IV

SECOND INTERIM REPORT OF THE SPECIAL COMMITTEE ON THE POLICIES OF *apartheid* OF THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA*

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SECOND INTERIM REPORT OF THE SPECIAL COMMITTEE

1. At its 10th meeting, on 6 May 1963, the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa adopted its first interim report,^a drawing the attention of the General Assembly and the Security Council urgently to the explosive situation resulting from the attitude of the Government of the Republic of South Africa towards the resolutions of these principal organs of the United Nations.

2. In its conclusions, the Special Committee stated that it deemed it essential:

(a) That all States which maintain diplomatic, consular, commercial and other economic relations with the Government of the Republic of South Africa should be urged to adopt the effective measures recommended by the United Nations and report to the General Assembly and the Security Council at an early date;

(b) That a special appeal should be addressed to the Governments of the States with traditional relations with South

* Originally circulated as documents A/5453 and S/5353.

^a See annex III above.

Africa to take measures to dissuade the Government of the Republic of South Africa from its present policies;

(c) That the special responsibility of the small number of States which account for most of the foreign trade of and foreign investments in the Republic of South Africa and which are the principal suppliers of arms and equipment to that country, should be emphasized and that they should be urged to end all direct or indirect encouragement to the Government of the Republic of South Africa to perpetrate its policy of racial segregation;

(d) That the colonial Powers responsible for the administration of territories neighbouring South Africa should be urged to take appropriate measures towards the fulfilment of the objectives of General Assembly resolution 1761 (XVII).

3. Further, the Committee considered it essential that, in view of the non-implementation of the Security Council resolution of 1 April 1960^b by the Government of the Republic of South Africa, and in the light of the latest and serious developments in the Republic of South Africa, the Security Council should re-examine the situation, remind the South African Government of its obligations under Article 25 of the Charter of the United Nations and take immediate and effective steps to halt the dangerous drift of events in South Africa.

4. In transmitting the report to the President of the Security Council, the Special Committee stated that it was highly desirable that the Council should consider the report as soon as possible and take the measures called for by the grave situation at present prevailing in the Republic of South Africa, which represents a serious threat to international peace and security.

5. Pursuant to its mandate under General Assembly resolution 1761 (XVII), the Special Committee continued consideration of the question with a view to submitting further reports to the General Assembly or the Security Council or both, as indicated in paragraph 14 of its first interim report. It has followed carefully the new serious developments in the Republic of South Africa since the first interim report, which are described in appendix I, and heard a number of petitioners, including representatives of the two major African nationalist organizations in the country. It has considered a number of communications received from Member States in reply to its letter of 11 April 1963.^c It has also taken note of the resolution adopted by the sixteenth World Health Assembly,^d and the resolutions adopted in June by the Governing Body of the International Labour Organisation,^e concerning the racial policies of the Government of the Republic of South Africa. Finally, it has taken note of a number of communications from non-governmental organizations and individuals.

6. In the light of this further review of the situation in the Republic of South Africa, the Special Committee decided that a second interim report should be addressed specifically and urgently to the Security Council, drawing its attention to the main documents and related records of the Special Committee in order to cope with the serious situation prevailing in the Republic of South Africa.

7. The Special Committee recalls that the Security Council, in its resolution of 1 April 1960, recognized that the situation in South Africa had led to international friction and, if continued, might endanger international peace and security. It recognized further that this situation had been brought about by the racial policies of the South African Government and its continued disregard of the resolutions of the General Assembly calling upon it to revise its policies and bring them into conformity with its obligations and responsibilities under the Charter of the United Nations. It deplored the policies and actions of the South African Government which had given rise to the disturbances in March 1960 and the loss of life

of many Africans. It called upon the Government of South Africa to abandon its policies of *apartheid* and racial discrimination and to initiate measures aimed at bringing about racial harmony based on equality.

8. In the over three years which have elapsed since this resolution, the terms of which have been endorsed and emphasized by vast majorities in successive sessions of the General Assembly, the South African Government has shown no evidence of any inclination to comply with the decision of the Security Council. It has persisted in violating its obligations under the Charter, including those under Article 25. Indeed, it has undertaken policies and actions which are manifestly opposed to the decision of the Security Council.

9. It has proceeded with a series of new *apartheid* measures. It has banned the organizations opposed to the policies of *apartheid*, and made membership in them subject to severe penalties; it has imprisoned thousands of persons, and attempted to silence opponents of *apartheid* by banishment, house arrest, internment and various other types of restrictions; it has enacted increasingly dictatorial legislation in violation of the Universal Declaration of Human Rights and used military and police forces to prevent peaceful protest against its racial policies.

10. The Special Committee notes that the General Assembly, in operative paragraph 8 of resolution 1761 (XVII) of 6 November 1962, requested the Security Council to take appropriate measures, including sanctions, to secure South Africa's compliance with the resolutions of the General Assembly and the Security Council, and, if necessary, to consider action under Article 6 of the Charter.

11. The Special Committee's mandate to report to the Security Council, as appropriate, was designed primarily to enable it to assist the Security Council in connexion with all the measures envisaged in the above resolution.

12. The Special Committee notes that the Government of the Republic of South Africa has continued to act contrary to the decisions of the General Assembly and the Security Council, that the situation in the Republic of South Africa has continued to become graver, and that the threat to international peace and security has continued to increase. It feels that the time has come for the Security Council to initiate appropriate mandatory action in order to leave no doubt that the United Nations is determined to ensure the fulfilment of the purposes of the Charter in the Republic of South Africa within the shortest possible time.

13. The Special Committee submits the following observations and recommendations in order to assist the Security Council in taking such action.

14. The Special Committee notes that the Republic of South Africa has continued since the establishment of the United Nations with the practice of increasing racial discrimination in violation of the fundamental principles of the United Nations Charter. It has defied numerous resolutions of the United Nations Organs and, indeed, acted contrary to their appeals and demands. Such persistent violation of the principles and provisions of the Charter, including those of Article 25, is manifestly incompatible with membership in the United Nations.

15. Secondly, the Special Committee notes the affirmation by the General Assembly that continuance of the policies of racial discrimination and ruthless measures of repression against resistance to such discrimination seriously endangers international peace and security. The Special Committee feels that this danger is increasing day by day as the policies of the Government of the Republic of South Africa make inevitable a conflict within the country and provoke increasing violence by closing all means for the peaceful fulfilment of the purposes of the United Nations.

16. Any conflict in South Africa precipitated by the racial policies of the present Government cannot but have the most serious international repercussions threatening the peace in Africa and the world. Because of the kinship of the oppressed peoples of the Republic of South Africa with those of other independent States, and the abhorrence of the policies of

^b See annex II above.

^c See annex III, appendix IV, above.

^d See *Official Records of the World Health Organization*, No. 127 (Geneva, 1963), pp. 21-22.

^e See International Labour Office, *Official Bulletin*, vol. XLVI, No. 3, July 1963, pp. 333-334.

apartheid throughout the world, the international community cannot permit the present Government of the Republic of South Africa to utilize military and police power to preserve the system of racial oppression and suppress resistance by violence.

17. In view of its grave anxiety over the increasing threat to international peace and security, the Special Committee emphasizes the need for international political and economic action, in accordance with operative paragraph 4 of General Assembly resolution 1761 (XVII).

18. The Special Committee draws the most urgent attention of the Security Council to the great increase in the military and police forces in the Republic of South Africa, the acquisition of expensive modern arms by the Government of the Republic, and the rapid expansion of the manufacture of arms and ammunition in the country. The Special Committee feels that these measures underline the gravity of the threat to the peace and at the same time enhance the dangers inherent in the present situation.

19. The Special Committee, therefore, attaches the greatest importance to the provision in paragraph 4 (d) of General Assembly resolution 1761 (XVII) requesting Member States to refrain from exporting any arms or ammunition to South Africa. It feels that this provision covers the supply of all material, from governmental or private sources, which can be used for military purposes or for the suppression of resistance to the policies and practice of *apartheid*, as well as all assistance, direct or indirect, for the manufacture of such material in the Republic of South Africa.

20. The Special Committee deems it essential that the Security Council should insist that all States which continue to provide such supplies or assistance cease all such supplies and assistance immediately.

21. The Special Committee has taken note with satisfaction of reports that several Member States have taken partial or total measures in accordance with the provision of paragraph 4 (d) of General Assembly resolution 1761 (XVII), and considers it indispensable that all States should report forthwith to the United Nations on the measures they have taken.

22. In this connexion, the Special Committee wishes to emphasize that Member States, in taking appropriate measures, should note that there is not merely the danger of a racial conflict within the Republic of South Africa, but that the present situation constitutes a threat to international peace and security. They should refrain from supplying not merely the small arms and ammunition, but any means to increase the mobility of the security forces, as well as material which can be used by the Government of South Africa to perpetuate by force the policies of *apartheid* and by the abnormal military build-up pose a threat to the security of the other States which abhor the policies of *apartheid*.

23. The Special Committee also notes, in this connexion, that the Government of the Republic of South Africa has continued to refuse to fulfil its obligations with respect to the Mandated Territory of South West Africa.

24. The Special Committee, further, draws the attention of the Security Council to the special responsibility of the permanent members of the Security Council to take measures to end the threat to international peace and security, and notes with concern that the Republic of South Africa has received military supplies from certain permanent members. It expresses the hope that these members will assume their full responsibility and make it clear to the Government of the Republic of South Africa that it can count on no co-operation, direct or indirect, in the pursuit of its disastrous policies.

25. The Special Committee regards the measures to stop further increase in the military and police power of the Government of the Republic of South Africa as the first and most urgent step to deal with the situation in the Republic of South Africa.

26. The Special Committee has taken note of suggestions that, as a second step, an effective embargo should be instituted on the supply of petroleum and petroleum products to the Republic of South Africa, in addition to the embargo on mili-

tary supplies. It has, further, taken note of the suggestion that this embargo should be enforced by a blockade under the authority of the United Nations. The Special Committee feels that these suggestions are important and recommends them to the Security Council for consideration.

27. The Special Committee emphasizes the importance of all other measures which have been recommended by the General Assembly in paragraph 4 of resolution 1761 (XVII) in order to bring about the abandonment of the racial policies of the Government of the Republic of South Africa. It welcomes the measures taken by a number of States, despite the sacrifices involved, to comply with the recommendations of the General Assembly. It deems it essential that the Security Council should call on all States to take all the measures recommended as speedily as possible and to report to the United Nations without delay.

28. The Special Committee has also taken note of the suggestion by the delegation of the African National Congress, which appeared as petitioners before the Special Committee at its 17th meeting, that the Republic of South Africa should be expelled forthwith from the United Nations. The Special Committee has also noted the increasing pressures brought to bear in the affiliated bodies of the United Nations and its specialized agencies by certain Member States for the withdrawal by the Republic of South Africa from membership in those organizations. Several members of the Special Committee expressed the opinion that these events, as well as the consistently intransigent attitude of the Government of the Republic of South Africa towards the United Nations organs and decisions, call for serious consideration by the Security Council in the light of Article 6 of the United Nations Charter.

29. The Special Committee will continue with its review of the racial policies of the Government of the Republic of South Africa, and of means to ensure the fulfilment of the purposes of the United Nations in that country, with a view to submitting further reports to the General Assembly or the Security Council or both, as appropriate. The Special Committee invites the Security Council to request the Secretary-General, the specialized agencies and other United Nations bodies to continue to co-operate fully with the Special Committee in the implementation of General Assembly resolution 1761 (XVII).

CONCLUSION

30. In conclusion, the Special Committee wishes to state in brief its recommendations for the consideration of the Security Council.

(a) The Security Council should affirm its support of General Assembly resolution 1761 (XVII).

(b) It should note that the Republic of South Africa has disregarded the Security Council resolution of 1 April 1960, has persistently violated the principles of the Charter and has acted contrary to the decisions of the General Assembly, thus creating a serious danger to international peace and security and putting itself in a position which is manifestly incompatible with membership in the United Nations.

(c) It should urge upon the Republic of South Africa to abandon its policies of racial discrimination.

(d) It should condemn the repressive measures against opponents of *apartheid* and demand that all political prisoners should be released and that all those under internment or other restraints for opposition to *apartheid* should be freed.

(e) It should emphasize the importance of the General Assembly recommendation, in resolution 1761 (XVII), that all Member States should cease supplying arms and ammunition to South Africa. It should note that this recommendation covers the supply of all material which can be used for military purposes or for the suppression of resistance to *apartheid*, as well as assistance for the manufacture of such material in South Africa. It should call upon States which continue to provide such assistance to South Africa to cease such assistance immediately and report to the Security Council. It should emphasize the special responsibility of the permanent members in this respect.

(f) It should call upon Member States to take political, economic and other measures recommended by the General Assembly in resolution 1761 (XVII), beginning with an effective embargo on the supply of arms and ammunition and petroleum. It should consider the means to ensure the effectiveness of the embargo, including a blockade if necessary, under the aegis of the United Nations.

(g) It should invite the Secretary-General, the specialized agencies and other United Nations bodies to continue to cooperate fully with the Special Committee in the implementation of General Assembly resolution 1761 (XVII).

*Adopted by the Special
Committee at its 19th
meeting, on 16 July 1963.*

APPENDIX I

NOTE ON DEVELOPMENTS CONCERNING THE POLICIES OF *apartheid* OF THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA SINCE THE FIRST INTERIM REPORT OF 6 MAY 1963*

1. In its first interim report,¹ the Special Committee drew the attention of the General Assembly and the Security Council to the drastic repressive measures undertaken at the time by the Government of the Republic of South Africa, such as the imprisonment of over 1,500 persons on the allegation that they were suspected of belonging to an underground organization called the Poqo; the promulgation of the General Law Amendment Act of 1963;² and the detention without trial of Mr. Robert Mangaliso Sobukwe, President of the Pan-Africanist Congress, after he had completed a three-year sentence of imprisonment in connexion with the agitation against pass laws in March 1960.

2. These drastic repressive measures were but a reflection of a serious crisis caused by the *apartheid* policies of the Government, a crisis which had been noted by observers inside and outside South Africa.

3. Mr. J. Steytler, leader of the Progressive Party, said in a press statement on 24 April 1963 that the General Law Amendment Bill exceeded in severity any measure passed in South Africa even in wartime, and that South Africa was becoming "an armed state where everybody walks in fear".³ The *Rand Daily Mail* of Johannesburg wrote on the same day that it "puts South Africa virtually in a state of war—and against whom? The terrible answer is our own people."⁴

4. The Johannesburg Bar Council, on 29 April, criticized the Bill as "the virtual end of the rule of law in South Africa," and as designed "to make provision . . . for a police state". It added that the creation of offences retroactively was "repugnant to all sense of justice".⁵

5. Sir de Villiers Graaff, leader of the opposition United Party, which voted for the Bill, warned that underground organizations like Poqo and Spear of the Nation were only symptoms, and that:

"If the Government continues with present policies and the present organizations are destroyed, others will arise because of the unnatural conditions under which so many people live."⁶

Mr. A Fagan, former Chief Justice of South Africa and now United Party Member of the Senate, said:

"These are circumstances which I had never hoped to see in my fatherland during my lifetime."⁷

Mr. James Hamilton Russell, a Member of Parliament for twenty years, resigned in protest against the United Party's support of the Bill and declared on 5 May: "We have reached

a point of no return for the whole country unless someone turns back now."⁸

6. Dr. Denis Hurley, Roman Catholic Archbishop of Durban, said that the Bill was:

"recognition of a state of siege. The information available to the Government appears to indicate that the attack of African nationalism is reaching a climax. With the break-up of the Rhodesian Federation the northern buffer is dissolving and the stage is being set for a second Algeria. In this tragic situation it is rather pointless to criticise the Bill. The real issue is whether South Africa and its neighbours are going to make it a fight to the finish for white supremacy or if they will be prepared to negotiate for nobler things."⁹

7. The International Commission of Jurists, in a statement on 15 May, said that "South Africa is now more than ever a police state" and that "the measures now introduced by the South African Government call for strong condemnation by all the civilized world, as did those that preceded them."¹⁰

8. Yet, despite all the warning signals, the Government of the Republic of South Africa has continued with further measures of *apartheid* and repression. It has shown neither the intent nor the ability to stop and trace back the downhill course of more discrimination and more repression.

9. The South African Foreign Minister, Mr. E. H. Louw, told the Senate in June that the Government was determined to maintain white political control in South Africa and "will not be deterred by attacks at the United Nations, threats at Addis Ababa, unsympathetic Western nations or difficulty in obtaining equipment".¹¹

10. The Minister of Transport, Mr. B. J. Schoeman, stated in an address to white school children:

"Let them try to hand over South Africa to the Blacks. We are ready to defend ourselves. . . . In the coming generation you must be prepared to sacrifice everything. . . . You must be prepared to die."¹²

11. The Prime Minister, Dr. H. F. Verwoerd, declared that his Government would not yield to any pressure to change its race policies.¹³

Continued pursuit of apartheid

12. The Transkei Constitution Act (No. 48 of 1963)¹⁴ was approved by Parliament on 17 May and signed by the State President on 24 May 1963. Advertised as proof of the Government's sincerity in promoting "separate development", this measure for the creation of the first "bantustan" only reflects, as indicated in the first interim report, an effort to reinforce inequality. The Transkei reserve is given symbols such as a "national" flag and a "national" anthem, but the powers of its Assembly—composed of sixty-four chiefs fully dependent on the Government, and forty-five elected members—are severely restricted. The franchise is extended to all Xhosas and other

⁸ Reuters, 6 May 1963.

⁹ *Southern Africa* (London), 10 May 1963.

¹⁰ The Commission stated:

"The measures in the present Act that will cause grave concern to all who love liberty, fair play and justice are (1) its retroactive provisions, (2) the power to declare any organization, however lawful, to be the same as an existing unlawful organization by mere proclamation if it bears a name similar to the unlawful organization, (3) the drastic powers of arrest without warrant given to the police, (4) the shifting of the onus of proof to the accused person, (5) the drastic severity of the sentences, even to the infliction of the death penalty for 'sabotage', (6) the right to keep a person in prison indefinitely without trial, and (7) removal of the right of *habeas corpus* and the ousting of the jurisdiction of the Courts. A police state could hardly go further."

¹¹ *South African Digest* (Pretoria), 27 June 1963.

¹² *Newsweek*, 10 June 1963.

¹³ *The New York Times*, 26 June 1963; *South African Digest* (Pretoria), 4 July 1963.

¹⁴ *Government Gazette Extraordinary*, 30 May 1963. Elections for the Transkei Legislative Assembly are scheduled to be held in November.

* Originally circulated as document A/AC.115/L.17.

¹ See annex III above.

² *Government Gazette Extraordinary*, 2 May 1963.

³ Reuters, 24 April 1963.

⁴ *Ibid.*

⁵ *Ibid.*, 29 April 1963.

⁶ *The Star* (Johannesburg), weekly edition, 18 May 1963.

⁷ *Ibid.*, 4 May 1963.

persons of Transkeian origin who live outside the reserves: they are, in turn, deprived of any expectation of political rights or even security of residence in their places of residence.¹⁵

13. The character of self-government in the Transkei is revealed by the fact that a state of emergency prevails now over much of the territory. Paramount Chief Dalindyebo complained recently:

"I am in a quandary because some time ago I received a letter from the magistrate's office stating I would have to obtain permission to hold a meeting... How can I tell the people what they have to know and do (about the elections to the Assembly) if I have to abide by the contents of this letter?"¹⁶

14. Meanwhile, the Government is pushing ahead with its policy of abolishing even the limited rights of 6 million Africans in the so-called white areas—which cover six-sevenths of the territory and, in fact, have an African majority.

15. The Bantu Laws Amendment Act,¹⁷ recently enacted by Parliament, is designed to check the flow of Africans to the towns, to further control the kinds of work done by Africans¹⁸ and to restrict the flow of labourers from the neighbouring territories. It deprives Africans, even though born or settled for many years in urban areas, of the right to live there.

16. Defending the Bill, the Deputy Minister of Bantu Administration and Development, Mr. M. C. Botha, said that the Government's policy was clear and simple: Bantu workers should not be brought into the white areas in an increasing number on the basis of whole families.¹⁹

17. The Leader of the Opposition, Sir de Villiers Graaff, said in the House of Assembly²⁰ that the United Party had found the Bill so objectionable that it had no alternative but to oppose even the first reading. Under the Bill, he said, there could be no development of a Bantu middle class in the urban areas, and no right to permanent residence of Natives in urban locations. It was "further evidence that the Government regarded the Bantu only as labour units with no right to permanency in the country".²¹

18. The Christian Council of South Africa, which represents twenty-eight member churches with 3 million members, issued a statement that the Bill laid itself open to grave censure and criticism in its disregard of human values and as unworthy of a country which claims a Christian heritage.

"We would strongly underline our objections to this Bill as an arbitrary interference with human rights, as an enforcement of a migrant labour policy which totally undermines the sanctity of family life and as having dangerous implications in disregarding human values and the selfhood of the African man, woman and child."²²

19. It may be recalled that Mr. Justice Snyman's report in March, which led to the General Law Amendment Act, recog-

nized that a major cause of violence in cities like Cape Town and Paarl was the forcing of African men into single quarters, the driving away of wives and children from these cities and the plans to eliminate the Africans from the Western Cape Province. However, instead of eliminating the causes of resentment of the Africans, the Government proceeded with this new Bill to make their situation in the cities even more intolerable.

20. The Group Areas Act, designed to enforce segregation in urban areas, continues to be implemented with utter disregard for the interests of the non-whites.

21. On 24 May, Pageview, a non-white location in Johannesburg inhabited by almost 5,000 persons of Indian and Pakistani origin, as well as some "Malays", "Coloureds" and Chinese, was proclaimed a white group area. The non-whites are obliged to vacate their residential premises within three months, and business premises within twelve months, and move to a location twenty miles away.²³

Repressive measures and the question of "racial conflict"

22. As the Special Committee recognized clearly, this policy of discrimination can only be implemented by increasing measures of repression against the non-whites, as well as white opponents of *apartheid*. The General Law Amendment Act supplemented the formidable powers of the Minister of Justice and the persecution of opponents of *apartheid* has continued unabated.

23. On 10 May, Poqo, Umkonto We Sizwe (Spear of the Nation) and two other organizations were banned by being declared the same as the Pan-Africanist Congress or the African National Congress. Nearly 150 persons were detained without trial under this Act by 26 June.²⁴

24. The numbers of persons imprisoned under the Act is perhaps not as significant as the atmosphere of intimidation, as this Act merely supplements a series of repressive measures.

25. Under the General Law Amendment Act of June 1962, 2,294 persons had been indicted by 24 April 1963.²⁵ Mr. Vorster, the Minister of Justice, told the House of Assembly on 13 June that a total of 3,246 alleged Poqo members had been arrested by 5 June.²⁶ *The New York Times* of 21 June 1963 quoted the Commissioner of Prisons as stating that the number of prisoners in South Africa was at an all-time high, and gave the following additional figures:

Arrested for alleged security crimes in the past year . . .	5,293
Arrested on charges of attempting to further the aims of the African National Congress or the Pan-Africanist Congress	2,047
Convictions for alleged sabotage	126
Awaiting trial for alleged sabotage	511
Banned from public activities	142
Under house arrest	24

26. The South African Press constantly reports trials for security offences: the sentences invariably are extremely heavy,

¹⁵ Self-government in the African reserves, covering less than a seventh of the area of the country, coupled with denial of political rights in the rest of the country, is opposed by African nationalist organizations as a retrograde and discriminatory measure. The reserves cannot support even their present population of some 4 million, or two-fifths of the African population of the Republic. The recent famine in the Vendaleland area of Northern Transvaal was but one example of the results of confining the Africans to overcrowded reserves.

¹⁶ Agence France Presse, 15 May 1963.

¹⁷ The Bill was originally published in the *Government Gazette* on 9 February 1963 and evoked widespread opposition not only by the Africans but also by municipalities and employers' organizations. A shortened version was then introduced in Parliament in May as a first instalment.

¹⁸ The Bill only adds to the "colour bar" in jobs under previous laws which continue to be enforced. From 13 May 1963, for instance, the Government prohibited apprenticeship for Indians and Coloureds in Natal in carpentry, joinery, wood-machining, plastering, plumbing, electrical wiring and shop fitting. (*The Star* (Johannesburg), weekly edition, 25 May 1963.)

¹⁹ *South African Digest* (Pretoria), 16 May 1963.

²⁰ Republic of South Africa, *House of Assembly Debates* (*Hansard*), 6 May 1963, cols. 5365-5368.

²¹ *South African Digest* (Pretoria), 4 July 1963.

²² *The Star* (Johannesburg), weekly edition, 18 May 1963.

²³ Pageview had been set aside for non-whites as early as 1902 and they were allowed freehold rights in 1941. In addition to their homes and their businesses (which are valued at 4 million rand or \$5,600,000), they had built two mosques and a number of other community institutions. (*The Star* (Johannesburg), weekly edition, 25 May 1963.) The *Rand Daily Mail* described the proclamation as "the most damaging blow yet dealt" to any Indian community in South Africa.

At the same time, the Government proclaimed one of the streets in Bethal, a town in eastern Transvaal, a white area. The people of Indian and Pakistani origin in Bethal, numbering 365, are almost entirely dependent on the shops and stands on that street and their livelihood would be gravely affected by the proclamation. (*ibid.*)

²⁴ Reuters, 26 June 1963.

²⁵ Republic of South Africa, *House of Assembly Debates* (*Hansard*), 24 April 1963, col. 4647.

²⁶ Reuters, 13 June 1963.

even on minors. A great majority of prisoners are not put up for trial for weeks and months after their arrest.²⁷

27. A reason for particular concern is the evidence in the South African courts that prisoners are frequently tortured by the police to obtain confessions or to extract information implicating others. The provision of the General Law Amendment Act concerning detention without trial is also used for extracting information from persons against whom the Government has no charges except that they may possess information.

28. Government spokesmen claim that the Poqo has been "knocked out" by the recent arrests and that now the main danger is the Spear of the Nation and the African National Congress.²⁸ A number of supporters of the African National Congress have recently been imprisoned.

29. In May, Dr. G. M. Naicker, President of the South African Indian Congress, was served with orders confining him to the Durban area and forbidding him to speak or communicate with any named Communist or person served with a banning order, or to attend any political or social gathering.²⁹ With this order, the leader of every major non-white political organization in South Africa opposed to *apartheid* is now in gaol or under restraint.

30. The present situation in South Africa makes it abundantly clear that the policies of *apartheid* cannot be implemented without undermining the freedom and human rights of all persons, white and non-white alike.³⁰ The Government's claim of combating Communism is largely a cover to suppress resistance to discrimination. Mr. Ernst Malherbe, Principal of the University of Natal, on 10 May said that he had made a point of asking police detectives of the Special Branch exactly what they understood by Communism. Their definitions were, by and large, either "equality between Black and White" or "one man, one vote".³¹

31. Suffice it to note that one of the persons charged under the so-called Suppression of Communism Act is the Reverend Dr. Arthur Blaxall, an elderly priest who has devoted his life to the service of the deaf and blind in South Africa and whom no one has accused of Communism. Mr. Jordan Ngubane, Vice-President of the Liberal Party, was banned under that Act at the end of June. Mr. Alan Paton said: "Everyone knows that Ngubane is opposed to Communism".

32. The result of this definition of belief in racial equality as subversion and the mass arrests of opponents of *apartheid* has been an increased state of tension in the country. The stability or order that the Government claims to have achieved is the virtual state of emergency buttressed by a massive security apparatus.

33. The present atmosphere in South Africa is eloquently described in a Reuters report from Johannesburg on 10 June. It said that pocket-sized tear gas "bombs" operated like a fly spray went on sale in Johannesburg. The canisters cost about \$12 and contain about eighty shots each—"enough to deal

²⁷ According to *The Star* (Johannesburg), weekly edition, of 29 June 1963, more than 2,500 persons had been arrested in recent months on allegations of sabotage, conspiracy towards an uprising or furthering the aims of banned organizations. About 600 of them had appeared for summary trial. It may be months before all the cases are disposed of.

²⁸ Statement by the Minister of Justice in *The Star* (Johannesburg), weekly edition of 15 June 1963, report by Mr. Justice Snyman, quoted in *South African Digest* (Pretoria), 4 July 1963; and *The Star* (Johannesburg), weekly edition, of 29 June 1963.

²⁹ *Southern Africa* (London), 24 May 1963.

³⁰ An example of the effect of racial policies on freedom is the recent Publications and Entertainments Act, reinforcing censorship, which has been protested by a large number of writers, artists and sculptors in South Africa. Over 100 South African writers, sculptors and artists presented a protest against the drastic provisions of the Act. (*Southern Africa* (London), 3 May 1963.) On 4 June, the South African branch of PEN (Poets, Essayists and Novelists) urged the Government to amend the Act, claiming that it aims at "strait-jacketing" literature. (Reuters, 4 June 1963.)

³¹ Reuters, 10 May 1963.

with a whole mob if necessary"—according to advertisements. They are sold only to the Whites and the "demand has been quite brisk".

34. In contrast to the optimistic statements of Government spokesmen concerning race relations in the country, many observers have expressed serious concern for the future. Some of their observations are quoted below.

35. The Most Reverend Joost de Blank, the Archbishop of Cape Town, wrote in a recent article that South Africa:

"hits the headlines fairly constantly because its racial tensions in one form or another can no longer be hidden. The crack that has been plastered over widens into an open rift and the result is violence, oppressive police action and a further step taken in the country's disintegration.

"For this is what we are facing—the disintegration of a whole society, 15 million in all of Whites and Blacks and Coloureds who have not learned to live together and who, for the most part, no longer want to—not if it means continuing as hewers of wood and drawers of water for the sake of the privileged white minority, while politicians mouth sentiments of 'separate development' that nobody believes means a true racial equality or honest mutual good will".³²

36. Mr. Justice Hiemstra of the Rand Criminal Sessions, declared on 21 June 1963, after imposing severe sentences on eight persons charged with planning an attack on white people:

"Whether they [the sentences] will deter others from the road of violence as a means of settling their grievances I do not know. I can only earnestly hope that it will be so. There is on the one hand the total failure of a planned insurrection. On the other hand there is the fact that so much hate has been allowed to grow up among a section of our people that plans like these could be made.

"These sentences will no doubt leave bitterness in the hearts of many Bantu people for a long time to come. . . . May God grant that in some way the revelation of these facts will lead to better understanding among all our peoples."³³

37. Mr. Justice Snyman, in his report on the Paarl riots of last November, tabled in the House of Assembly on 25 June, called for "a special drive to educate and reform the attitudes of both the white and non-white sections of the community in respect of inter-racial affairs" and warned that this task "brooks of no delay".³⁴ He told the Press on 6 July:

"We must not only change our attitude [to the Bantu] but we must also find a policy that is acceptable to the black man or find a way to make our policies acceptable to him."³⁵

International repercussions

38. The situation in South Africa has stirred the world conscience as never before and has had wide international repercussions.

39. Reference may first be made to several recent actions by United Nations bodies.

40. On 23 February 1963, the Economic Commission for Africa decided again to recommend that the Republic of South Africa be deprived of membership in the Commission "until it shall set a term to its policy of racial discrimination".³⁶

³² *Southern Africa* (London), 21 June 1963.

³³ *The Star* (Johannesburg), weekly edition, 22 June 1963.

³⁴ *South African Digest* (Pretoria), 4 July 1963; Reuters, 25 June 1963.

³⁵ *The Star* (Johannesburg), weekly edition, 6 July 1963.

³⁶ See *Official Records of the Economic and Social Council, Thirty-sixth Session, Supplement No. 10*, p. 40, resolution 68 (V). The Economic Commission for Africa had adopted resolution 44 (IV) in 1962 recommending that the Republic of South Africa be deprived of membership. The Economic and Social Council, at its resumed thirty-fourth session (1239th meeting), in December 1962, rejected the recommendation by 8 votes to 7, with 3 abstentions. By its resolution 68 (V) the Economic Commission for Africa recommended that the Council reconsider its decision and transmit the views and recommendations of the Commission to the General Assembly.

41. On 2 April 1963, the Commission on Human Rights adopted the text of a Draft Declaration on the Elimination of all Forms of Racial Discrimination.³⁷ Article 5 of the text reads:

"An end should be put, without delay, to governmental policies of racial segregation and especially policies of *apartheid* as well as all forms of racial discrimination and separation resulting from such policies."

The draft is due to be considered by the Economic and Social Council in July and by the General Assembly at the eighteenth session.

42. On 23 May 1963, the sixteenth World Health Assembly adopted a resolution recalling General Assembly resolution 1761 (XVII) of 6 November 1962, and inviting the Government of South Africa to renounce the policy of *apartheid* in the interests of the physical, mental and social well-being of the population.³⁸

43. At the International Labour Conference in Geneva in June, the African delegations, supported by a number of others, demanded the exclusion of the Republic of South Africa because its racial policies were in violation of the Organization's principles. The strength of feeling of the delegations was reflected in the resignation of the Chairman of the Conference, the walk-out of thirty-six delegations from the session, and the rejection of the credentials of the workers' delegation from the Republic of South Africa. Subsequently, on 29 June 1963, the Governing Body of the International Labour Office adopted three important resolutions on this question.³⁹

44. A number of Governments have condemned the policies of *apartheid* and taken measures to dissuade the Government of the Republic of South Africa from its present policies. In addition to the replies received to the letter dated 11 April 1963 by the Chairman of the Special Committee,⁴⁰ numerous official statements on this subject have appeared in the past few weeks. Particular mention may be made of the resolutions of the Summit Conference of Independent African States held at Addis Ababa in May 1963 (see A/AC.115/L.11). The Scandinavian Foreign Ministers, meeting at Oslo in May, condemned the racial policies of the South African Government and called on it to co-operate with the United Nations and revise its policies.⁴¹

45. A large number of non-governmental organizations and individuals likewise condemned the policies of *apartheid*.

46. The International Confederation of Free Trade Unions, in memoranda to the Special Committee, supported effective measures to put an end to the policies of *apartheid* (see A/AC.115/L.8, A/AC.115/SR.16). The Secretariat of the World Federation of Trade Unions issued a statement on 13 June 1963 condemning repression in South Africa and calling for immediate compliance with the decisions of the General Assembly and the recent Conference of Independent African States.⁴² The International Commission of Jurists, in a statement in May, called for "strong condemnation by all the civilized world" of the General Law Amendment Act and the earlier repressive legislation. The International Olympic Committee has indicated that South Africa would be excluded from the Olympic games unless the South African Olympic Committee could prove to the next Congress that effective steps had been taken to reduce racial discrimination.⁴³

47. Ten church leaders in the United Kingdom, in a statement on 11 July, urged the South African Government "to take heed before it is too late" and warned it that unless the trend of recent legislation is reversed, "we can see nothing in the end but violent disaster". They appealed for assistance to the

victims of repression and called for a day of prayer on 21 July for all South Africa.⁴⁴

48. In the Scandinavian countries, public organizations—youth organizations, trade unions and co-operatives—have promoted a boycott of the Republic of South Africa. An appeal sponsored by the joint council of Danish youth organizations calling for a boycott of all South African goods was signed by ninety-four members of the Danish Parliament, representing all the major parties.⁴⁵ Copenhagen dock workers refused to load or unload ships carrying South African goods.⁴⁶ Ko-operativa Foerbundet, the largest Swedish consumers' organization, and FDB, the Danish co-operative hardware and grocery chain, announced a boycott of all South African products.⁴⁷

49. Anti-*apartheid* committees have been formed in a number of countries, particularly in Western Europe.

50. The world reaction to *apartheid* leaves little doubt about the moral isolation of the present Government of the Republic of South Africa.

51. The South African Government recognizes and admits its isolation from world opinion though it attempts to criticize the attitudes of other governments, to argue that it is not isolated economically and otherwise, and to claim high motives for its own racial policies.

52. To quote from a statement by the Prime Minister, Dr. H. F. Verwoerd, in the last week of April 1963:

"It is not our fault that we must be alone in the world today, in what we believe to be the proper development of our future, and that others cannot realize the morality of our outlook.

"We must convince the world that we stand for the preservation of Christendom and civilisation, and that we may yet be responsible for saving them."⁴⁸

53. A few days later, addressing the Cape Town Afrikaans Chamber of Commerce, Dr. Verwoerd said:

"I cannot understand why it is so often stated that South Africa has become isolated from the rest of the world . . .

"It is perhaps true that so far as our colour policies are concerned there are great international differences. But this is by no means the only aspect of our relationship with other nations.

"In the economic sphere, and in many others aspects of our life, we still have many friends in the world."⁴⁹

54. He said in May 1963 in Cape Town, at the twenty-fifth anniversary of the South African Press Association:

"Our fatherland, in which we all wish to continue to exist, stands today in a world which through no fault of our own does not understand us. This is because the rest of the world does not know us nor our motives and the facts about the position here."⁵⁰

55. Dr. Albert Hertzog, Minister of Posts, complained recently:

"International finance is willing to throw South Africa to the black man for the sake of mineral wealth and strategic position in the world."⁵¹

56. To counter the increasing isolation from world public opinion, the Government of the Republic of South Africa has

⁴⁴ The statement was signed by the Archbishops of Canterbury and York; the Moderator of the General Assembly of the Church of Scotland, the Archbishop of Birmingham, on behalf of the Roman Catholic Hierarchy; the President of the Methodist Conference, the Chairman of the Congregational Union of England and Wales, the President of the Baptist Union, the Moderator of the General Assembly of the Presbyterian Church of England, the Moderator of the Free Church Federal Council and the General Secretary of the British Council of Churches. (*The Times* (London), 11 July 1963.)

⁴⁵ *Southern Africa* (London), 17 May 1963.

⁴⁶ Reuters, 5 July 1963.

⁴⁷ *Southern Africa* (London), 10 May 1963; *The Star* (Johannesburg), weekly edition, 25 May 1963.

⁴⁸ *South African Digest* (Pretoria), 2 May 1963.

⁴⁹ *Ibid.*, 30 May 1963.

⁵⁰ *Southern Africa* (London), 7 June 1963.

³⁷ See *Official Records of the Economic and Social Council, Thirty-sixth Session, Supplement No. 8*, chap. XIII, draft resolution VI.

³⁸ See *Official Records of the World Health Organization*, No. 127 (Geneva, 1963), pp. 21-22.

³⁹ See International Labour Office, *Official Bulletin*, vol. XLVI, No. 3, July 1963, pp. 333-334.

⁴⁰ See annex V below.

⁴¹ *Southern Africa* (London), 24 May 1963.

⁴² Tass, 13 June 1963.

⁴³ *The Star* (Johannesburg), weekly edition, 8 June 1963.

spent much effort on propaganda at home and abroad.⁵¹ It has also shown concern over sanctions and has taken steps to buttress relations with neighbouring territories, particularly the Portuguese territories and Southern Rhodesia.⁵² It has, however, shown little evidence of a genuine desire to abandon its policies of *apartheid*, with the result that world opinion has become increasingly concerned over the likelihood of a further deterioration of the situation into a violent clash.⁵³

APPENDIX II

NOTE ON THE EXPANSION OF MILITARY AND POLICE FORCES IN THE REPUBLIC OF SOUTH AFRICA AND THE SUPPLY OF ARMS AND AMMUNITION TO THE REPUBLIC OF SOUTH AFRICA*

1. In the first interim report of 6 May 1963—the Special Committee expressed deep anxiety over “the rapid expansion of South African military and police forces, which not only reflects the gravity of the present situation in the country but is

⁵¹ Two lines of propaganda deserve special notice. The first is the claim that the conflict within South Africa is due to foreign interference. Mr. J. J. Fouché, the Minister of Defence, told a National Party meeting at Queenstown early in May 1963:

“My conviction is that the black man in South Africa is not our basic problem. The basic problem is the unfair interference of the outside world.” (*South African Digest* (Pretoria), 9 May 1963.)

This interference, he said, was driving a wedge between White and Black. (*ibid.*)

The second line of propaganda is the argument that the problem is one of “survival” of the white population in Africa. In a television interview in May, the South African Ambassador to the United States claimed:

“If you were to introduce the proposals of the United Nations [on racial policy in South Africa] you would in effect be committing another sin—committing genocide. You would be asking this Western Christian nation to be allowed to destroy itself”. (*The Star* (Johannesburg), 6 May 1963.) The Special Committee has made it clear that it does not view the choice as between white domination and black domination, but as between racial discrimination and the acceptance of the principles of the United Nations Charter.

⁵² The Minister of Foreign Affairs of South Africa, Mr. Eric H. Louw, visited Lisbon in May and signed an air agreement with Portugal for flights by South African Airways from Johannesburg to Lisbon with landing rights at Luanda. (*Southern Africa* (London), 17 May 1963.)

South Africa has agreed to contribute funds for the construction of an airfield on Ilha do Sal, one of the Cape Verde Islands. (*The New York Times*, 16 June 1963; *Southern Africa* (London), 21 June 1963.)

Sir Roy Welensky, Prime Minister of the Federation of Rhodesia and Nyasaland, visited Cape Town and on 20 May a joint communiqué announced agreement on increased economic co-operation.

⁵³ A few recent comments are illustrative. Dr. Ramsey, the Archbishop of Canterbury, declared that if the present trend in South Africa continued, based as it was on the fear of one part of the population towards another, it was hard to see how the outcome could be other than violent disaster. (*Southern Africa* (London), 14 June 1963.)

Mr. Harold Wilson, leader of the Labour Party in the United Kingdom, declared recently:

“The situation in South Africa is in sight of being a threat to the peace. And if Dr. Verwoerd challenges that then let him stop the massive arms build-up in South Africa . . .

“The situation in South Africa is getting worse week by week . . .

“The choice before Africa—and all of us are involved in this choice—is a choice between the racial bloodbath towards which the policy of the South African Government is driving, or racial peace by negotiation.” (*Contact*, 17 May 1963.)

Mr. Adlai Stevenson, Permanent Representative of the United States of America to the United Nations, declared on 20 June 1963 that the United States Government recognized the extreme seriousness of the situation in the Republic of South Africa and that its anxiety and concern about the situation was increasing day by day. (See A/AC.115/SR.15.)

* Originally circulated as document A/AC.115/L.16 and Corr.1.

likely to have serious international repercussions”.¹ The Committee noted that, between the fiscal years 1960/1961 and 1963/1964, the defence expenditure of the Republic of South Africa rose from 44 million rand to 157 million rand, or nearly four times (the figure for 1963/1964 is the budget estimate). Police expenditure rose during the same period from 36 million rand to 47 million rand. This enormous build-up of military and police forces was one of the main reasons for the submission of the first interim report by the Special Committee.

2. The present note contains some salient facts on the recent expansion of military and police forces in the Republic of South Africa and the supply of arms and ammunition to that country.

Size of military expenditures

3. The estimated expenditure for the fiscal year 1963/1964 is well above the highest annual expenditure during the period of the Second World War when South African forces saw action in many theatres.²

4. The breakdown of the defence expenditures, for the years 1960/1961 to 1962/1963, shows that the largest increases are not in such items as salaries and related expenditures, but for the acquisition of arms and ammunition. For instance, the estimates for “Army Stores, Services and Equipment” increased from 2,620,000 rand to 11,945,000 rand or four and a half times; for transport equipment and petrol over three times; and for aircraft and aviation fuel over 2½ times. The estimates for “Special Equipment and Reserve Stocks” increased from four and a half million rand to over 31 million rand or more than seven times. The estimates for the manufacture of munitions increased from 368,000 rand to over 14 million rand, or nearly forty times.

5. The budget estimates, however, do not fully reflect the scale of military expansion. Much of the increase in available military personnel is not in the standing army but in the Commandos, and this does not require a proportionate increase in public expenditure.

Strength of the security forces

6. The South African Defence Force consists of:

(a) The Permanent Force, or the standing army (the Army, Air Force and Navy);

(b) The Citizen Force, comprising volunteers and citizens drawn by ballot and enrolled in the Force; and

(c) The Commandos, comprising volunteers and citizens not drawn by ballot for enrolment in the Citizen Force.

7. The strength of the Permanent Force is kept relatively low. It had 12,700 officers and men in 1962/1963,³ excluding auxiliary services. It has expanded, however, from 8,832 in 1960 to 12,700 in 1962/1963, and the Government has announced plans for further expansion.

8. The Citizen Force consists of about 10,000 men called to service annually to serve for four years, or a total of 40,000 men available at any time. Before 1961, members of this Force underwent three months’ continuous training in the first year, and three weeks’ training in the second, third and fourth years. Under the Defence Amendment Act of 1961, the period of training was increased to nine months in the first year and three months in the following years.

9. The greatest expansion has been in the Commandos in which every able-bodied South African citizen is required by law to serve for four consecutive years in case he has not been previously a member of the Permanent Force or the Citizen

¹ See annex III para. 64, above.

² The expenditure for defence in 1944/1945 was 51,250,000 pounds or 102,500,000 rand (see Union of South Africa, *Official Year Book of the Union and of Basutoland, Bechuanaland Protectorate and Swaziland*, No. 24—1948 (Pretoria, Government Printer, 1950), p. 631). The estimate for 1963/1964 is 157 million rand.

³ See Republic of South Africa, *Estimates of the Expenditure to be defrayed from Revenue Account during the Year ending 31st March, 1963* (Pretoria, Government Printer, 1962), p. 238.

Force or the Reserve unit of either. Members of the Commandos are trained in the use of weapons and in combat operations, and are subject to call for service at any time.

10. There are now more than 200 units of Commandos. As members of the Commandos are not paid salaries and as they purchase and maintain their own weapons, an increase in the strength of the Commandos does not add greatly to budget expenditures.

11. The Government has recently announced the establishment of units of Air Commandos, made up of private pilots and airplanes commissioned for service in times of emergency or war.⁴

12. The Minister of Defence announced in June 1963 that by next year South Africa could have 140,000 men in uniform (including the Permanent Force, Citizens Force and Commandos).⁵ Concurrently, the strength of the school cadet force is being doubled from 65,000 to 120,000 for the purpose of providing more young men of school age with basic military training.⁶ The Government's aim is to mobilize as many as 250,000 men at short notice.

13. The Government has emphasized the mobility and the fire-power of the armed forces. Much of the increased Government expenditure, as indicated earlier, is devoted to the acquisition of planes and trucks, the purchase of modern arms and training in their use, and the manufacture of weapons.

14. Special units have been trained in the regular services to be combat ready within one hour. By the end of this year, the armed forces are expected to have about 10,000 such fully trained special troops: their number is planned to be increased to about 20,000 by the end of 1965.⁷

15. The armed forces are entirely white, except for some labourers. One of the first acts of the National Party Government, after it rose to power in 1948, was to limit the army to Whites.

16. The police force has a strength of 27,350 men—13,600 Whites, 12,250 Bantu, 1,100 Coloureds (e.i., people of mixed descent) and 400 Indians.⁸ Recently, the Government has begun to enrol armed Whites in auxiliary police units which are planned to have a strength of several thousand. The Government has indicated that non-white units of auxiliary police would be established, but no concrete measures for this purpose are reported. The white police in general are well-armed: the non-whites are not.

17. It should be noted that the Government has sought to establish the closest co-operation between the police and the armed forces for the maintenance of internal security. As the Defence Minister, Mr. J. J. Fouché, stated in the House of Assembly on 1 May 1963:

"I wish to say that from the nature of the matter the South African Police are not able to prevent or to suppress local riots everywhere. Here one thinks of an isolated outpost in a distant area manned by only two or three policemen. In the light thereof it is therefore imperative that the necessary means should immediately be available to the authorities to suppress any riots before they assume appreciable proportions. It is therefore the idea that members of the Defence Force who find themselves in the vicinity where riots occur should immediately be enlisted to assist the police."⁹

18. In recent years, the armed forces and aircraft have been frequently used to deal with disturbances in the country, particularly in the Transkei.

⁴ Republic of South Africa, *House of Assembly Debates (Hansard)*, 1 May 1963, col. 5145.

⁵ *The Star* (Johannesburg), 3 June 1963.

⁶ Statement by Army Chief of Staff, Gen. S. A. Engelbrecht, reported in *News/Check on South Africa and Africa* (Johannesburg), 12 October 1962.

⁷ Statement by the Minister of Defence, reported in *Southern Africa* (London), 12 October 1962.

⁸ *South African Digest* (Pretoria), 4 April 1963.

⁹ Republic of South Africa, *House of Assembly Debates (Hansard)*, 1 May 1963, col. 5147.

19. In addition to expanding the armed forces and police, the Government has encouraged and assisted military training for all the Whites. Rifle clubs and home guards have sprung up all over the country. Women and children of school age are being trained in the use of weapons.

20. Even in 1961, it was reported that probably no city in the world had as many privately owned small arms as Johannesburg—some 100,000 licensed weapons for a white population of less than 500,000.¹⁰ The number of these arms is now much higher.

21. In short, the white community in South Africa is becoming an armed camp, ready for what the Government chooses to describe as the struggle for survival and what in reality is a desperate effort to perpetuate the policy of racial oppression.

22. The Government's plan was recently described by the Minister of Defence, Mr. J. J. Fouché, in the House of Assembly when he said: "Our aim is to train every young man [for military service] whether he is flat-footed or not. . . . It cannot be done at present but we are working in that direction".¹¹

Manufacture of arms

23. In recent years, the Government of the Republic of South Africa has spent much effort and investment to expand greatly the manufacture of modern weapons in the country. As indicated earlier, the estimate of Government expenditure between 1960/1961 and 1962/1963 for the manufacture of munitions increased by nearly forty times.

24. Production of automatic weapons is planned for 1964. Production of ammunition is being greatly increased in order to make the country self-sufficient in this field.¹²

"Plans for the extension of the Government armaments factory near Pretoria are at an advanced stage, and building will begin soon. With the completion of the extensions programme and the tendering to private enterprise of the manufacture of certain parts, South African-made weapons to fulfil all the requirements of the Defence Force will be produced by 1964."

25. The Government has received assistance from foreign companies and investors in its plans to expand arms production.¹³

Foreign sources of arms and ammunition

26. In the meantime, the Republic of South Africa has spent enormous sums of money for the purchase of arms and other military supplies.

27. Much of the defence expenditure has been devoted to the purchase of radar and telecommunications equipment, armoured cars, aircraft and naval vessels. The Defence Minister, Mr. J. J. Fouché, announced in August 1962 that the striking power of the South African Navy was to be multiplied by ten times during the next few years.¹⁴ Similar rapid expansion is planned

¹⁰ *The Times* (London), 18 August 1961.

¹¹ *South African Digest* (Pretoria), 13 June 1963.

¹² *Southern Africa* (London), of 28 January 1961 quoted a report in *Commando*, official publication of the South African Defence Force, that South Africa would be manufacturing its own automatic weapons by 1964. It was stated that the manufacturing rights for the new Belgian FN7.62 automatic rifle, the weapon which was to replace the Defence Force's present .303, had been obtained and plans were being carried out gradually to change over from assembling the weapons to manufacturing them in Pretoria entirely from parts made in South Africa.

¹³ The African Explosives and Chemical Industries, which concluded an agreement in January 1962 to build and operate three ammunition factories at a cost of £10 million, is partly owned by the Imperial Chemical Industries of the United Kingdom. (*Southern Africa* (London), 26 January 1962, p. 74.)

A British-owned company, Miles Aircraft Ltd., is reported to be planning the manufacture of jet trainers in South Africa. (South African Information Service, 6 May 1963.)

¹⁴ Reuters, 17 August 1962; *The Times* (London), 18 August 1962.

for the striking power of the Air Force.¹⁵ The Defence Minister stated recently that the Republic of South Africa was an integral part of the West and must prepare itself to be of value to the West. "Practically all the strategic weapons that we have purchased during the past two years are for that specific purpose."¹⁶

28. The principal and traditional source of arms is the United Kingdom.

29. Under Agreements signed on 30 June 1955 in connexion with the transfer of the Simonstown Naval Base,¹⁷ the United Kingdom and South Africa agreed on co-operation to ensure the safety of the sea routes round South Africa, and the latter undertook to purchase a number of naval vessels in the United Kingdom through the British Admiralty.

30. The total cost of the naval orders placed under these Agreements was 23 million pounds sterling.¹⁸ The South African Navy ordered three anti-submarine frigates as well as minesweepers and other craft. The first frigate, *President Kruger*, arrived in South Africa in March 1963.¹⁹

31. In October 1962, South Africa was reported to have ordered a squadron of Buccaneer low-level strike and reconnaissance aircraft at a cost of about £20 million.²⁰ In January 1963, it was reported that the South African Air Force had ordered an undisclosed number of English Electric Canberras and Westland Wasp helicopters.²¹ The South African Defence Minister, Mr. J. J. Fouché, announced on 24 June 1963 that naval helicopters and other defence equipment had been ordered from the United Kingdom.²²

32. The South African arms contracts are apparently of considerable importance to the foreign trade and economy of the United Kingdom. On 6 May 1963, Mr. Neil Marten, Parliamentary Secretary to the Ministry of Aviation, told the House of Commons that at least fifty companies were engaged in the manufacture of aircraft and aircraft equipment for South Africa, and that the work involved in these contracts was equivalent to a year's employment for about 25,000 persons.

33. Though the United Kingdom remains the principal source, South Africa has been increasingly diversifying its purchases.

¹⁵ *Southern Africa* (London), reported on 12 October 1962: "The South African Department of Defence confirmed in Pretoria that the Navy is to be further strengthened with strike aircraft . . . This is part of the South African Government's scheme for welding and expanding striking forces on the African continent . . ."

"The Navy is being equipped with small, powerful craft of the most modern design which will act as watchdogs around the country's hundreds of miles of vulnerable coastline. These will work in close co-operation with aircraft of the S.A.A.F.'s Maritime Command.

"The bulk of expenditure during the next three or four years will be on modern equipment for the Air Force. This arm of the service operates mostly with obsolete Second World War aircraft, totally unsuited to modern warfare.

"Other expansion includes the production of bomb-carrying rockets, the construction of military vehicles, including armoured cars, and modern equipment for a bigger army establishment."

¹⁶ *South African Digest* (Pretoria), 4 July 1963.

¹⁷ Agreement on Defence of the Sea Routes round Southern Africa, and Agreement relating to the Transfer of the Simonstown Naval Base (see *Exchange of Letters on Defence Matters between the Governments of the United Kingdom and the Union of South Africa, June 1955* (London, Her Majesty's Stationery Office, Cmd. 9520)). These Agreements were maintained in force after South Africa left the Commonwealth.

¹⁸ See United Kingdom of Great Britain and Northern Ireland, *Parliamentary Debates (Hansard), House of Commons, Official Report* (London, Her Majesty's Stationery Office), vol. 678, "Written answers to questions", 22 May 1963, col. 39. (Statement by the Civil Lord of the Admiralty in the House of Commons.)

¹⁹ *South African Digest* (Pretoria), 4 April 1963.

²⁰ *Southern Africa* (London), 19 October 1962.

²¹ *The Star* (Johannesburg), 16 January 1963.

²² Reuters, 24 June 1963. It may be noted that some of the arms purchased in the United Kingdom, such as helicopters, were beyond those covered by the Agreements of 1955.

34. France has become an increasingly important source of supply. In April 1963, the South African Defence Minister told the Parliament that the French Panhard armoured car was now being manufactured in the Republic.²³ On 24 June, the South African Embassy in Paris announced that France had begun the delivery of sixteen jet fighters ordered last year.²⁴ French Alouette jet helicopters are already in service in South Africa.²⁵

35. Another source of supply in recent years was the United States of America. In January 1963, South Africa received five C-130-B transport planes.²⁶ A number of Cessna 185 Sky-wagons—described as "ideal for field spotting and reconnaissance as well as the swift movement of small groups of men for police actions"—had already been delivered to the Defence Department.²⁷

36. More recently, the United States was reported to have denied licences for the export of bombers and fighter aircraft to South Africa.²⁸

37. There is little definite information on the supplies of arms from other countries to the Republic of South Africa. It is reported, however, that a number of other countries were interested in entering the market, especially in case of cessation of sales by the present suppliers. Indeed, the South African Defence Minister, Mr. J. J. Fouché, claimed on 14 June 1963, that South Africa was being embarrassed with offers from other countries.²⁹

38. Unconfirmed press dispatches and statements by petitioners before the Special Committee refer to sales or offers by other countries.³⁰

²³ *Southern Africa* (London), 12 April 1963.

²⁴ Reuters, 24 June 1963.

²⁵ *The Star* (Johannesburg), 16 January 1963. Altogether, seven of these planes were reported to have been delivered. (*The New York Herald Tribune*, 14 June 1963.)

²⁶ *The New York Times* and *The New York Herald Tribune*, 14 June 1963.

²⁷ *The Star* (Johannesburg), weekly edition, 15 June 1963.

²⁸ The representative of the Pan-Africanist Congress, Mr. Duncan, told the Committee that the United Kingdom, France, the United States, Spain, Italy, Czechoslovakia, the German Democratic Republic and Belgium, had supplied arms and ammunition to the Republic of South Africa. (See A/AC.115/SR.16.)

The delegation of the African National Congress referred to sales or offers by the United Kingdom, France, United States, the Federal Republic of Germany, Belgium and Italy. (Information supplied to the Special Committee on 11 July 1963.)

The Observer (London) of 9 and 30 June 1963 stated that Czechoslovak rifles were being imported into South Africa and that an East German trade delegation had offered to supply small arms and ammunition.

The New York Herald Tribune of 23 June 1963 stated that the South African Government had made substantial purchases of arms in Europe through the Portuguese Government.

Earlier, on 1 May 1963, the *Daily Telegraph and Morning Post* (London) reported that several countries had made offers of arms after the demand by the Labour Party that the United Kingdom should stop arms exports to the Republic of South Africa:

"Five Western countries are hoping to capture Britain's role in providing South Africa with arms worth about £700 million over the next 10 years.

"South Africa will be spending this sum to re-equip her forces for three purposes: the defence of the Simonstown Naval Base and the sea lanes off her coasts, as defined in the 1955 Agreement; the defence of the Union against external aggression; and internal security . . ."

"... French and Italian training aircraft have been offered in replacement of 200 jet Provosts . . ."

"French and United States firms are ready to provide replacements for the de Havilland 125 transport aircraft which South Africa hoped to order.

"The South African Army is ordering a complete new range of vehicles. These were to have been Bedfords and long-based Land Rovers but the contracts are being sought now by Germany and Japan . . ."

39. In connexion with these reports concerning supplies of arms and ammunition, the statements of a number of Governments may be noted.

40. The United States and Sweden informed the General Assembly that they were selling no arms to South Africa which could be used to enforce the racial policies of *apartheid*.²⁹ The United States reiterated this position in a statement conveyed through the Acting Chairman to the Special Committee.³⁰

41. The United Kingdom, in statements before the House of Commons on several occasions,³¹ indicated that the Republic of South Africa was allowed to buy arms in the United Kingdom as the two countries had normal relations and, moreover, a common interest in the defence of the sea routes round southern Africa; that, in authorizing purchases, the United Kingdom takes into account the possibility that a particular type of arms may be used for measures of internal suppression; and that the arms now being supplied to the Republic of South Africa were required for external defence and were unsuitable for use in suppressing civilian disturbances or for local intimidation.³²

42. The Embassy of Czechoslovakia in London, in a statement to the Press on 20 June 1963, said:

"Recent reports in the Press that Czechoslovakia has allegedly delivered weapons to the Republic of South Africa are entirely false. The Czechoslovak Government resolutely condemns the policy of *apartheid*, has never granted any assistance to the South African Government, nor has it sold it military weapons or equipment.

"Prior to the adoption of the General Assembly resolution of 6 December 1962 on sanctions against the Republic of South Africa individual citizens of that country bought a negligible amount of hunting arms and air-rifles. After the adoption of the resolution even deliveries of those sport arms were immediately halted and will not be restored."³³

43. The Government of the Federal Republic of Germany was reported to have informed the Labour Party in the United Kingdom that its refusal to deliver arms to "any zone of tension" now applied to South Africa, and that "the Federal Government therefore controls the export of arms and all kinds of strategic material to the Republic of South Africa. Permission for export of offensive weapons is being refused."³⁴

44. Denmark and Italy are also reported to have prohibited the export of small arms to the Republic of South Africa.³⁴

²⁹ See *Official Records of the General Assembly, Seventeenth Session, Special Political Committee*, 329th, 334th and 336th meetings.

³⁰ See A/AC.115/SR.15. The United States Government was reported to have informed the Labour Party in the United Kingdom that its policy on arms supplies was covered by the following formula:

"If the normal use of the weapon or other item of military equipment is associated with police force or infantry type operations its export will not be approved. If it is essentially defined for purposes of national defence, and in particular, Free World military requirements, exportation may be considered." *The Observer* (London), 9 June 1963.

³¹ See, for example, United Kingdom of Great Britain and Northern Ireland, *Parliamentary Debates (Hansard), House of Commons, Official Report* (London, Her Majesty's Stationery Office), vol. 666, 31 October 1962, col. 286; *ibid.*, vol. 669, 19 December 1962, cols. 1241-1242; *ibid.*, vol. 674, 25 March 1963, cols. 949-950; *ibid.*, vol. 678, 31 May 1963, cols. 1763-1787.

³² Mr. J. J. Fouché said in June that when the Simonstown Agreement had been entered into, the United Kingdom had requested South Africa not to ask to buy small arms and ammunition. South Africa, he said, had replied: "We do not buy that type of stuff. We sell it ourselves." (*Southern Africa* (London), 28 June 1963.)

³³ Press release of the Permanent Mission of Czechoslovakia to the United Nations, 2 July 1963.

³⁴ *The Observer* (London), 9 June 1963.

APPENDIX III

REPRESSIVE LEGISLATION IN THE REPUBLIC OF SOUTH AFRICA*

*Native Administration Act, No. 38, 1927, as amended*¹

1. This Act provides that the Governor-General—now State President²—shall be Supreme Chief of all Natives in the Union—now Republic²—and shall in respect of all Natives in any part of the Republic be vested with all such rights and immunities, powers and authorities as are or may be from time to time vested in him in respect of Natives in the Province of Natal. The relevant Natal Code *inter alia* empowers the State President to order the arrest of any Bantu whom he considers dangerous to the public peace and to detain him for three months without right of appeal. The courts are forbidden to rule on the validity of any act done or order given by the State President, or to grant injunctions against any officer acting as his representative unless the courts are satisfied *prima facie* that such officer is acting without lawful authority. The State President is empowered to make regulations *inter alia* for the "prohibition, control or regulation of gatherings or assemblies of Natives".³ Under this authorization, regulations have been made prohibiting any person from holding, presiding over or addressing, without permission, any meeting of Bantu at which more than ten persons are present at one time.⁴

Suppression of Communism Act No. 44, 1950, as amended

2. The import and ambit of this legislation as amended by Act No. 50 of 1951 has been dealt with in the first and second Reports of the United Nations Commission on the Racial Situation in the Union of South Africa.⁵ Important further amendments have been made to the main provisions of the principal act by the General Law Amendment Act, No. 76, 1962.

3. The General Law Amendment Act of 1962 enlarges the category of bodies which can be declared unlawful by the State President by providing that he can do this when he is satisfied that any organization carries on or has been established for the purpose of continuing directly or indirectly the activities of any unlawful organization (General Law Amendment Act, 1962, Section 2). This would tend to exclude the possibility of new organizations being formed to oppose the policies of the Government.

4. The Minister of the Interior is also empowered to prevent "statutory communists" and other persons furthering the objectives of communism from attending gatherings at any place or in any area during a specified period. The definition of gathering is broad enough to include a gathering of any number of persons (*ibid.*, sections 3 and 7).

5. Two sections are intended to curtail the dissemination of news in particular with respect to prohibited activities and listed and prohibited persons. In the first place, publishers are required to deposit a sum of 20,000 rand upon registration of a new newspaper, and this sum will be forfeited once the publication is banned under the provisions of the principal Act (*ibid.*, section 5).

6. And in the second place, the Act makes it an offence to print, publish or disseminate any statement by a listed or prohibited person made anywhere at any time except for the purposes of court proceedings or with the consent of the Minister (*ibid.*, section 10 (1) (e)).

* Originally circulated as document A/AC.115/L.18.

¹ Amended by the Native Administration Amendment Act, No. 42, 1956.

² In this note, "State President" has been substituted for "Governor-General" and "Republic" for "Union" in the appropriate places.

³ For example, Regulation for Control of Meetings, Gatherings or Assemblies in Native Areas—Proclamation 97 of 1954.

⁴ In the urban areas there exists legislation with similar effect, restricting the participation of Bantu in meetings: Urban Areas Act, 1945, as amended by Act No. 36 of 1957.

⁵ See *Official Records of the General Assembly, Eighth Session, Supplement No. 16*, paras. 716-717; and *ibid.*, *Ninth Session, Supplement No. 16*, paras. 192-199.

7. A new section provides that the Minister may by notice prohibit a listed person or any other person who advocates, encourages or engages in the furtherance of communism as defined "from being within or absenting himself from any place or area . . . or communicating with any person or receiving any visitor or performing any act so specified [in the notice]". The only restriction on the power of the Minister in this respect is that no prohibition contained in the notice can debar the restricted person from communicating with or receiving as a visitor his lawyer provided that the latter himself is not a listed or prohibited person.⁶

⁶ Two notices served on Mrs. Helen Joseph on 11 October 1962 are still illustrative. Notice in terms of paragraph (a) of sub-section (1) of section 10 of the Suppression of Communism Act, 1950 (No. 44) served on Helen Joseph:

"WHEREAS, I, BALTHAZAR JOHANNES VORSTER, Minister of Justice of the Republic of South Africa, am satisfied that you are engaged in activities which are furthering or may further the achievement of the objects of communism, I hereby, in terms of paragraph (a) of sub-section (1) of section ten of the Suppression of Communism Act, 1950 (Act No. 44 of 1950) prohibit you for a period commencing on the date on which this notice is delivered or tendered to you, and expiring on the 31st day of October, 1967, from—

"(a) absenting yourself from the residential premises situate at 35 Fanny Avenue, Norwood, Johannesburg—

"(1) at any time on public holidays;

"(2) from two-thirty in the afternoon on Saturdays up to six-thirty in the forenoon on Mondays;

"(3) during the hours of six-thirty in the afternoon and six-thirty in the forenoon on days other than those referred to in (1) and (2) above;

"(b) absenting yourself from the magisterial district of Johannesburg;

"(c) being within—

"(1) any location, native hostel or native village as defined in the Natives (Urban areas) Consolidation Act, 1945 (Act No. 25 of 1945);

"(2) the area of jurisdiction of the Alexandra Local Area Committee as defined in Administrator's Proclamation No. 27 of the 3rd February 1958;

"(3) any native compound;

"(4) the premises of any factory as defined in the Factories, Machinery and Building Work Act, 1941 (Act No. 22 of 1941);

"(d) communicating in any manner whatsoever with any person whose name appears on any list in the custody of the officer referred to in section eight of the said Suppression of Communism Act, 1950 or in respect of whom any prohibition under the Suppression of Communism Act, 1950 is in force;

"(e) receiving at the said residential premises any visitor other than a medical practitioner for medical attendance on you, if the name of such medical practitioner does not appear on any list in the custody of the officer referred to in section eight of the said Suppression of Communism Act, 1950, is in force in respect of such medical practitioner.

"Given under my hand at Pretoria on this 11th day of October 1962."

Notice in terms of sub-section (1) of section 9 of the Suppression of Communism Act, 1950 (No. 44) served on Helen Joseph:

"WHEREAS, I, BALTHAZAR JOHANNES VORSTER, Minister of Justice of the Republic of South Africa, am satisfied that you are engaged in activities which are furthering or are calculated to further the achievement of any of the objects of communism, I hereby, in terms of sub-section (1) of section nine of the Suppression of Communism Act, 1950 (Act No. 44 of 1950) prohibit you for a period commencing on the date on which this notice is delivered or tendered to you and expiring on the 31st day of October 1967, from attending within the Republic of South Africa—

"(1) any gathering contemplated in paragraph (a) of the said sub-section; or

"(2) any gathering contemplated in paragraph (b) of the said sub-section not being such a gathering as is contemplated in the said paragraph (a), of the nature, class or kind set out below:

"(i) any social gathering, that is to say, any gathering, at which the persons present also have social intercourse with one another;

Public Safety Act, No. 3, 1953

8. This Act is intended to "make provision for the safety of the public and the maintenance of public order in cases of emergency". It provides that the State President may proclaim a state of emergency in the Republic or any part thereof if any action or circumstance threatens public safety or order or if the ordinary laws in force are inadequate to ensure public safety and order (Public Safety Act, 1953, section 2 (i)). While such a proclamation is in effect (or owing to special circumstances), the State President may make, with certain limitations,⁷ any necessary or expedient regulations to provide for the public safety or to preserve public order and to terminate the emergency. The proclamations issued under this Act during the aftermath of the Sharpeville incident curtailed civil liberties and led to widespread arrests.

9. The General Law Amendment Act, 1962, introduced a new section which makes it possible to apply such proclamations even in areas where a state of emergency has not been proclaimed by the State President.

Criminal Law Amendment Act, No. 8, 1953

10. This Act was intended to stultify resistance to *apartheid* by civil disobedience and non-violent campaign by persons in the Republic without racial distinction. Anyone convicted of an offence "committed by way of protest or in support of any campaign against any law or in support of any campaign for the repeal or modification of any law or the variation or limitation of the application or administration of any law" is subject to a sentence of 300 pounds (600 rand), three years' imprisonment, ten strokes or a combination of any two of them. (Criminal Law Amendment Act, 1953, section I.) Similarly any person who causes any other person by written or spoken words or by other means to break the law by way of a protest against a law in support of a defiance campaign is subject to a fine of 500 pounds, five years' imprisonment, ten strokes or any two of these. (*ibid.*, section 2.) At the same time, any person who solicits or receives financial or other assistance for any such campaign from any person, whether in or out of the Republic, or who has assisted another to commit a crime by way of protest is guilty of an offence and penalized as for incitement. (*ibid.*, section 3.)

Criminal Procedure Act, No. 56, 1955

11. A provision of this Act extends the general powers of search by providing that if it appears to a judge or magistrate that there are reasonable grounds for believing

"that the internal security of the Republic or the maintenance of law and order is likely to be endangered by or in consequence of any meeting which is being or is about to be held in or upon any premises . . . [or] that an offence has been or is being or is likely to be committed or that preparations or arrangements for the commission of any offence are being or are likely to be made . . . [in certain premises, he may issue a warrant to enter and search and to take] such reasonable steps as [such policeman] . . . may consider necessary for the preservation of the internal security of the Republic or the maintenance of law and order, or for the prevention of the commission of any offence . . ." (Criminal Procedure Act, 1955, section 44).

And if a police officer believes that the delay involved in obtaining a warrant would defeat its objects, he may enter without a warrant and

" . . . carry out such investigations and . . . take such reasonable steps as . . . [he] may consider necessary for that

"(ii) any political gathering, that is to say, any gathering at which any form of state or any principle or policy of the Government of a State is propagated, defended, criticized or discussed.

"Given under my hand at Pretoria on this 11th day of October, 1962.

(Signed) MINISTER OF JUSTICE"

⁷ Where persons are detained on summary arrest, this is to be reported to Parliament.

preservation of the internal security of the Republic or the maintenance of law and order..." (*ibid.*, section 44(1)) or search the premises for evidence of an offence.

Riotous Assemblies Act, No. 17, 1956

12. This Act empowers a magistrate if authorized by the Minister of Justice, to prohibit gatherings of twelve or more persons whenever he has reason to apprehend that the public peace would be seriously endangered by the gathering and also empowers the Minister to prohibit gatherings or particular persons from attending such gatherings whenever he has reason to apprehend that feelings of hostility would be engendered between the European inhabitants and any other section.

13. Moreover, any person who convenes, addresses or prints notices of a prohibited meeting with knowledge of that prohibition is guilty of an offence. The State President can prohibit the publication or dissemination of any document containing information calculated to engender hostility between Europeans and any other section of the population. The Minister of Justice may, if satisfied that any person is fomenting hostility between Europeans and others, by written notice to the person prohibit him from being within any specified area for a stated period.

Promotion of Bantu Self-Government Act, No. 46, 1959

14. Under this Act the State President may make regulations "generally in regard to any matter which he may consider necessary for the attainment of the objects of this Act". By virtue of this provision Proclamation R.400 as amended by R.413⁸ was issued in 1960.

Proclamation R.400 as amended by Proclamation R.413

15. The substantive provisions are important once the Proclamation has become applicable to any area. All meetings, with the exception of those for religious, educational and social purposes or sports, are unlawful unless they are authorized by the Native Commissioner. Surrender of all arms and ammunition is mandatory for all persons within forty-eight hours of the application of the Proclamation to any area, and thereafter possession of arms will be at the discretion of the Commissioner. It is made an offence for any person to make statements or do any act which is intended or likely to subvert or interfere with the authority of the State or to engage in any threat, boycott, or violence directed at any person or his property; it is also unlawful to organize or take part in any organized boycott of any meeting convened by an officer of the State or chief or of any boycott directed against any person; it is provided that no interdict or legal process shall issue for any order issued, decision or direction given under these regulations; nor shall any order, decision or direction be suspended by reason of an appeal against a conviction under these regulations.

16. Under one regulation whenever an officer⁹ is satisfied that any person has committed an offence or has reason to suspect that any person has or had the intention to commit an offence under the regulations or any other law, he may without warrant arrest or cause to be arrested any person whom he suspects upon reasonable grounds of having taken part in the offence or intended offence. An arrested person may be questioned and may be detained at any suitable place chosen by the officer until the latter is satisfied that the person has answered fully and truthfully all questions put to him which may have any bearing on the offence or intended offence.

17. Under another regulation when in detention such an arrested person shall not be allowed to consult with any legal adviser in connexion with his arrest and detention without the consent of the Minister of Bantu Affairs and Development or a person acting under his authority. Similarly a Native Commissioner, a commissioned officer or a non-commissioned officer of the South Africa Defence Force or a peace officer

may, with or without warrant, effect the arrest of any person who has committed any offence or who is suspected upon reasonable grounds of having committed an offence under the regulations.

18. In this connexion attention may be drawn to the reply by the Minister of Bantu Administration and Development to a question in Parliament on the application of the Proclamation. He stated that the Proclamation is

"to protect all law-abiding persons. The Executive Committee of the Transkeian Territorial Authority have requested that the Proclamation be not repealed and recent events have also indicated that there are subversive activities afoot in the Transkei endangering peace and the lives of certain people and for these and other reasons I am not prepared to consider the repeal of the Proclamation concerned."¹⁰

It also was stated that as of 1 February 1963 eighty-six persons were being detained in Pondoland for varying detention periods but none exceeding three months.¹¹

Unlawful Organizations Act, No. 34, 1960

19. This Act was specifically passed to empower the State President to ban by proclamation the Pan-Africanist Congress and the African National Congress if he was satisfied that the safety and the maintenance of public order was seriously threatened by their activities. The Act further empowers the State President to ban other organizations which in his opinion have been established for the purpose of carrying on directly or indirectly the activities of these two bodies. The Pan-Africanist Congress and the African National Congress were banned in 1960 and have since remained banned.

20. Such proclamations may remain in force for periods of not more than twelve months but may be extended for further periods not exceeding twelve months at a time.

Sections of the General Law Amendment Act, No. 76, 1962, covering sabotage

21. In addition to the various amendments to existing legislation referred to above, this Act creates a new offence of sabotage. The relevant section provides:

"...any person who commits any wrongful and wilful act whereby he injures, damages, destroys, renders useless or unserviceable, puts out of action, obstructs, tampers with, pollutes, contaminates or endangers—

"(a) the health or safety of the public;

"(b) the maintenance of law and order;

"(c) any water supply;

"(d) the supply or distribution at any place of light, power, fuel, foodstuffs or water, or of sanitary, medical or fire extinguishing services;

"(e) any postal, telephone or telegraph services or installations, or radio transmitting, broadcasting or receiving services or installations;

"(f) the free movement of any traffic on land, at sea or in the air;

"(g) any property, whether movable or immovable, of any other person or of the State,

"or who attempts to commit, or conspires with any other person to aid or procure the commission of or to commit, or incites, instigates, commands, aids, advises, encourages or procures any other person to commit, any such act, or who in contravention of any law possesses any explosives, fire-arm or weapon or enters or is upon any land or building or part of a building, shall be guilty of the offence of sabotage and liable on conviction to the penalties provided for by law for the offence of treason...".

The onus is on the accused to prove his innocence by showing that the commission of the alleged act "objectively regarded" was not calculated or intended to produce a long list of stated effects, including the furtherance of any political aim includ-

⁸ *Regulations Gazette*, No. 71, 12 December 1960.

⁹ Defined as "Native Commissioner" or commissioned officer or non-commissioned officer of the Police.

¹⁰ Republic of South Africa, *House of Assembly Debates (Hansard)*, 1 February 1963, col. 629.

¹¹ *Ibid.*, col. 630.

ing the bringing about of any social or economic change in the Republic. The Act imposes a maximum penalty of death and a minimum of five years' imprisonment.

22. Furthermore, changes are made in the criminal procedure law with respect to trials on the charge of sabotage. Such trials are to be without jury and may be without preparatory examination, and in such cases such examination would be joined to the trial itself. Juveniles, that is, those under the age of nineteen, who are convicted of this offence are subject to the same penalty as adults, thus excluding the degrees of punishment which are normally applied to such persons. And finally it is provided that acquittal on a charge of having committed sabotage would not preclude the subsequent trial of the acquitted person on any other charge arising out of the acts alleged in respect of the charge of sabotage.

General Law Amendment Act, No. 37, 1963

23. The Act carries the process of enlarging the power of the Government in dealing with organized resistance and alleged sabotage by the Bantu population further.

24. In the first place, the Act increases the administrative powers of certain public officials: the Minister of Justice, if he is satisfied that any person serving a sentence of imprisonment imposed under a number of Acts¹⁸ is likely to advocate, defend or encourage the achievements of any of the objectives of communism¹⁹ can by notice prohibit such a person from absenting himself, after serving such sentence, from a prison or any other place as directed for a stated period. While these provisions will lapse on 30 June 1964, their operation may be extended by resolution of Parliament.

25. In the second place, any commissioned officer as defined in the Police Act is empowered to arrest without warrant or cause to be arrested any person whom he suspects upon reasonable grounds of having committed or having intended to commit any offence under the Suppression of Communism Act, the Unlawful Organizations Act of 1960, or the offence of sabotage, or any person who is in possession of any information relating to any such intention or offence. Upon arrest the officer may detain or cause to be detained such person for interrogation until such time as he may have satisfactorily replied to all questions, provided that no such person shall be detained for more than ninety days on any particular occasion when he is arrested. Detained persons may only be visited by a magistrate once a week and no court has jurisdiction to order the release of any person so detained, although the Minister may at his discretion release such persons from custody.¹⁴

26. In the third place, the Minister of Justice is empowered whenever he considers it to be in the public interest to prevent unauthorized persons from being within any place or area to declare any place or area to be a protected place. Upon such publication in the *Gazette* any person who, without the consent of the person in charge of any such place, enters or is found within such a place is guilty of an offence and liable, upon conviction, to imprisonment for a period not exceeding fifteen years.

27. In the fourth place, any officer in charge of a post office or telegraph office may now detain any postal article or telegram which is reasonably suspected of containing anything which would afford evidence of the commission of any offence or to further the commission of any offence or its detection.

28. The State President is empowered to declare by proclamation that an organization in existence or which was in existence after 7 April 1960 is in fact an unlawful organization under the terms of a proclamation under the Suppression

¹⁸ These Acts include the present Act, the Public Safety Act of 1953, the Criminal Law Amendment Act of 1953, the Riotous Assemblies Act of 1956, and the General Law Amendment Act of 1962.

¹⁹ As defined in the principal Act, the Suppression of Communism Act, No. 44, 1950, as amended.

¹⁴ It may be noticed that the scope of the power given to the police here is exactly the same as was given the police in the Transkei by virtue of Proclamation R.400 as amended and discussed above.

of Communism Act and was in fact at all times subsequent to 8 April 1960 an unlawful organization, with all the consequences under the Suppression of Communism Act (discussed above). It is provided that in any criminal proceedings any act or omission proved with reference to any organization corresponding to the description or known by a name corresponding to the name of a declared unlawful organization shall be deemed to have been proved with reference to the unlawful organization referred to in a proclamation by the State President. Furthermore any person who is at any time during the period between the date specified and the date of publication of a proclamation an office bearer or member of such an organization shall, for the purposes of any criminal proceedings, be deemed an office bearer of an unlawful organization with all the consequences following from that fact. Courts have no jurisdiction to pass on the validity of any proclamation issued under this section by the State President.

29. Finally the Act creates two new offences: Any person who is or was resident in the Republic and who has

(1) "at any place outside the Republic and at any time after the commencement of this Act, advocated, advised, defended or encouraged the achievement by violent or forcible means of any object directed at bringing about any political, industrial, social or economic change within the Republic by the intervention of or in accordance with the directions or under the guidance of or in co-operation with or with the assistance of any foreign Government or any foreign or international body or institution, or the achievement of any of the objects of the definition of communism"¹⁵

(2) "at any time after the commencement of this Act, undergone any training outside the Republic or obtained any information from a source outside the Republic which could be of use in furthering the achievement of any of the objects of communism or of any body or organization which has been declared to be an unlawful organization under the Unlawful Organizations Act, 1960, and who fails to prove beyond a reasonable doubt that he did not undergo any such training or obtain any such information for the purpose of using it or causing it to be used in furthering the achievement of any such object"

shall be guilty of an offence. Upon conviction such a person would be subject to the death penalty or at least five years' imprisonment, and young persons shall be treated on an equal footing with adults for this purpose.

ANNEX V

LETTER DATED 11 APRIL 1963 FROM THE CHAIRMAN OF THE SPECIAL COMMITTEE TO THE MINISTERS FOR FOREIGN AFFAIRS OF MEMBER STATES, AND REPLIES THERETO

LETTER DATED 11 APRIL 1963 FROM THE CHAIRMAN OF THE SPECIAL COMMITTEE TO THE MINISTERS FOR FOREIGN AFFAIRS OF MEMBER STATES⁶

[For the text of this letter, see annex III, appendix IV.]

REPLIES FROM MEMBER STATES

Afghanistan

Letter dated 25 July 1963 from the Minister for Foreign Affairs of Afghanistan

[Original text: English]

I have the honour to refer to your communication of 11 April 1963 concerning the policy of *apartheid* of the Government of the Republic of South Africa.

The Government of Afghanistan has always deprecated the continued policy of *apartheid* followed by the Government of South Africa, and deplors the failure of that Government to comply with repeated requests and demands of the General Assembly and of the Security Council, and above all its dis-

⁶ On 24 July 1963, the Chairman of the Special Committee addressed a reminder to Permanent Representatives of Member States which had not replied.

regard of world public opinion on a fundamental issue of human rights.

Since the question of *apartheid* resulting from the policies of the South African Republic has been raised in the United Nations, the Delegation of Afghanistan has taken a strong position in joining other African and Asian countries in requesting the inclusion of this item on the agenda of successive Assemblies, and also in sponsoring various resolutions on this subject. The Delegation of Afghanistan supported General Assembly resolution 1761 (XVII) and the measures sought under its paragraph 4, which Afghanistan is now observing.

The Government of Afghanistan is following with interest the July, 1963 meetings of the Security Council, which has been convened at the request of the African States, and hopes that positive steps will be taken in order to bring a speedy abandonment of the policies of *apartheid* by the Government of the Republic of South Africa.

Albania

Letter dated 11 May 1963 from the Ministry of Foreign Affairs of Albania

[Original text: French]

The Ministry of Foreign Affairs of the People's Republic of Albania presents its compliments to the United Nations Secretariat and, in reply to the letter dated 11 April 1963, has the honour to inform it that the Albanian Government, faithful to its consistent attitude of opposition to the policy of *apartheid* pursued by the Government of South Africa, has not only frequently condemned that policy but also maintains no diplomatic or economic relations with the Government of South Africa and has no intention of doing so until that Government abandons its policy of *apartheid* against the non-white peoples of South Africa.

Algeria

Letter dated 30 April 1963 from the Permanent Representative of Algeria to the United Nations

[Original text: French]

Upon the instructions of the Government of the Democratic and Popular Republic of Algeria, I have the honour to inform you, in reply to your letter of 11 April 1963 addressed to the Minister for Foreign Affairs of the Democratic and Popular Republic of Algeria, that the Algerian Government has decided to take all the necessary steps to apply the provisions of resolution 1761 (XVII), and particularly the provisions of paragraph 4 of that document, in their entirety and without delay.

To this end, the Government of the Republic of Algeria has instructed me to transmit to you the text of the declaration below:

"The Government of the Democratic and Popular Republic of Algeria, being convinced that the South African Government bears a heavy responsibility for the intolerable plight in which the people of South Africa find themselves, solemnly declares that it has consistently deplored these policies and it has taken action, and will continue to take action, as a member of the Special Committee on the Policies of *apartheid*, to see that racialism and segregation are condemned. It believes that in the world of today there is no justification for the domination of an entire people, who aspire to dignity and social justice, by a privileged foreign minority.

"In view of the consistently provocative attitude of the Government of the Republic of South Africa and its determination to persevere in its policies to the end, and in view of its refusal, amounting to an act of defiance, to heed the recommendations of the General Assembly of the United Nations, the Government of the Democratic and Popular Republic of Algeria declares that it is resolved to apply all the provisions of resolution 1761 (XVII), adopted by the General Assembly of the United Nations on 6 November 1962.

"The Algerian Government reiterates its promise to do all in its power to ensure that the aspirations of the South

African people are fulfilled and reaffirms its determination to give them every assistance in regaining their fundamental rights."

Bolivia

Letter dated 15 July 1963 from the Permanent Representative of Bolivia to the United Nations

[Original text: Spanish]

I have the honour to announce that the Government of the National Revolution of Bolivia has decided to suspend diplomatic relations with the Government of the Republic of South Africa, to demonstrate publicly its indignant protest against the odious policy of racial discrimination against its colour population. In this way my Government reaffirms its unshakable belief in the dignity of all men and more specifically in the inspiring expression this dignity now finds in the independent democratic nations of Africa.

Brazil

Letter dated 25 May 1963 from the Deputy Permanent Representative of Brazil to the United Nations

[Original text: English]

Upon instructions from my Government I have the honour to acknowledge receipt of your note of 11 April 1963, addressed to the Minister of State for External Relations of Brazil.

The Brazilian Delegation to the seventeenth session of the General Assembly abstained in the vote on resolution 1761 (XVII) of 6 November 1962. The abstention of the Brazilian Government did not mean any hesitation in strongly condemning the policy of *apartheid* of the Government of the Republic of South Africa.

The policy of *apartheid* is the crudest negation of the fundamental principles upon which the Brazilian nation was built and for many years the Brazilian Government has been taking a very clear and firm stand in condemning the policy of *apartheid*.

The Brazilian Delegation to the seventeenth General Assembly could not, however, vote in favour of resolution 1761 (XVII) because, in our view, sanctions are hardly an appropriate method of dealing with the situation in South Africa, and, furthermore, their application by all Member States being extremely difficult, the authority of the United Nations would thereby be weakened, thus hindering our fight against racial discrimination. This remains the position of the Brazilian Government.

Bulgaria

Letter dated 10 June 1963 from the Minister for Foreign Affairs of Bulgaria

[Original text: French]

In reply to your letter of 11 April 1963 relating to the implementation of General Assembly resolution 1761 (XVII) concerning the policy of *apartheid* pursued by the Government of the Republic of South Africa, I am directed to inform you of the following:

The Bulgarian public welcomed the adoption of General Assembly resolution 1761 (XVII), which faithfully reflects the indignation felt by the entire civilized world over the shameful system of racial discrimination and segregation applied by the South African racists.

The Bulgarian Government has always condemned the policy of *apartheid* as one of the most cruelly inhuman manifestations of colonialism, and has supported every step aimed at bringing about the abolition of this practice.

The People's Republic of Bulgaria does not entertain diplomatic or cultural relations with the South African Republic and does not buy its goods. The Bulgarian Government, faithful to the principle of the self-determination of peoples and to the idea that all races and all nations have equal rights, intends to carry out a policy in full harmony with General Assembly resolution 1761 (XVII).

In view of the persistent refusal of the South African Government to fulfil its obligations under the United Nations Charter or the recommendations of the Security Council, it is essential that resolution 1761 (XVII) should be implemented in its entirety, and in particular that adequate sanctions should be applied. Such measures would receive the full approval and support of the Bulgarian Government and the whole Bulgarian people.

Burma

Letter dated 25 June 1963 from the Ministry of Foreign Affairs of Burma

[Original text: English]

I have the honour to acknowledge receipt of your letter dated 11 April 1963, in which you requested the Government of the Union of Burma to transmit to your Committee in accordance with operative paragraph 6 (a) of General Assembly resolution 1761 (XVII) information both on racial policies in South Africa and on the manner in which they propose to apply the said resolution.

As you are probably aware, the successive Governments of the Union of Burma, deeply abhorring the policies and practices of racial discrimination of the Government of South Africa, had refrained from entering into diplomatic or any other official relations with that Government. However, because both its volume and its value were negligible, private trade between Burma and South Africa was permitted. But even this has now been stopped. In November 1962, the Government of the Union of Burma, wishing to make Burma's abhorrence of the South African Government's racial policies completely manifest, prohibited by executive order all commercial transactions between the two countries. Consequently, there no longer exist any relations whatsoever between the Union of Burma and the Republic of South Africa.

I might mention here that South African aircraft and vessels have never been allowed any facilities at Burmese air and sea ports, and I should like to take this opportunity to assure you that we shall continue to enforce this ban.

As regards your request for information on the racial policies in South Africa, I much regret that we are unable to comply with it as we have no means of obtaining such information at first hand.

Byelorussian Soviet Socialist Republic

Letter dated 5 August 1963 from the Permanent Mission of the Byelorussian Socialist Republic to the United Nations

[Original text: Russian]

In connexion with your letter of 11 April 1963, I have the honour to confirm the position of the Byelorussian SSR on the policies of *apartheid* of the Government of the Republic of South Africa, as described in a letter to U Thant, Secretary-General of the United Nations, dated 6 June 1963.

The letter in question states:

"The Government of the Byelorussian SSR considers that the adoption of sanctions against the Republic of South Africa, including the breaking-off of diplomatic relations, the suspension of trade and other measures specified in General Assembly resolution 1761 (XVII), could be an effective means of influencing the South African Government with a view to compelling it to abandon the execution of its barbarous policy of *apartheid*. The Government of the Byelorussian SSR has always strongly condemned and condemns the racialist policies of the South African Government, which violate the most elementary principles of humanity and justice.

"It will be recalled that at the seventeenth session of the General Assembly the delegation of the Byelorussian SSR, guided by the principles of the equal rights and self-determination of peoples, fully supported the resolution condemning *apartheid*.

"General Assembly resolution 1761 (XVII) will naturally be effective only if it is complied with by those States

Members of the United Nations, particularly the Western Powers, which at present maintain especially close political, economic and other relations with the Republic of South Africa.

"The Byelorussian SSR has no political or economic relations with the Republic of South Africa.

"For its part, the Government of the Byelorussian SSR is prepared to support any measures designed to put an end to the policy of racial discrimination and *apartheid* of the Government of the Republic of South Africa."

Cambodia

Letter dated 30 April 1963 from the Ministry of Foreign Affairs of Cambodia

[Original text: French]

With reference to your letter of 11 April 1963, I have the honour to inform you that the Royal Government has already taken appropriate steps to ensure that the provisions of General Assembly resolution 1761 (XVII) of 6 November 1962 regarding the policies of *apartheid* of the Government of the Republic of South Africa are applied throughout the territory of the Kingdom.

I enclose a copy of a letter on the subject.

ENCLOSURE

Letter dated 18 February 1963 addressed by the Acting Minister for Foreign Affairs to all members of the Royal Government

*Subject: Resolution 1761 (XVII) adopted by the United Nations General Assembly on the policies of *apartheid* of the Union of South Africa*

I have the honour to inform you that the Secretary-General of the United Nations has drawn the attention of all Members of the United Nations, including Cambodia, to the requests and the invitation contained in paragraphs 4, 6 and 7 of resolution 1761 (XVII) adopted by the General Assembly on the policies of *apartheid* of the Government of the Union of South Africa and reproduced below:

"The General Assembly,

...

"4. Requests Member States to take the following measures, separately or collectively, in conformity with the Charter, to bring about the abandonment of those policies:

"(a) Breaking off diplomatic relations with the Government of the Republic of South Africa or refraining from establishing such relations;

"(b) Closing their ports to all vessels flying the South African flag;

"(c) Enacting legislation prohibiting their ships from entering South African ports;

"(d) Boycotting all South African goods and refraining from exporting goods, including all arms and ammunition, to South Africa;

"(e) Refusing landing and passage facilities to all aircraft belonging to the Government of South Africa and companies registered under the laws of South Africa;

...

"6. Requests all Member States:

"(a) To do everything in their power to help the Special Committee to accomplish its task;

"(b) To refrain from any act likely to delay or hinder the implementation of the present resolution;

"7. Invites Member States to inform the General Assembly at its eighteenth session regarding actions taken, separately or collectively, in dissuading the Government of South Africa from pursuing its policies of *apartheid*;"

I should therefore be grateful if you would kindly take appropriate steps to implement this resolution, which was co-sponsored by Cambodia.

Cameroon

Letter dated 12 July 1963 from the Permanent Representative of Cameroon to the United Nations

[Original text: French]

I have the honour to enclose herewith the reply of the Minister for Foreign Affairs of Cameroon regarding measures undertaken in conformity with General Assembly resolution 1761 (XVII) of 7 November 1962 to induce South Africa to abandon its policies of *apartheid*.

This letter is in reply to your communication of 11 April 1963 addressed directly to the Department of Foreign Affairs.

ENCLOSURE

Letter dated 21 June 1963 from the Minister for Foreign Affairs of Cameroon addressed to the Secretary-General

I have the honour to acknowledge receipt of letter of 11 April 1963, which you sent to me with a view to obtaining the information which the Government of the Federal Republic of Cameroon is invited to communicate to you for transmission to the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa, in application of General Assembly resolution 1761 (XVII) of 7 November 1962.

This resolution requests Member States to take the necessary measures, separately or collectively, in conformity with the Charter, to bring about the abandonment by the Government of the Republic of South Africa of its policies of *apartheid*. These measures are as follows:

(a) Breaking off diplomatic relations with the Government of South Africa or refraining from establishing such relations;

(b) Closing their ports to all vessels flying the South African flag;

(c) Enacting legislation prohibiting their ships from entering South African ports;

(d) Boycotting all South African goods and refraining from exporting goods, including all arms and ammunition, to South Africa;

(e) Refusing landing and passage facilities to all aircraft belonging to the Government of South Africa and companies registered under the laws of South Africa.

I am in a position to inform you that since this country's accession to independence on 1 January 1960, the Government of Cameroon has consistently refrained from engaging in relations of any kind with the Government of the Republic of South Africa. It has thus conducted itself since that date in strict conformity with the provisions of the above-mentioned resolution even before its adoption by the General Assembly of the United Nations.

This position has just been publicly and solemnly confirmed by the Government of the Federal Republic of Cameroon, which took an active part in the historic Addis Ababa Conference of May 1963, in the course of which the African Heads of State and Government unanimously pledged their total support for the above-mentioned United Nations resolution against the policies of *apartheid* of the Republic of South Africa. At the same conference, it was further decided to grant scholarships and other educational facilities and also possibilities of employment in African government service to refugees from South Africa.

I should further inform you that the Government of the Federal Republic of Cameroon has just decided to withdraw from the African Postal and Telecommunications Union, of which the Republic of South Africa is a member, and that it has moreover notified that Government of its intention not to participate in the Conference of the African Postal and Telecommunications Union scheduled to take place at Johannesburg next September.

Canada

Letter dated 5 August 1963 from the Permanent Representative of Canada to the United Nations

[Original text: English]

I have the honour to refer to your letters of 11 April and 24 July addressed by you in your capacity as Chairman of the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa.

I am requested by the Secretary of State for External Affairs to inform you that the matters referred to in your letter of 11 April are still under study by the Canadian Government. You may be assured that the views of the Canadian Government will be transmitted to you as soon as they are available.

Chile

Letter dated 5 August 1963 from the Permanent Representative of Chile to the United Nations

[Original text: Spanish]

I have the honour to acknowledge receipt of your letter dated 11 April 1963, and in reply I should like to inform Your Excellency that the Government of Chile once again reiterates its censure of the South African Government's policy of racial discrimination, which violates the most elementary human rights and leads to oppression and violence.

We reaffirm our adherence to General Assembly resolution 1761 (XVII) and we are considering the most practical manner of giving effect to its provisions and of intensifying our co-operation in the struggle being waged by the United Nations to rid the world of a policy so ignominious as that of *apartheid*.

China

Letter dated 30 August 1963 from the Permanent Representative of China to the United Nations

[Original text: English]

I have the honour to acknowledge receipt of your note dated 24 July 1963, in which you referred to your note dated 11 April 1963 addressed to the Minister for Foreign Affairs of China concerning the *apartheid* policy of the Republic of South Africa.

I have now received instructions to communicate to you the following.

It is the consistent position of the Chinese Government that the racial policy of the Government of South Africa is incompatible with the principles contained in the Charter of the United Nations. This position has been repeatedly made clear by the Chinese delegation in the General Assembly and in the Security Council during discussions of the *apartheid* policy.

In his statement at the meeting of the Security Council on 5 August 1963, the Permanent Representative of China again stressed that "the *apartheid* policy so relentlessly pursued by the Government of South Africa is not merely morally indefensible; it is politically self-destructive".^b He voiced the hope that the United Nations would bring all its influence to bear.

In addition to the General Assembly resolution 1761 (XVII), the Chinese delegation supported Security Council resolutions S/4300 of 1 April 1960 and S/5386 of 7 August 1963. The Chinese Government will continue to co-operate with the United Nations, in accordance with these resolutions, in its efforts to effect changes in the racial situation in South Africa.

Congo (Leopoldville)

Letter dated 31 July 1963 from the Permanent Representative of the Congo (Leopoldville) to the United Nations

[Original text: French]

On instructions from my Government and in reply to your letter concerning *apartheid* in South Africa, I have the honour to inform you of the following:

^b See *Official Records of the Security Council, Eighteenth Year, 1053rd meeting, para. 62.*

My Government does not maintain and never has maintained diplomatic or consular relations with the Republic of South Africa. Ships and aircraft have never had access to the ports and airfields of the Republic.

My Government has always regarded *apartheid* as immoral and has always condemned the arbitrary measures taken by the Government of the Republic of South Africa against the African majority, just as it disapproves of all measures designed to establish the supremacy of a white minority in disregard of every democratic principle.

In June 1960 the Senate adopted the following motion:

"Considering political freedom to be an essential and fundamental right of the people,

"The Senate of the Congo welcomes the participation of numerous countries in the festivities organized to celebrate the independence of the country and its entry into the family of free nations. Nevertheless, the Senate unanimously and emphatically protests against the presence of delegations from countries in which colonialism is still rampant and in which racial discrimination lies at the basis of the structure of the State. It objects particularly to the presence at the national festivities of a delegation from the Union of South Africa, whose policy of *apartheid* it condemns as being incompatible with the respect due to human dignity. The Senate pays a solemn tribute to the memory of all those who have given their lives in the noble struggle of the people for human freedom and national independence. The Senate requests the General Executive College to take whatever action is necessary to give effect to this resolution."

The Government of the Republic of the Congo (Leopoldville) will examine with the greatest interest any proposal designed to oblige the Republic of South Africa to alter its racial policy.

Costa Rica

Letter dated 14 May 1963 from the Minister for Foreign Affairs of Costa Rica

[Original text: Spanish]

I have the honour to refer to your communication of 11 April 1963 concerning resolution 1761 (XVII) adopted by the General Assembly at its 1165th plenary meeting, on 6 November 1962, entitled "The policies of *apartheid* of the Government of the Republic of South Africa".

In this connexion, I have pleasure in sending you a copy of the letter which we sent to the Secretary-General of the United Nations; as you will see, Costa Rica is fully prepared to help the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa to accomplish its task, not only because of the matter at issue but also because Costa Rica is a member of this Committee and Mr. Fernando Volio Jiménez, its representative to the United Nations, is Vice-Chairman of the Committee.

ENCLOSURE

Letter dated 13 September 1963 from the Permanent Representative of Costa Rica to the United Nations addressed to the Secretary-General

I have the honour to inform you that the Government of Costa Rica has decided to close its consulate at Johannesburg, Republic of South Africa, in protest against that country's policy of *apartheid* and in conformity with the recommendation made by the Special Committee of which you are Chairman.

Cyprus

Letter dated 17 April 1963 from the Minister for Foreign Affairs of Cyprus

[Original text: English]

The Ministry of Foreign Affairs of the Republic of Cyprus presents its compliments to the Chairman of the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa, and with reference to his letter of 11 April 1963, concerning General Assembly resolution 1761

(XVII), has the honour to inform him that the question has already been referred to the Ministry by the Cyprus Permanent Mission to the United Nations and it will furnish him in due course with the information required by the Committee.

Dahomey

Letter dated 8 May 1963 from the Minister for Foreign Affairs of Dahomey

[Original text: French]

I have the honour to refer to your letter of 11 April 1963, in which you inquire, on behalf of the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa, what steps are being taken by Dahomey to implement the recommendations in resolution 1761 (XVII) of 6 November 1962.

Dahomey has always given clear and positive evidence of its hostility to the racist régime of South Africa. We have repeatedly expressed our opinion in the United Nations and we have taken all sorts of practical steps to discourage all contact with a Government which so arrogantly flouts the most elementary human rights.

Recently the Government of Dahomey, in its concern to show its disapproval of the racist policy of South Africa and to put into effect the resolutions of the General Assembly, adopted and put into force the legal text of which a copy is appended and which corresponds, I think, to the spirit of resolution 1761 (XVII) of 6 November 1962.

ENCLOSURE

Decree of the President of the Republic
Decree No. 63-205/PR/MAE

The President of the Republic,

Having regard to Act No. 60-36 of 26 November 1960 establishing the Constitution of the Republic of Dahomey;

Having regard to Decree No. 111/PR/CAB of 15 April 1961 defining the duties of Members of the Government, as amended by Decree No. 143/PR of 20 March 1962;

Having regard to resolution 1761 (XVII) adopted by the General Assembly of the United Nations on 6 November 1962, defining the steps to be taken against South Africa;

On the proposal of the Minister for Foreign Affairs;

Having heard the Council of Ministers;

Decrees:

Article 1. All trade with the Republic of South Africa, whether direct or through an intermediary, shall be forbidden throughout the territory of the Republic of Dahomey.

Article 2. Ships and aircraft flying the South African flag or registered in South Africa shall be prohibited from calling at any ports or airports in Dahomey.

Article 3. No transit or entry visas for the territory of the Republic of Dahomey will be granted to nationals of the Republic of South Africa except in special circumstances, which shall be left to the Minister for Internal Affairs, Security and Defence to determine.

Article 4. The Minister for Public Affairs, the Minister for Trade, Economic Affairs and Tourism, the Minister for Public Works, Transport, Posts and Telecommunications, and the Minister for Internal Affairs, Security and Defence shall be responsible, in their respective fields, for the execution of this Decree, which will be published in the *Journal officiel* of the Republic of Dahomey.

Ethiopia

Letter dated 16 May 1963 from the Deputy Permanent Representative of Ethiopia to the United Nations

[Original text: English]

Upon instructions from my Government, I have the honour to refer to your letter addressed to his Excellency the Minister for Foreign Affairs of Ethiopia on 11 April 1963, requesting

information both on the racial policies of the Republic of South Africa and on the manner in which my Government proposed to apply resolution 1761 (XVII).

In connexion with the information requested of my Government, I should like to draw your attention to operative paragraph 3 of the resolution on the "Policy of *Apartheid* and Racial Discrimination in Africa", adopted by the Second Conference of Independent African States, which convened in Addis Ababa, 14-26 June 1960. The text of the relevant paragraph reads as follows:

"3. *Calls* upon Member States to sever diplomatic relations or refrain from establishing diplomatic relations as the case may be, to close African ports to all vessels flying the South African flag, to enact legislation prohibiting their ships from entering South African ports, to boycott all South African goods, to refuse landing and passage facilities to all aircraft belonging to the Government and companies registered under the laws of the Union of South Africa and to prohibit all South African aircraft from flying over the air space of the Independent African States."

My Government, by having already fully implemented the provisions of the resolution under reference, has obviously complied with the terms of resolution 1761 (XVII), subsequently adopted by the General Assembly of the United Nations.

Bearing in mind that my Government has, for well over a decade, inexorably opposed the racial policies of the Government of the Republic of South Africa, both within and outside the United Nations, I need hardly underline that any United Nations action designed to compel the Government of South Africa to abandon its illegal and morally repugnant racial policies will have the full support of my Government.

Federation of Malaya

Letter dated 18 July 1963 from the Acting Prime Minister of the Federation of Malaya

[Original text: English]

I have the honour to refer to your letter dated 11 April 1963 concerning implementation of the recommendations made to Member States in resolution 1761 (XVII) of 6 November 1962 by the Government of the Federation of Malaya.

In this connexion I wish to emphasize that my Government's stand on *apartheid* has always been firm and clear, and this was made evident by the important role that the Federation's Prime Minister played in the Commonwealth Prime Ministers' Conference held in London in 1961, which led to the withdrawal of South Africa from the Commonwealth of nations. We have always, as you know, condemned and abhorred the South African policy of *apartheid* in the United Nations.

In the implementation of the recommendations of resolution 1761 (XVII) the Federation Government has taken the following measures:

(1) Following the Commonwealth Prime Ministers' Conference of 1961 in London, the Federation Government banned all imports of all South African goods into the Federation of Malaya;

(2) We do not exchange diplomatic missions with South Africa;

(3) Since 1959 we have not had occasion to grant facilities to vessels flying South African flag and to South African aircraft. As there is no likelihood of South African vessels or aircraft passing through our territory the question of closing our ports to them does not therefore arise;

(4) We have granted permission to five Malay families who were victims of *apartheid* from South Africa to come and reside in the Federation of Malaya.

I assure you that the Government of the Federation of Malaya and its people will continually condemn the policy of *apartheid* in South Africa and will join other Member countries in the expression of this condemnation.

Ghana

Letter dated 12 June 1963 from the Permanent Representative of Ghana to the United Nations

[Original text: English]

I have the honour to refer to your letter of 11 April 1963 addressed to the Ghana Minister for Foreign Affairs concerning the policies of *apartheid* of the Government of the Republic of South Africa.

I am instructed by the Ghana Minister for Foreign Affairs to draw your attention to this Mission's *note verbale* of 24 May 1963 addressed to the Secretary-General of the United Nations and reaffirming Ghana's strong opposition to the policies of *apartheid* of the Government of the Republic of South Africa.

ENCLOSURE

Note verbale dated 24 May 1963 from the Chargé d'affaires of Ghana to the United Nations addressed to the Secretary-General

The Chargé d'affaires of Ghana presents his compliments to the Secretary-General of the United Nations and, with reference to the Secretary-General's note of 21 January 1963 concerning General Assembly resolution 1761 (XVII) of 6 November 1962, entitled "The policies of *apartheid* of the Government of the Republic of South Africa", has the honour to make the following statement on the instructions of the Ghana Government.

Ghana most emphatically reaffirms her strong opposition to the policies of *apartheid* of the Government of the Republic of South Africa. At the United Nations and at other international organizations Ghana has played a leading role in opposing the policies of *apartheid* of the South African Government.

Ghana was applying the measures provided in General Assembly resolution 1761 (XVII) against the Republic of South Africa before the resolution was passed. This resolution strengthened the hands of Ghana in the course she had already been pursuing.

Ghana has never established diplomatic relations with the Republic of South Africa. She has closed her ports to vessels flying the South African flag, and her own ships do not enter South African ports. Ghana has boycotted *in toto* South African goods and is not exporting any goods to South Africa. The effectiveness of Ghana's boycott of trade with the Republic of South Africa is borne out by Ghana trade statistics. Ghana has refused landing and passage facilities to all aircraft belonging to the Government and companies registered under the laws of South Africa. Above all, the Ghana Government requires citizens of the Republic of South Africa who wish to enter or travel through Ghana to sign a declaration denouncing the policies of *apartheid* of the Government of their country.

Ghana is determined to continue applying these measures against the Government of the Republic of South Africa until that Government abandons its policies of *apartheid*.

It would be appreciated if this note could be circulated as an official document of the General Assembly.

Guinea

Letter dated 15 June 1963 from the Minister for Foreign Affairs of Guinea

[Original text: French]

I have the honour to inform you that, before replying to your letter dated 11 April 1963, the Government of the Republic of Guinea wished to arrive at a basis for concerted action with the other independent African States by formulating a common position on the policy of *apartheid* and racial discrimination which the South African Government is pursuing in the face of worldwide condemnation.

A basis for concerted action was established at the Summit Conference of Independent African States held at Addis Ababa, and all African delegations at the United Nations have been

duly instructed not only to implement all the provisions of General Assembly resolution 1761 (XVII) of 6 November 1962 but also to study any other types of sanctions by means of which the shameful policy of *apartheid* and racial discrimination can be finally checked everywhere on the African continent, and, in particular, in South Africa.

Long before the adoption of resolution 1761 (XVII), the Government of the Republic of Guinea had decided to apply against the South African Government all the political, diplomatic and economic sanctions recommended in paragraph 4 of that resolution.

Indeed, we decided, in agreement with all the African Governments, to request a meeting of the Security Council in June to consider the explosive situation in South Africa with a view to arriving at what is the only possible solution to the problem: abandonment of the policy of *apartheid*.

A delegation consisting of four Ministers for Foreign Affairs will represent the whole of independent Africa at the meeting of the Security Council and will set forth the demands of our peoples and our States in this matter.

The Government of Guinea hopes that this final effort to reach a peaceful solution will prove successful and will put an end, once and for all, to this greatest of all challenges to the United Nations and the conscience of mankind.

Otherwise, the African peoples and States will have no choice but to employ every means at their disposal, including their armed forces, in defence of their interests, which have been treated with such scorn; in doing so, they will be exercising their right of self-defence in strict conformity with the relevant provisions of the United Nations Charter.

The Government of the Republic of Guinea wishes to emphasize, here and now, the crushing responsibility that rests with the great Powers in general and with those few States which continue to maintain diplomatic, economic and trade relations with the South African Government, thus directly or indirectly encouraging it to pursue its criminal policy of *apartheid* against the peoples of South Africa and South West Africa.

One of the first corrective measures that must be taken is the immediate cessation of all arms deliveries, on whatever basis, and of all other types of aid that can be used by the South African Government against the peoples which it is oppressing.

The Government of Guinea earnestly requests the Committee to place emphasis on this important question and on the responsibilities which it imposes on certain Western Powers.

There can no longer be any equivocation on a matter of such paramount importance.

The peoples of Africa have to know who are their friends and who are not. The Permanent Mission of Guinea to the United Nations has been duly instructed to reaffirm this position in the Committee and to do everything possible to translate it into action.

Haiti

Telegram dated 9 July 1963 from the Minister for Foreign Affairs of Haiti

[Original text: French]

I have the honour to inform you of the full agreement of the Haitian Government to the application of the measures recommended in resolution 1761 (XVII) adopted by the United Nations General Assembly in November 1962 setting forth the measures to be taken against South Africa. Haiti, which is proud of having submitted a draft resolution against racial discrimination to the 1945 San Francisco Conference at which the United Nations Charter was adopted, has always been indignant at the measures insulting to human dignity adopted by certain States against black racial groups, with the intention, *inter alia*, of making people believe that the Negro is congenitally inferior and incapable of self-government. Haiti has never failed to raise its voice regularly at the rostrum of the United Nations to denounce the degrading system of *apartheid* to which our brothers in South Africa are subjected. Haiti trusts that, in its forthcoming debate on the infamous policy of *apartheid*, the United Nations Security Council will let the

voice of reason be heard on behalf of outraged humanity and will speak the word of justice in order to safeguard and perpetuate the ideals and principles that the great Assembly of the world's peoples has always advocated.

Hungary

Letter dated 3 July 1963 from the Minister for Foreign Affairs of Hungary

[Original text: English]

With reference to your letter of 11 April 1963, concerning the *apartheid* policy of the Republic of South Africa, I have the honour to inform you of the position taken by the Government of the Hungarian People's Republic.

At the seventeenth session of the United Nations General Assembly the Hungarian delegation, in pursuance of its attitude of principle regarding the *apartheid* policies of the Republic of South Africa, was among those voting for resolution 1761 (XVII).

With regard to the recommendations in paragraph 4 of the operative part of the resolution, I wish to state that Hungary has not maintained diplomatic relations with the Republic of South Africa and will refrain from establishing such connexions as long as the policy of *apartheid* is maintained in that country.

Hungarian vessels do not visit South African ports.

Hungary has not maintained official inter-State trade relations with the Republic of South Africa. On the basis of resolution 1761 (XVII) the Hungarian Government reviewed all commercial contacts and decided to sever even the negligible amount of commercial traffic that has been going on earlier through non-official channels.

The Hungarian authorities are instructed by the Government of Hungary to refuse landing and passage facilities to all aircraft belonging to the Government and companies registered under the laws of South Africa.

May I take this opportunity to reaffirm my Government's unconditional support for the provisions of resolution 1761 (XVII) and state that the Hungarian authorities will strictly adhere to the letter and spirit of the aforesaid resolution.

Guided by this position of principle and the relevant decisions of our Government, as contained in this letter, the representatives of the Hungarian People's Republic in the Special Committee on the Policies of *apartheid* of the Republic of South Africa will continue to spare no effort in bringing the work of the Committee to a successful end.

India

Letter dated 15 July 1963 from the Foreign Secretary for Prime Minister and Foreign Minister of India

[Original text: English]

Thank you for your letter dated 11 April 1963.

The Government of India believes that the struggle against the racial policies of South Africa is not one between one State and another but between humanity as a whole and a régime which has adopted policies militating against all canons of human behaviour. No country which believes in the United Nations Charter and in the dignity of the human race can ever submit to or compromise with these policies.

We have attempted patiently and persistently to persuade the Government of South Africa to abandon its racial policies. We inscribed relevant items on the agenda of the General Assembly of the United Nations and sponsored or co-sponsored numerous resolutions from the very first session of the Assembly in 1946. The Government of South Africa has, however, ignored our appeals and refused to honour the United Nations resolutions.

You are aware, Mr. Chairman, that India was the first country to take economic and diplomatic sanctions against the Government of South Africa. So far as the implementation of resolution 1761 (XVII) is concerned, the Permanent Mission

of India to the United Nations has, in a letter dated 2 April 1963, already informed you that the delegation of India will be happy to render all possible help to the Committee to accomplish its task under your able guidance. The Government of India has since reviewed the position and announced in detail the various steps taken in full and complete implementation of that resolution. I enclose for ready reference a copy of a press note issued by the Government of India which gives details of the measures taken.

We trust that other Governments whom you have addressed will also take prompt and appropriate action so as to obtain the abandonment of these deplorable racial policies.

ENCLOSURE

*Ministry of External Affairs
External Publicity Division
Press Relations Section*

New Delhi, 13 July 1963

*Press note*POLICIES OF *apartheid* OF THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA

The struggle of the people of India against the racial policies of South Africa covers a period of over half a century. Well before India became independent, Mahatma Gandhi reacted strongly against policies of racial discrimination practised in South Africa and, in the early years of this century, waged one of the most significant struggles in history—the passive resistance movement—for asserting human equality and dignity. Long before the representatives of the United Nations framed their Charter, Mahatma Gandhi led the peoples' non-violent movement "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person (and) in the equal rights of men and women", "without distinction as to race, sex, language or religion".

The Government of India raised the question of racial discrimination in South Africa from the very inception of the United Nations and from that time onwards, the Government of South Africa began its history of disregard of the resolutions of the United Nations. Subsequently, at the seventh session of the General Assembly, in 1952, India, along with twelve other Member States of the United Nations, raised the general question of "race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Union of South Africa". Between 1946 and 1962, the United Nations General Assembly passed twenty-six resolutions against the racial policies of South Africa. The Security Council also passed a resolution on the subject in April 1960. There have been a number of other resolutions on the policies of *apartheid* in the Territory of South West Africa. The Government of South Africa not only refused to comply with the provisions of these resolutions but also persistently violated the principles and provisions of the Charter of the United Nations and the Declaration of Human Rights.

As the Government of South Africa continued to ignore repeated requests, recommendations, admonitions and condemnations of the world organization, thirty-four Member States of the United Nations, including India, moved a resolution in the seventeenth session of the General Assembly in 1962, deploring the failure of the South African Government to comply with its earlier resolutions and deprecating the Government's racial policies and measures. The resolution (1761 (XVII)) which was adopted by an overwhelming majority requested Member States to take certain diplomatic and economic steps against the Government of South Africa to bring about the abandonment of the racial policies of that Government.

Operative paragraph 4 of the resolution requested Member States to take the following measures:

(a) Breaking off diplomatic relations with the Government of the Republic of South Africa or refraining from establishing such relations;

(b) Closing their ports to all vessels flying the South African flag;

(c) Enacting legislation prohibiting their ships from entering South African ports;

(d) Boycotting all South African goods and refraining from exporting goods, including all arms and ammunition, to South Africa;

(e) Refusing landing and passage facilities to all aircraft belonging to the Government and companies registered under the laws of South Africa.

India was the first country to take diplomatic and economic sanctions against the South African Government. Even before its independence, it had withdrawn its High Commissioner from the Union of South Africa and prohibited trade with that country. That was in 1946. Since the passing of resolution 1761 (XVII) by the General Assembly of the United Nations, the Government of India has reviewed the position and taken necessary action in full compliance with the resolution:

(a) *Breaking off diplomatic relations with the Government of the Republic of South Africa or refraining from establishing such relations*

The High Commissioner for India in the Union of South Africa was recalled in 1946. The Mission itself was withdrawn in 1954. Thus, there have been no formal diplomatic contacts between India and South Africa since 1954. However, some contact was maintained between the two Governments through their Missions in London mainly in order to implement the various resolutions of the United Nations General Assembly urging negotiations between them on the question of treatment of persons of Indian origin in South Africa. The Government of South Africa, however, persistently refused to negotiate in terms of these resolutions. This contact has accordingly now been broken off.

(b) *Closing of ports to all vessels flying the South African flag*

In implementation of resolution 1761 (XVII), the Government of India has instructed the authorities concerned not to allow vessels flying the South African flag to touch Indian seaports.

(c) *Enacting legislation prohibiting their (Indian) ships from entering South Africa*

Indian ships do not call at South African ports. However, instructions have been issued to the authorities concerned to prohibit Indian ships from going to South African ports. The Government of India has adequate powers for this purpose under the existing laws and it is not necessary to enact fresh legislation.

(d) *Boycotting all South African goods and refraining from exporting goods, including all arms and ammunition to South Africa*

There has been a general ban on trade between India and South Africa since 1946. Since 1953, the Mandated Territory of South West Africa, which is being administered by South Africa, has also been covered under this ban. The movement of some items mainly of cultural and religious interest was, however, being allowed through postal and other channels on humanitarian grounds. The Government of India has examined this matter again and issued instructions that, apart from *bona fide* personal effects of travellers, post cards, letters, aerograms and telegrams, only the following items will be allowed for movement between India and South Africa through postal and other channels:

(i) Books and periodical publications (magazines) and newspapers;

(ii) Blind literature;

(iii) Free unsolicited gifts from relations and friends, including family and personal photographs if paid for at letter postage rates or printed matter rates, if admissible. These cannot be sent through parcel post. The value of such a gift should not exceed Rs.200/-;

(iv) Packets containing sweetmeats and blessings for the Muslim devotees by the Durgah Committee, Ajmer,

provided that no packet exceeds 1 lb. in weight and that packets are accompanied by certificates from the Nazim of the Durgah showing that they are *bona fide* offerings by devotees; and

- (v) Pictorial representations with religious and social background.
- (e) *Refusing landing and passage facilities to all aircraft belonging to the Government and companies registered under the laws of South Africa*

There is no traffic between India and South Africa by Indian or South African Airlines. However, under the relevant international conventions, aircraft registered in South Africa can be permitted to overfly India while operating scheduled international air services, to land at Indian airports for non-traffic purposes and to make non-scheduled flights to, through and over India. In view of the resolution of the General Assembly of the United Nations specifically forbidding these facilities, the Government of India has informed the International Civil Aviation Organization that they will not allow aircraft registered in South Africa to land at Indian airports or to overfly India.

The Government of India has fully implemented the terms of the United Nations General Assembly resolution 1761 (XVII). It hopes that all other Member States of the United Nations and, indeed, all countries of the world will do everything in their power to bring about the abandonment of the cruel and inhuman racial policies of the Government of South Africa.

Indonesia

Letter dated 12 July 1963 from the Deputy Permanent Representative of Indonesia to the United Nations

[Original text: English]

I have the honour to communicate to you the interim reply of my Government to your letter of 11 April 1963 addressed to the Minister of Foreign Affairs of Indonesia.

The Government of Indonesia will implement all provisions enshrined in General Assembly resolution 1761 (XVII) without delay, and will announce the decisions and the relevant steps to be taken by the Government in due course.

As soon as further communication has been received from my Government, I shall forward it to you.

Iraq

Letter dated 8 August 1963 from the Permanent Representative of Iraq to the United Nations

[Original text: English]

On instructions from my Government I have the honour to refer to your letter of 11 April 1963, and to inform you of the position taken by the Republic of Iraq regarding the policy of *apartheid* in South Africa.

My Government's record in the United Nations clearly shows its uncompromising opposition to the policies of *apartheid* pursued by the Government of South Africa. Iraq supported all the resolutions adopted by the General Assembly over the last seventeen years on the question. The Government of Iraq does not have at present and does not intend in the future to establish diplomatic relations with the Government of the Republic of South Africa. There are no direct air or sea communications between Iraq and South Africa and the Government of Iraq does not intend to establish such communications. Trade between Iraq and South Africa is of negligible volume and the Government of Iraq has taken steps to reduce further such trade.

Israel

Letter dated 20 August 1963 from the Acting Permanent Representative of Israel to the United Nations

[Original text: English]

I have the honour to refer to your letter of 24 July 1963, concerning General Assembly resolution 1761 (XVII).

From the beginning of United Nations consideration of the problem of *apartheid*, Israel representatives at the United Nations have underlined the moral gravity of this question. The people of Israel have a deep abhorrence of all forms of discrimination on grounds of race, colour or religion deriving from its age-old spiritual values as well as from its lengthy and tragic historical experience as a victim of man's inhumanity to man. This attitude of my Government has consistently found expression in its support of United Nations resolutions on *apartheid*, including resolution 1761 (XVII).

My Government has noted with deep concern the further deterioration in the situation as indicated in the two interim reports by the Special Committee.

My Government has taken all necessary steps to ensure that no arms, ammunition or strategic materials may be exported from Israel to South Africa in any form, directly or indirectly. In addition, steps have been taken to ensure that no material of such nature exported to other countries can reach South Africa.

My Government is at present actively considering the taking of further measures as part of the general effort of Member States of the United Nations aimed at bringing about the abandonment of the policies of *apartheid* by the Government of South Africa.

Ivory Coast

Letter dated 15 July 1963 from the Permanent Representative of the Ivory Coast to the United Nations

[Original text: French]

In reply to your letter of 11 April 1963 and on the instructions of my Government, I am happy to inform you that the Ivory Coast does not maintain diplomatic relations with Portugal or South Africa and that, in pursuance of resolutions adopted by the United Nations and by the Summit Conference of Independent African States held at Addis Ababa, the Government of the Republic of the Ivory Coast has recently prohibited all commercial traffic with those two countries and closed the airfields and ports of the Ivory Coast to all Portuguese and South African aircraft and ships.

Laos

Letter dated 4 May 1963 from the Minister for Foreign Affairs of Laos

[Original text: French]

With reference to your letter of 11 April 1963, I have the honour to inform you that the Royal Government of Laos wholeheartedly endorses resolution 1761 (XVII) of the General Assembly of the United Nations on the policies of *apartheid* of the Government of the Republic of South Africa.

As, however, there are as yet no relations between the Republic of South Africa and the Kingdom of Laos, the Royal Government is physically unable, to its great regret, to take any more practical action in this field, despite its willingness and desire to implement resolution 1761 (XVII) to the letter. It can only, therefore, once again condemn this policy of racial discrimination, which is contrary to the principles of human rights and the continuation of which is likely to endanger international peace and security.

Liberia

Letter dated 5 September 1963 from the Permanent Representative of Liberia to the United Nations

[Original text: English]

On the instructions of the Government of the Republic of Liberia, I have the honour to inform you, in reply to your note of 11 April addressed to the Secretary of State of Liberia, that the Government of Liberia will take the necessary steps to implement, on its part, the provisions of resolution 1761 (XVII), especially paragraph 4 of the resolution in question.

Liberia is unalterably opposed to the policies of *apartheid* of the Government of the Republic of South Africa. This fact

has been clearly underlined by the role played by Liberia in the United Nations and in other international bodies in forcefully opposing this nefarious policy of *apartheid* and making clear its inconsistency with the obligations of South Africa as a Member of the United Nations.

Liberia is committed to the eradication of this inhuman policy of the South African Government and is therefore determined to apply all measures necessary against that Government until *apartheid*, which is practised by it, is abandoned.

Madagascar

Letter dated 6 August 1963 from the Permanent Representative of Madagascar to the United Nations

[Original text: French]

In reply to your letter dated 11 April 1963, I have the honour to inform you of the position of my Government concerning South Africa's policies of *apartheid*.

The Government of the Malagasy Republic has always supported all the measures taken by the United Nations against South Africa's policies of *apartheid*.

Faithful to this line of conduct, it will continue to uphold any action and to support strongly any new measures which the United Nations may take against these policies, which flout the most elementary human rights, and it will do so in conformity with resolution 1761 (XVII).

The determination with which my Government recently fulfilled in the Security Council the task entrusted to it by the Summit Conference of Independent African States held at Addis Ababa expresses my Government's unequivocal policy as regards *apartheid*.

Mali

Letter dated 25 July 1963 from the Permanent Representative of Mali to the United Nations

[Original text: French]

On instructions from my Government and in reply to your letter of 11 April 1963, I have the honour to inform you of the measures taken by the Government of Mali to apply the provisions of United Nations General Assembly resolution 1761 (XVII) of 6 November 1962.

This resolution requested Member States *inter alia* to take the following measures, separately or collectively, in conformity with the Charter, to bring about the abandonment by the Government of South Africa of the policy of *apartheid*:

(a) Breaking off diplomatic relations with the Government of the Republic of South Africa or refraining from establishing such relations;

(b) Closing their ports to all vessels flying the South African flag;

(c) Enacting legislation prohibiting their ships from entering South African ports;

(d) Boycotting all South African goods and refraining from exporting goods, including all arms and ammunition, to South Africa;

(e) Refusing landing and passage facilities to all aircraft belonging to the Government of South Africa and companies registered under the laws of South Africa.

I am authorized to inform you that since its accession to independence the Republic of Mali has refrained from maintaining relations of any kind whatsoever with the Government of South Africa.

Furthermore, the Government of Mali does not contemplate entering into relations of any kind with the Government of South Africa so long as that Government does not abandon its shameful policy of *apartheid*.

The National Assembly of the Republic of Mali, in ratifying the Charter of African Unity adopted at the conclusion of the Summit Conference of Independent African States held at

Addis Ababa from 22 to 25 May 1963, gave the Government a mandate to apply whatever measures might be contemplated to combat the South African Government's policy of *apartheid*.

In other words, the Government of Mali has consistently observed the recommendations in resolution 1761 (XVII) even prior to the adoption of that resolution by the United Nations General Assembly at its seventeenth session.

Furthermore, in accordance with the decisions taken at the Addis Ababa Conference, the Government of Mali is determined to continue and intensify, together with the other independent African States, the struggle against the policy of *apartheid* of the Government of South Africa.

Mongolia

Letter dated 31 July 1963 from the Acting Permanent Representative of Mongolia to the United Nations

[Original text: English]

With reference to your letter of 11 April and that of 24 July 1963 concerning the *apartheid* policy of the Republic of South Africa, upon the instructions of the Government of the Mongolian People's Republic, I have the honour to state the position of the Mongolian Government on this matter.

The Government of the Mongolian People's Republic, adherent to the principles of equality among all peoples, strongly condemns the inhuman policy of *apartheid* carried out by the Government of the South African Republic. The Mongolian delegation at the seventeenth session of the General Assembly voted for the resolution 1761 (XVII), which provides effective international measures against South Africa.

So far as the relations between the Mongolian People's Republic and the Republic of South Africa are concerned, the Mongolian People's Republic has maintained neither official nor private relations with the Republic of South Africa, and will further refrain from entering into any relations with this country, while the Republic of South Africa persists in maintaining this infamous policy.

I avail myself of this opportunity to assure you that the Government of the Mongolian People's Republic will further give its full support to any actions towards ending the policy of *apartheid* followed by the Government of the Republic of South Africa.

Nepal

Letter dated 18 July 1963 from the Permanent Representative of Nepal to the United Nations

[Original text: English]

With reference to your letter of 11 April 1963 addressed to the Minister for Foreign Affairs, His Majesty's Government of Nepal, I have the honour to inform you the following under instructions from my Government.

His Majesty's Government of Nepal has been always keenly interested in the question of *apartheid* in South Africa and has always voted for General Assembly resolutions on the subject. His Majesty's Government of Nepal will continue to support United Nations measures to persuade the Government of the Republic of South Africa to abandon its policy of *apartheid* or racial segregation in the country. As has been so often expressed in the various committees of the United Nations General Assembly by the representatives of Nepal, His Majesty's Government of Nepal looks upon the racial policies of the Government of the Republic of South Africa as an affront to human dignity everywhere and as a source of serious threat to international peace and security. It is with this deep conviction in the immorality of this policy which is contrary to the principles of equal human rights enshrined in the United Nations Charter that His Majesty's Government of Nepal has welcomed the opportunity to serve on your Committee as a member as well as the Rapporteur of the Committee. His Majesty's Government of Nepal will continue to co-operate with your Committee in securing the objectives of the United Nations in South Africa.

In reply to your specific query, His Majesty's Government of Nepal is pleased to inform you that it does not maintain any diplomatic, cultural or trade relations with South Africa and there is no question of maintaining any such relations until the Government of South Africa abandons its racial policies.

New Zealand

Letter dated 11 September 1963 from the Permanent Representative of New Zealand to the United Nations

[Original text: English]

I have the honour to acknowledge the receipt of your letter of 24 July 1963, referring to the letter addressed by you, as Chairman of the Special Committee on the Policies of *apartheid* of the Government of the Republic of South Africa, to the Ministers for Foreign Affairs of the Member States.

I have been requested by the Minister of External Affairs to thank you for your letter of 11 April 1963, and to assure you that the matters you have raised are at present under consideration by the New Zealand Government.

Nigeria

Letter dated 1 May 1963 from the Counsellor, Permanent Mission of Nigeria to the United Nations

[Original text: English]

The Permanent Mission of Nigeria transmitted to the Committee the letter dated 30 April 1963 from the Permanent Representative of Nigeria to the Secretary-General which reads as follows:

"With reference to your letter of 21 January 1963, concerning resolution 1761 (XVII) which was adopted by the General Assembly in connexion with the item 'The policies of *apartheid* of the Government of the Republic of South Africa' on 6 November 1962, the Permanent Mission of Nigeria to the United Nations wishes to make the following statement.

"Nigeria has consistently refused to allow South African aircraft and ships to use her ports and airfields. One of the resolutions passed at the Lagos Conference of Heads of African and Malagasy States, held from 25 to 30 January 1962, is a call on Member States to apply immediately political and economic sanctions against the Government of the Republic of South Africa.

"Nigeria will not allow representatives of the White ruling minority in the Republic of South Africa to enter Nigeria for the purpose of attending international meetings, seminars or conferences. Nigeria will not play host to any such meeting in which participation by South Africa is made a necessary condition for holding it in Nigeria.

"Nigeria was responsible for the resolution adopted at the 45th session of the International Labour Conference requesting the Governing Body to advise the Government of South Africa to withdraw from the International Labour Organisation. You will recall the important part played by the Rt. Honourable Prime Minister of Nigeria at the 1961 Commonwealth Prime Ministers Conference which led to the expulsion of the Republic of South Africa from the Commonwealth."

Philippines

Letter dated 23 July 1963 from the Deputy Permanent Representative of the Philippines to the United Nations

[Original text: English]

I have been instructed by my Government to inform you that the Philippines is initiating economic sanctions against the Republic of South Africa, including the prohibition of all imports from, and exports of strategic materials to, South Africa, together with all banking transactions related thereto, and the sale of South African securities.

Poland

Letter dated 11 July 1963 from the Permanent Representative of Poland to the United Nations

[Original text: English]

With reference to your letter of 11 April 1963, addressed to the Minister of Foreign Affairs of the People's Republic of Poland, upon instruction of my Government, I have the honour to transmit to you a copy of the statement which is simultaneously submitted to the Secretary-General of the United Nations in connexion with resolution 1761 (XVII) on the policies of *apartheid* of the Government of the Republic of South Africa.

My Government is deeply dedicated to the purposes of General Assembly resolution 1761 (XVII) and desires its full and genuine implementation. Therefore Poland will maintain its position against establishing diplomatic and consular relations with the present Government of South Africa, as well as against the conclusion with that Government of trade agreements or any other agreement unless all the people of South Africa achieve full equality and freedom.

ENCLOSURE

Letter dated 11 July 1963 from the Permanent Representative of Poland to the United Nations addressed to the Secretary-General

I have the honour to refer to your communication of 21 January 1963, concerning General Assembly resolution 1761 (XVII) adopted on 6 November 1962, in connexion with the item "The policies of *apartheid* of the Government of the Republic of South Africa", and upon instruction of my Government, I wish to state the following:

The Polish People's Republic has always considered the South African Government's policies of racial discrimination and *apartheid* as brutal violation of human rights and the most striking manifestation of colonial oppression.

Such a policy, based on the creed of master race, by its very nature leads to international friction and, like Nazism, causes a threat to peace and security of nations.

The Polish people have always denounced racial discrimination in all its forms. Accordingly, the Polish representatives in various United Nations organs have openly condemned the policies of *apartheid* applied in South Africa and have consistently supported all measures aimed at the eradication of this policy and at securing the compliance of the South African Government with the recommendations adopted by the United Nations.

Poland expressed also its solidarity with the resolution adopted by the recent conference of Heads of African States and Governments at Addis Ababa on *apartheid* and racial discrimination, which stressed the urgent necessity "to coordinate concerted measures of sanction against the Government of South Africa".

The Polish Government has no diplomatic nor consular relations with the present Government of South Africa. The Polish Government is not a party to any treaty or agreement of commercial or any other nature with that Government.

I should be grateful if you would arrange for the circulation of this statement as an official document of the General Assembly.

Romania

Letter dated 16 July 1963 from the Chargé d'affaires of the Permanent Mission of Romania to the United Nations

[Original text: French]

In reply to your letter of 11 April 1963, I have the honour, on behalf of my Government, to inform you that the Government of the Romanian People's Republic has always resolutely opposed and continues to oppose the policy of racial discrimination practised in South Africa.

The Romanian Government believes that the implementation of the measures envisaged in General Assembly resolution 1761

(XVII) constitutes a means of bringing international pressure to bear on the Government of the Republic of South Africa for the purpose of inducing it to renounce its policies of *apartheid*.

For its own part, the Government of the Romanian People's Republic will comply with the provisions of that resolution, whose adoption and application it has supported from the outset.

Sierra Leone

Letter dated 2 May 1963 from the Acting Permanent Secretary of the Ministry of External Affairs of Sierra Leone

[Original text: English]

With respect to your letter dated 11 April 1963, I am directed to inform you that the Government of Sierra Leone has imposed sanctions on South Africa, and is prepared to support any action taken by the United Nations in pursuance of resolution 1761 (XVII).

Somalia

Letter dated 27 May 1963 from the Under-Secretary, Ministry of Foreign Affairs of Somalia

[Original text: English]

I have the honour to refer to your letter of 11 April 1963 requesting information regarding the implementation of resolution 1761 (XVII) of 6 November 1962 of the General Assembly relating to racial policies in South Africa.

As you are well aware, our Government strongly deprecates the policies of *apartheid* and racial discrimination followed by the Republic of South Africa as being contrary to the Charter of the United Nations and the Universal Declaration of Human Rights. Our Government also feels that the continuance of those policies seriously endangers international peace and security.

In the Lagos Conference of Heads of African and Malagasy States and Governments which met in Lagos from 25 to 30 January 1962, a resolution was adopted (which was supported by our Government also) calling on all African and Malagasy States "to apply immediately political and economic sanctions against the Government of the Republic of South Africa, not only to demonstrate the resentment of the ruthless degradation of the Non-whites there, but also ultimately to compel the Government of the Republic of South Africa to abandon the iniquitous practice of *apartheid*".

Following resolution 1662 (XVI) of 28 November 1961 of the General Assembly and the Lagos resolution mentioned above, our Government issued decree law No. 3 of 13 March 1962 imposing sanctions against the Republic of South Africa. The decree law with certain amendments was converted into law No. 12 of 26 May 1962 by the National Assembly.

The above law prohibits ships flying the South African flag from calling at the ports in the Somali Republic. (Art. 3)

The law also prohibits South African aircrafts from landing in the airports in the Somali Republic, except in cases of emergency, and from flying over the territory of the Somali Republic. (Art. 3)

The importation of any South African goods in the Somali Republic and the exportation of any goods from the Somali Republic to the Republic of South Africa are forbidden. (Art. 1)

Citizens of the Republic of South Africa are not allowed to enter the Somali Republic. However, they are permitted to travel in transit through the territory of the Somali Republic on board ships or aircrafts, but not disembark, provided said ships or aircrafts fly a flag other than that of the Republic of South Africa. (Art. 2)

Somali citizens are also prohibited from travelling in South African ships or aircrafts except in cases of proven necessity or emergency. (Art. 4)

It should be noted that the Government of the Somali Republic does not have diplomatic relations with the Government of the Republic of South Africa.

I have the honour to enclose copies of decree law No. 3 of 13 March 1962 and law No. 12 of 26 May 1962.

ENCLOSURE

Decree-law No. 3 of 13 March 1962

Sanctions against the Republic of South Africa

The President of the Republic

Having seen article 63 of the Constitution;

Considering that, in accordance both with the resolution adopted by the General Assembly of the United Nations on 28 November 1961 and with the measures already taken by a number of African States, there is an urgent necessity to provide for appropriate sanctions against the Republic of South Africa as a just reaction against the policy of racial discrimination (*Apartheid*) followed by the present Government of said Republic;

Having heard the Council of Ministers;

On the proposal of the Prime Minister;

Decrees

Article 1

The importation of any South African goods in the Somali Republic shall be forbidden.

The exportation of any goods from the Somali Republic to the Republic of South Africa shall equally be forbidden.

Article 2

Citizens of the Republic of South Africa shall not be permitted to enter the Somali Republic, even for the purpose of travelling in transit.

Article 3

Ships or aircrafts flying the South African flag shall not be permitted to call at the ports or to land, except in cases of emergency, in the airports of the Somali Republic. South African aircrafts shall also be forbidden to fly over the territory of the Somali Republic.

Article 4

Citizens of the Somali Republic shall not be permitted to travel in South African ships or aircrafts.

Article 5

Whoever violates the provisions contained in the preceding articles shall be punished with imprisonment for a contravention up to one year or with fine for a contravention up to Sh. 2,000 (two thousand) or with both.

In cases of illegal landings or overflights of South African ships or aircrafts, the punishment shall be imposed on the commanding officer in charge of the ship or of the aircraft. The ship or the aircraft shall be seized and, where the commanding officer is convicted, such ship or aircraft may be confiscated.

In cases of illegal importation or attempted illegal exportation of goods, the goods shall be seized and, where the person involved is convicted, such goods shall be confiscated.

Article 6

This Decree-law comes into effect immediately and shall be presented to the National Assembly for conversion into law.

Law No. 12 of 26 May 1962

Sanctions against the Republic of South Africa—Amendments and conversion into law of Decree-law No. 3 of 13 March 1962.

The President of the Republic

Taking note of the approval of the National Assembly

Promulgates the following law:

Single Article

The Decree-law No. 3 of 13 March 1962, concerning sanctions against the Republic of South Africa, is hereby converted into law with the following amendments:

"Article 2.

"Citizens of the Republic of South Africa shall not be permitted to enter the Somali Republic.

"Said citizens, though not allowed to disembark, are however permitted to travel in transit through the territory of the Somali Republic on board ships or aircrafts, provided said ships or aircrafts fly a flag other than that of the Republic of South Africa."

"Article 4.

"Citizens of the Somali Republic shall not be permitted to travel in South African ships or aircrafts except in cases of proven necessity or emergency."

"Article 5.

"Whoever violates the provisions contained in the preceding articles shall be punished with imprisonment for a contravention up to one year or with fine for a contravention up to Sh. So. 2,000 (two thousand), or with both.

"In cases of illegal landings or overflights of South African ships or aircrafts, the punishment shall be imposed on the commanding officer in charge of the ship or of the aircraft. The ship or the aircraft shall be seized and, where the commanding officer is convicted, such ship or aircraft shall be confiscated.

"In cases of illegal importation or attempted illegal exportation of goods, the goods shall be seized and, where the person involved is convicted, such goods shall be confiscated."

This law shall be included in the Official Compilation of Laws and published in the Official Bulletin.

All persons shall be required to observe it and cause others to observe it as a law of the Republic.

Sudan

Letter dated 12 July 1963 from the Permanent Representative of Sudan to the United Nations

[Original text: English]

I have the honour to refer to your letter dated 11 April 1963, with reference to the implementation of General Assembly resolution 1761 (XVII) of 6 November 1962, and to inform you that the Government of the Republic of the Sudan have taken the following steps in protest against the racial policies of the Government of the Republic of South Africa:

1. All seaports and airports have been closed to South African ships and aeroplanes;
2. There is a complete economic and commercial boycott against South Africa;
3. Any person with a South African passport is banned from transit through or entry into the Sudan;
4. The delegation of the Sudan to the recent Conference of the International Labour Organisation fully supported the efforts of the other African delegations to have South Africa expelled from that Organisation.

Ukrainian Soviet Socialist Republic

Letter dated 12 August 1963 from the Permanent Mission of the Ukrainian Soviet Socialist Republic to the United Nations

[Original text: Russian]

With reference to your letter of 11 April 1963 concerning the policies of *apartheid* of the Government of the Republic of South Africa, I have the honour, on the instructions of the Government of the Ukrainian Soviet Socialist Republic, to state the following.

The Government of the Ukrainian SSR consistently and steadfastly upholds the principles of the equal rights and self-

determination of all peoples; it has always been opposed and is now opposed to all forms of racial oppression. In conformity with this policy of principle, the Government of the Ukrainian SSR has on a number of occasions, through its representatives in the United Nations and in other international assemblies, strongly condemned the policy of *apartheid* and has always voted for resolutions condemning *apartheid* as one of the most brutal manifestations of colonialism.

The Government of the Ukrainian SSR considers that the implementation of all the provisions included in resolution 1761 (XVII) would be of great importance in putting an end to the policy of racial discrimination and *apartheid* of the Government of the Republic of South Africa.

For its part, the Government of the Ukrainian SSR declares its firm resolve to support any measures designed to implement the aforesaid resolution, for which it cast its vote at the seventeenth session of the General Assembly.

Union of Soviet Socialist Republics

Letter dated 21 May 1963 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations

[Original text: Russian]

With reference to your letter of 11 April 1963 to the Minister for Foreign Affairs of the Union of Soviet Socialist Republics, I have the honour to confirm the position of the USSR on the policies of *apartheid* of the Government of the Republic of South Africa, as described in a letter to U Thant, Secretary-General of the United Nations, dated 19 March 1963.

The letter in question states the following:

"With reference to your letter of 21 January 1963 to the Permanent Representative of the Soviet Union to the United Nations, concerning resolution 1761 (XVII), which was adopted by the General Assembly in connexion with the item 'The policies of *apartheid* of the Government of the Republic of South Africa', on 6 November 1962, the Permanent Mission of the USSR to the United Nations wishes to make the following statement.

"The Soviet Government, which consistently upholds the principles of the equality of peoples and self-determination of peoples, is firmly opposed to all forms of racial oppression and in favour of equal rights for all races and nationalities. Accordingly, the Soviet Government has always strongly condemned the barbarous policy of *apartheid* followed by the South African racialists. This policy cannot but be regarded as one of the very worst manifestations of colonialism and as one of the most dangerous for the peoples of the world. At the seventeenth session of the General Assembly of the United Nations, in 1962, the delegation of the Soviet Union gave full support to the resolution condemning *apartheid* in the Republic of South Africa, which provides for the adoption of sanctions against that country, including the breaking-off of diplomatic relations, the suspension of trade, and so on.

"The Government of the USSR considers that the adoption of such sanctions against the Republic of South Africa could be an effective means of influencing the South African Government in this matter, provided, of course, that this important General Assembly resolution is complied with by those States Members of the United Nations, particularly the Western Powers, who at present maintain especially close political, economic and other relations with the Republic of South Africa.

"As far as the Soviet Union is concerned, it has no diplomatic or consular relations with the Republic of South Africa nor does it maintain trade relations with that country.

"The Soviet Government is prepared to support any steps designed to ensure that an end is put to the policy of racial discrimination and *apartheid* followed by the Government of the Republic of South Africa.

"I should be grateful if you would arrange for this text to be circulated as an official General Assembly document."

United States of America

Letter dated 9 August 1963 from the Permanent Representative of the United States of America to the United Nations

[Original text: English]

I have the honour to refer to the statement which I made to the Acting Chairman of the Special Committee on 20 June 1963, as an oral reply to your letter of 11 April 1963 to me. In that statement I explained the attitude of the United States Government regarding the racial policies of the Republic of South Africa. I understand that my statement was conveyed by the Vice-Chairman to the Special Committee on 28 June 1963. A copy of the Vice-Chairman's remarks has been made available to me.^c

While that statement accurately represented the policy of the United States at that time, since then the United States Government has further defined its policy towards the Republic of South Africa. I refer in particular to the decision of the United States to cease the sale of military equipment to the Government of South Africa, which decision I announced in a speech before the Security Council on 2 August 1963. I enclose for the convenience of the Special Committee pertinent excerpts from that speech, the full text of which appears in the verbatim records of the 1052nd meeting of the Security Council, on 2 August 1963.

This letter and the enclosed excerpts from my speech should be considered as integral parts of the reply of the United States Government to your letter of 11 April 1963.

ENCLOSURE

Excerpts from speech made by Mr. Adlai E. Stevenson to the Security Council on 2 August 1963

We are all agreed, and we have proclaimed again and again, in this body and in the General Assembly, and in many other

^c At the 15th meeting of the Special Committee, on 28 June 1963, the Vice-Chairman stated:

"The Permanent Representative of the United States of America to the United Nations, H.E. Mr. Adlai Stevenson, visited me on 20 June, in my capacity as the Acting Chairman of the Special Committee, in connexion with the letter dated 11 April 1963 from the Chairman of the Special Committee to the Ministers of Foreign Affairs of Member States.

"He stated in response to the Chairman's letter that the United States Government was happy to co-operate with the Special Committee in the performance of its work.

"The attitude of the United States towards the policies of *apartheid* of the Government of the Republic of South Africa had been explained by Ambassador Francis T. P. Plimpton in his statement at the 334th meeting of the Special Political Committee of the General Assembly, on 19 October 1962, when he said that the United States was unalterably and irrevocably opposed to *apartheid* in all its aspects, and that the United States believed that each Member State can and should take measures which, given its particular circumstances, would be most effective to bring about the result that we all desire.

"The United States Government recognized the extreme seriousness of the situation in the Republic of South Africa. Its anxiety and concern about the situation was increasing day by day.

"The United States had made almost continuous representations to the Government of South Africa to persuade it to abandon the policies of *apartheid* and to fulfil its obligations under the United Nations Charter. The United States would continue to use its best efforts towards that end through all available official and unofficial means.

"The United States Government was continuing to enforce the policy of forbidding the sale to the South African Government of any arms, whether from governmental or commercial sources, which could be used by that Government to enforce *apartheid* either in South Africa or in South West Africa.

"The United States would be happy to make available to the Special Committee any information in its possession relevant to the mandate of the Special Committee, as appropriate.

"I informed Ambassador Stevenson that I would convey the substance of his statement to the Special Committee."

forums of the United Nations, certain basic views about the issue before us. However, we must restate them again and again so that we can sum up where we stand, and deliberate with clarity and with candour on how to move forward.

First, we have affirmed and reaffirmed that *apartheid* is abhorrent. Our belief in the self-evident truths about human equality is enshrined in the Charter. *Apartheid* and racism, despite all of the tortured rationalizations that we have heard from the apologists, are incompatible with the moral, social, and constitutional foundations of our societies.

A second basic principle on which we are agreed is that all Members of the Organization have pledged themselves to take action, in co-operation with the Organization, to promote observance of human rights, without distinction as to race.

Thirdly, we continue to believe that this matter is of proper and legitimate concern to the United Nations. We have often stated, in the General Assembly, our belief that the Assembly can properly consider questions of racial discrimination and other violations of human rights where they are a Member's official policy and are inconsistent with the obligations of that Member, under Articles 55 and 56 of the Charter, to promote observance of human rights, without distinction as to race.

Moreover, the *apartheid* policy of South Africa has clearly led to a situation the continuance of which is likely to endanger international peace and security. We also believe that all Members, in the words of the resolution passed almost unanimously by the sixteenth General Assembly, should take such separate and collective action to bring about an abandonment of *apartheid* as is open to them in conformity with the Charter.

The United States supported that resolution and has complied with it.

I should like to take this occasion to bring up to date the record of the measures the United States has taken to carry out this purpose. First, we have continued and indeed have accelerated our official representations to the Government of South Africa on all aspects of *apartheid* in that country. We have done this through public words and private diplomacy, expressing our earnest hope that the South African Government would take steps to reconsider and to revise its racial policies and to extend the full range of civic rights and opportunities to non-whites in the life of their country. And we have observed to the South African Government that in the absence of an indication of change, the United States would not co-operate in matters that would lend support to South Africa's present racial policies.

We have utilized our diplomatic and our consular establishments in South Africa to demonstrate by words and by deeds our official disapproval of *apartheid* and, as the United States representative informed the Special Political Committee of the General Assembly on 19 October last, the United States has adopted and is enforcing the policy of forbidding the sale to the South African Government of arms and military equipment, whether from Government or commercial sources, which could be used by that Government to enforce *apartheid* either in South Africa or in the administration of South West Africa. We have carefully screened both government and commercial shipments of military equipment to make sure that this policy is rigorously enforced.

But I am now authorized to inform the Security Council of still another important step which my Government is prepared to take. We expect to bring to an end the sale of all military equipment to the Government of South Africa by the end of this calendar year, in order further to contribute to a peaceful solution and to avoid any steps which might at this point directly contribute to international friction in the area. There are existing contracts which provide for limited quantities of strategic equipment for defence against external threats, such as air-to-air missiles and torpedoes for submarines. We must honour these contracts. The Council should be aware that in announcing this policy the United States, as a nation with many responsibilities in many parts of the world, natu-

rally reserves the right in the future to interpret this policy in the light of requirements for assuring the maintenance of international peace and security.

If the interests of the world community require the provision of equipment for use in the common defence effort, we would naturally feel able to do so without violating the spirit and the intent of this resolution. We are taking this further step to indicate the deep concern which the Government of the United States feels at the failure of the Republic of South Africa to abandon its policy of *apartheid*. In pursuing this policy the Republic of South Africa, as we have so often said, is failing to discharge its obligations under Articles 55 and 56 of the Charter whereby Members pledge themselves "to take joint and separate action in co-operation" with our Organization for the achievement, among other things, of "universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion".

Stopping the sale of arms to South Africa emphasizes our hope that the Republic will now reassess its attitude towards *apartheid* in the light of the constantly growing international concern at its failure to heed the numerous appeals made to it by various organs of the United Nations, as well as appeals of Member States such as my Government.

Yugoslavia

Letter dated 25 July 1963 from the Permanent Representative of Yugoslavia to the United Nations

[Original text: English]

I have the honour to enclose a letter I addressed to the Secretary-General of the United Nations today concerning the resolution 1761 (XVII) adopted by the General Assembly on 6 November 1962 on the question of "The policies of *apartheid* of the Government of the Republic of South Africa".

ENCLOSURE

Letter dated 25 July 1963 from the Permanent Representative of Yugoslavia to the United Nations addressed to the Secretary-General

With reference to your letter of January 1963 pertaining to resolution 1761 (XVII) adopted by the General Assembly on 6 November 1962 on the question of "The policies of *apartheid* of the Government of the Republic of South Africa" I have the honour, on the instruction of my Government, to inform you of the following:

Denouncing the policy of *apartheid* as contrary to the basic principles of the United Nations Charter, the Socialist Federal Republic of Yugoslavia has consistently supported every action aimed at the liquidation of the policies of racial segregation in the Republic of South Africa.

In accordance with such a stand the Yugoslav delegation has voted in favour of resolution 1761 (XVII) and the Government of the Socialist Federal Republic of Yugoslavia is implementing the provisions of this resolution of the General Assembly.

By informing you that Yugoslavia has no diplomatic relations with the Republic of South Africa, that there is neither air nor sea transport between Yugoslavia and the Republic of South Africa and that trade between Yugoslavia and the Republic of South Africa, which was insignificant in its volume, has recently been completely discontinued, I have the honour to inform you that the Government of the Socialist Federal Republic of Yugoslavia has decided also to close the consulate in Johannesburg and that this decision is being carried out.

The Government of the Socialist Federal Republic of Yugoslavia is ready to support in the future any action which would contribute to the speedy liquidation of the policy of *apartheid* in the Republic of South Africa.

ANNEX VI

MEMORANDUM DATED 4 SEPTEMBER 1963 FROM THE
INTERNATIONAL LABOUR OFFICE

INFORMATION RELATING TO THE SITUATION OF THE REPUBLIC OF SOUTH AFRICA WITH REGARD TO THE STANDARDS LAID DOWN BY THE INTERNATIONAL LABOUR ORGANISATION (ILO) CONCERNING DISCRIMINATION IN RESPECT OF EMPLOYMENT AND OCCUPATION

A. Standards laid down by the ILO concerning discrimination in respect of employment and occupation and position of the Republic of South Africa regarding their adoption

1. The principle of equality of opportunity and treatment was formulated as follows in the Declaration concerning the Aims and Purposes of the International Labour Organisation, adopted by the International Labour Conference in Philadelphia in May 1944, and has since been incorporated in the ILO Constitution:

"(a) all human beings irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity;"

This principle, which, from the very beginning, has constituted one of the bases for all the standard-setting activities of the International Labour Conference, has been enunciated in greater detail in the Convention and Recommendation concerning discrimination in respect of employment and occupation,^a adopted by the Conference in 1958.

2. Convention (No. 111) concerning Discrimination in Respect of Employment and Occupation, 1958, deals *inter alia* with the elimination of "any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation" (article 1, para. 1 (a)). It specifies that the words "employment" and "occupation" include "access to vocational training, access to employment and to particular occupations, and terms and conditions of employment" (article 1, para. 3). The basic obligations laid down in the Convention are defined as follows in articles 2 and 3:

"Article 2

"Each Member for which this Convention is in force undertakes to declare and pursue a national policy designed to promote, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in respect thereof.

"Article 3

"Each Member for which this Convention is in force undertakes, by methods appropriate to national conditions and practice—

"(a) To seek the co-operation of employers' and workers' organisations and other appropriate bodies in promoting the acceptance and observance of this policy;

"(b) To enact such legislation and to promote such educational programmes as may be calculated to secure the acceptance and observance of the policy;

"(c) To repeal any statutory provisions and modify any administrative instructions or practices which are inconsistent with the policy;

"(d) To pursue the policy in respect of employment under the direct control of a national authority;

"(e) To ensure observance of the policy in the activities of vocational guidance, vocational training and placement services under the direction of a national authority;

^a See International Labour Office, *Official Bulletin*, vol. XLI, 1958, No. 2, pp. 72-80.

"(f) To indicate in its annual reports on the application of the Convention the action taken in pursuance of the policy and the results secured by such action."

Recommendation (No. 111) concerning Discrimination in Respect of Employment and Occupation, 1958, which embodies the same definitions and has the same field of application, contains a number of more detailed directives which may be followed in the implementation of the policy of non-discrimination.

3. During the preparatory work on the Convention and Recommendation, in accordance with normal practice, an initial questionnaire was sent by the ILO to all Governments in order to pave the way for discussions at the Conference. The Government of South Africa stated that it had no comments to offer.^b Subsequently, no South African representative (of the Government, the employers or the workers, according to the tripartite structure of ILO delegations) took part in the debates on these instruments at the Conference in 1957 and 1958 (according to the "double discussion" procedure). Lastly, no South African representative participated in the votes on the adoption of either instrument in 1958.^c

4. The Convention, whose importance was stressed in a number of resolutions of the Economic and Social Council, the General Conference and the regional conferences of the ILO, was ratified, as of 1 September 1963, by forty-two States members of the ILO.^d The Convention was not ratified by the Republic of South Africa, for the reasons set forth below.

B. Information available under ILO procedures in regard to measures taken to give effect to the standards adopted by the Conference

5. The Republic of South Africa, like all other members of the ILO, was requested to provide information and reports on the measures it has taken to give effect to the Convention and Recommendation concerning discrimination in respect of employment and occupation, 1958, in conformity with the obligations laid down by the ILO Constitution in respect to all conventions and recommendations, which are subject to review by the supervisory bodies established for that purpose. In brief, the procedures provided for are the following:

(a) Under paragraphs 5, 6 and 7 of article 19 of the Constitution, any convention or recommendation adopted by the Conference shall, within one year or, in exceptional circumstances, eighteen months following its adoption, be brought by each Government before the competent national authorities for consideration of the appropriate action; information on this submission shall be communicated to the ILO. (A summary of this information is published every year as Report III (Part III) submitted to the International Labour Conference.)

(b) Under article 22, in the event the conventions are ratified, each of the members must make annual reports to the ILO on the measures which it has taken to give effect to them. (A summary of these reports is published every year as Report III (Part I) submitted to the International Labour Conference.)

(c) Under paragraphs 5 (e), 6 (d), and 7 (b) (iv) and (v) of article 19, in respect of conventions which it has not ratified and recommendations, each member shall, when the Governing Body so decides, nevertheless report to the ILO

^b See International Labour Conference, 40th Session, 1957, Report VII (2): *Discrimination in the Field of Employment and Occupation* (Geneva, International Labour Office, 1957), p. 3.

^c See International Labour Conference, 42nd Session, 1958, *Records of Proceedings* (Geneva, International Labour Office, 1959), pp. 479-484.

^d Bulgaria, Byelorussian Soviet Socialist Republic, China, Costa Rica, Dahomey, Denmark, Ecuador, Federal Republic of Germany, Gabon, Ghana, Guatemala, Guinea, Honduras, Hungary, Iceland, India, Iraq, Israel, Italy, Ivory Coast, Jordan, Liberia, Libya, Madagascar, Mexico, Morocco, Niger, Norway, Pakistan, Philippines, Poland, Portugal, Somalia, Sweden, Switzerland, Syria, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Yugoslavia.

the position of its law and practice, showing the extent to which effect has been given or is proposed to be given to the instrument and stating the difficulties which prevent or delay its ratification or application. (A summary of these reports is published every year as Report III (Part II) submitted to the International Labour Conference.)

All the information and reports supplied by Governments in accordance with the above-mentioned obligations are annually submitted to successive review by the two committees established by the ILO for that purpose: first, to the Committee of Experts on the Application of Conventions and Recommendations, consisting of independent experts, whose report (which each year constitutes Report III (Part IV) submitted to the International Labour Conference) contains, in particular, comments on the application of ratified conventions and on the submission of conventions to the competent authorities, and comprehensive studies on the subjects for which reports on non-ratified conventions and recommendations have been requested; secondly, to the Committee on Standing Orders and the Application of Conventions and Recommendations, a special committee of the International Labour Conference, composed, like its parent body, of representatives of Governments, employers and workers, whose report to the Conference (which appears in the *Records of Proceedings* of the corresponding session of the Conference) embodies the comments of that Committee, the exchanges of views which have taken place on the comments of the Committee of Experts, and supplementary information provided by the Governments concerned.

6. Included below are the information and reports communicated under the ILO Constitution by the South African Government in regard to the Convention and Recommendation concerning discrimination in respect of employment and occupation, 1958, and where appropriate the observations made by the reviewing bodies.

Submission to the competent national authorities

7. The South African Government has informed the International Labour Office that the Convention and Recommendation concerning discrimination in respect of employment and occupation, 1958, were submitted within the time limit stipulated by the ILO Constitution to the Executive Council and to both Houses of Parliament. It was pointed out in that connexion that the Government did not consider it possible to ratify the Convention or to accept the Recommendation.^e

8. Not having ratified the Convention, the South African Government was not required to provide reports in compliance with article 22 of the ILO Constitution on the measures which it has taken to give effect to the Convention. It is, however, required to report on the non-ratified Convention and on the Recommendation under article 19, as explained below.

Report on the non-ratified Convention and the Recommendation

9. In accordance with a decision of the Governing Body of the International Labour Office, reports under article 19 of the ILO Constitution in respect of non-ratified conventions and recommendations have been requested for 1962 in regard to the Convention and Recommendation concerning discrimination with respect to employment and occupation, 1958. The Government of the Republic of South Africa has transmitted the following report:

"In answer to your letter ACD 7 (1962) of 13 March 1962, I have the honour to inform you that the Government of the Republic of South Africa has carefully considered the matters which are the subject of the questionnaires on the above-mentioned Convention and Recommendation.

"The population of the Republic of South Africa comprises four very distinct population groups of whom eleven million are Bantu, three million of European origin, 500,000 of Asian origin, and one-and-a-half million of mixed origin. The problem of ensuring the economic advancement and

^e See International Labour Conference, 44th Session, 1960, Report III (Part III): *Summary of Information relating to the Submission to the Competent Authorities of Conventions and Recommendations Adopted by the International Labour Conference* (Geneva, International Labour Office, 1960), p. 8.

peaceful co-existence of this heterogeneous society in different stages of social and industrial evolution, in a manner which will ensure justice and the furtherance of the welfare of all, has necessitated the pursuance in this country of a policy of separate development with a view to securing for all groups the realization of their highest ideals within their own communities. Socio-economic conditions in the sphere of employment and occupation have necessitated the enactment of legislative measures peculiar to the needs of the different population groups so that they may progress in the direction of self-determination. The introduction of an integrated labour system would inevitably lead to economic and social injustices, bearing in mind that there are distinct communities, which differ culturally, ethnically and socially. These differences can be minimized only by affording such legislative protection as circumstances warrant in order to ensure that no group is deprived of the benefits to which its energies, labours and initiatives entitle it.

"In certain fields where the considerations outlined above do not apply, there is a prohibition against discrimination on the grounds of race or colour. Section 24 (2) of the Industrial Conciliation Act, 1956, and section 8 (4) of the Wage Act, 1957, for instance, provide specifically that wage-regulating measures under those enactments shall not differentiate or discriminate on the grounds of race or colour. These two measures cover practically the whole field of statutory wage regulation in industry and commerce. Similarly the Apprenticeship Act, 1944, which regulates the admission of persons to apprenticeship training does not permit of any discrimination of the nature referred to in the Convention. Generally speaking, however, the law and practice in South Africa, based as it is on the endeavours of the Government to ensure that each population group develops to the maximum of its economic potential with minimum impingement on the rights and aspirations of others, inevitably necessitates limitations on the rights of all.

"...f

"In these circumstances, it is not considered that it would serve any useful purpose to reply in detail to the questionnaires, as it is obvious that circumstances do not permit the provisions of the Convention to be put into effect by legislation, administrative action, collective agreement or otherwise (cf. article 19, paragraphs 5 and 6 of the ILO Constitution), and that the difficulties which prevent ratification of the Convention or acceptance of the Recommendation are due to the fact that the provisions of these instruments, however suitable they may be for application to certain other States, are impracticable in the Republic of South Africa".^g

Observations of examining bodies

10. In the preliminary survey of the reports on the Convention and Recommendation concerning discrimination in respect of employment and occupation which it submitted in 1963,^h the Committee of Experts on the Application of Conventions and Recommendations referred to the position of the Republic of South Africa regarding the existence of racially discriminatory statutory provisions or administrative practices. The Committee of Experts noted that "it appears from the information supplied by governments of countries where such distinctions have existed, that measures have been taken, or are being taken, to eliminate the statutory provisions or administrative practices inconsistent with equality of opportunity and treatment... It appears, however, from the information

^f The passage omitted is not relevant to the subject of this memorandum.

^g The substantive paragraphs of this report are reproduced in: International Labour Conference, 47th Session, 1963, Report III (Part II): *Summary of Reports on Unratified Conventions and on Recommendations* (Geneva, International Labour Office, 1963), pp. 42-43.

^h International Labour Conference, 47th Session, 1963, Report III (Part IV): *Report of the Committee of Experts on the Application of Conventions and Recommendations* (Geneva, International Labour Office, 1963), part three: "Discrimination in respect of Employment and Occupation" (available as off-prints).

supplied by another country [the Republic of South Africa] that amendment of the existing legislation, which the report states is based on a general policy of 'separate development' of the different racial or ethnic groups which make up the country's population, is not contemplated; in these circumstances, the legislation and practice of the country establish extensive discrimination in employment and occupation on grounds of race".¹ The Committee of Experts mentioned, in this connexion, some examples from the legislation of the Republic of South Africa^j (to which further reference will be made below). Furthermore, the survey by the Committee of Experts gives no indication that any positive measures, such as those provided for in the Convention and Recommendation, have been taken in the Republic of South Africa to promote equality of opportunity and of treatment of all races.

11. Subsequent to the discussions which took place on this question at the 47th session of the International Labour Conference in June 1963, it was stated in the Report of the Committee on the Application of Conventions and Recommendations, which was adopted by the Conference, that:

"The Workers' members described it [racial discrimination] as a particularly serious offence to the dignity of mankind in general. They pointed to one country (Republic of South Africa) which, contrary to the Convention and the basic principles of the ILO, overtly continued to base its policy upon the segregation of the races, whereas other countries had taken positive steps to combat racial discrimination."^k

C. Information on the legislation and administrative practice of the Republic of South Africa in the fields covered by ILO standards applying to discrimination in respect of employment and occupation

12. For the purposes of this memorandum, these standards must be considered in so far as they relate to distinctions based on race or colour, ignoring the other distinctions to which they apply. As has been said, the Convention Concerning Discrimination in respect of Employment and Occupation, 1958, has as one of its main objectives the elimination of "any distinction, exclusion or preference made on the basis of race, colour... which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation" (article 1, para. 1 (a)). Under the Convention each party must, *inter alia* "repeal any statutory provisions and modify any administrative instructions or practices which are inconsistent" with the above-mentioned objective (article 3 (c)). It should be stressed that this is only one type of measure called for under the Convention. The latter lays upon the parties the positive obligation of pursuing "a national policy designed to promote... equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in respect thereof", and it prescribes a series of specific measures to this end (articles 2 and 3). In order to apply the Convention, therefore, each

¹ *Ibid.*, p. 215.

^j *Ibid.*, p. 215, footnote 9, which reads:

"e.g.: as regards job reservation on the basis of race, see the Industrial Conciliation Act of 1956, as amended in 1959 (section 77); the Mines and Works Act, 1956 (section 12 (2)); the Motor Transportation Amendment Act, 1959. As regards restrictions on areas in which people can work, on the basis of race, see Native Building Workers' Act, 1951 (section 14); Native (Urban Areas) Consolidation Act, 1945; Native (Abolition of Passes and Co-ordination of Documents) Act, 1952; Group Areas (Consolidation) Act, 1957. As regards conditions of employment and obligations to work of certain groups of the population see: Native Labour Regulations, 1959 (sections 5-13, 16). As regards freedom of association and collective bargaining, see Industrial Conciliation Act, 1956, as amended in 1959 (sections 1, 7, 8); Native Labour (Settlement of Disputes) Act, 1953. (See also ILO: *African Labour Survey* (Geneva), 1958, Studies and Documents, No. 48, pp. 136, 196, 229, 239, 251, 270, 301, 321, etc.)"

^k See International Labour Conference, 47th Session, 1963, *Record of Proceedings* (Geneva, International Labour Office, 1964), p. 519, para. 46.

Government is bound not only to refrain itself from practising or establishing discrimination, but also to combat discrimination in private practice and to create the necessary conditions for the effective achievement of equality of opportunity and treatment. The types of action which can be used for this purpose have been analysed and illustrated by the Committee of Experts on the Application of Conventions and Recommendations in its 1963 preliminary survey mentioned above.

13. The remarks which follow will be confined, at the present stage, to mentioning the principal information available to the International Labour Office concerning the legislation and administrative practice of the Republic of South Africa involving distinctions based on race or colour in the fields covered by the Convention in question, namely "access to vocational training, access to employment and to particular occupations, and terms and conditions of employment" (article 1, para. 3).

Access to vocational training

14. The opportunities for obtaining vocational training, for the various races, are conditioned primarily, where the legislation and administrative practice of the Republic of South Africa are concerned, by the organization of education in general, a matter which does not fall directly within the competence of the ILO. Reference should be made in this connexion to the separate system of primary and secondary education for Africans, as governed by the Bantu Education Act, No. 47, of 1953. In the field of apprenticeship, the Apprenticeship Act, No. 37, of 1944, does not lay down racial conditions: the possibility of serving an apprenticeship is dependent on that of obtaining the minimum level of primary education required under this law; it may be noted in this regard that, according to ministerial statements in the Parliament of the Republic in 1962, there were altogether about 295,600 Africans who had passed Standard VI¹ (i.e., satisfactorily completed their primary education)—a figure representing about 4 per cent of the African population over school age. With regard to higher education, reference should be made to the system, based on the separation of the races, now resulting from the Extension of University Education Act No. 45, of 1959; it is to be noted that, according to official statistics for 1960^m the number of students in universities or university colleges was: 37,934 Whites, 1,602 Asians, 878 "Coloured" and 1,901 Africans (or, respectively, in percentages of population: 1.25, 0.32, 0.07 and 0.02).

Access to employment and to particular occupations

Regulation of placement and movements of labour

15. As far as placement is concerned, the normal system of public placement offices organized under the Registration for Employment Act, No. 34, of 1945, is not, to the knowledge of the ILO, available to Africans; the latter are subject to the system of compulsory registration at Labour Bureaux set up by Government Notice No. 63 of 1959 under the Native Labour Regulations Act (No. 15 of 1911, as amended). A major distinction affecting freedom of employment results also from the fact that African workers, distinct from workers of other races, are liable to penalties in the event of failure to fulfil their work contract, e.g., under the Native Labour Regulations Act referred to above (section 14). Control of African labour and restrictions on its freedom of movement, as distinct from the labour of other races, arises also from more general texts such as the Natives (Abolition of Passes and Co-ordination of Documents) Act, No. 67, of 1952, concerning the "reference books" which all Africans of either sex are now obliged to carry under Government Notices No. 1747 of 1957 and No. 1135 of 1960 and the Natives (Urban Areas) Consolidation Act, No. 25, of 1945, as amended, concerning the possibilities of settlement and employment for Africans in urban areas. The Group Areas Act of 1950, recast as Act No. 77 of 1957, concerning territorial segregation, has led to

movements and regroupments of population on a racial basis, which have also affected the possibilities of practising an occupation or profession.

Legal restrictions concerning access to certain types of employment

16. General provisions concerning the reservation of jobs according to race appear in the Industrial Conciliation Act, No. 26, of 1956, amended by Act No. 41 of 1959. Section 77 of this Act, entitled "Safeguard against inter-racial competition", for instance, enables the Minister, after inquiry, to make decisions reserving categories of work to people of a particular race, or fixing the percentages of persons of certain races to be employed, or forbidding the replacement of employees of one race by those of another race, etc. By the end of 1962 nine "determinations" under this provision were in force (determinations No. 2 of 1957; No. 4 of 1958; Nos. 5 and 6 of 1959; No. 8 of 1960; Nos. 9, 10, 11 and 12 of 1962): the purpose of all these was to reserve for Whites certain qualified jobs or certain minimum percentages of jobs. The laws affecting certain branches of activity also include provisions restricting access to jobs on a racial basis: for example, section 12 (2) of the Mines and Works Act (No. 12 of 1911, as amended by Act No. 25 and recast as Act No. 27 of 1956) has enabled the Government to make regulations which have the effect of debarring Africans, Indians and Coloureds (except for certain special categories like the Cape Coloured) from obtaining the necessary certificates of competence for specialized jobs; the Native Building Workers Act, No. 27, of 1951, as amended by Act No. 60 of 1955, prohibited the employment of Natives in skilled work in the building industry in any urban area except a Native area (section 14 (1)); the Motor Carrier Transportation Act (No. 39 of 1930, as amended by Act No. 44 of 1955 and by Act No. 42 of 1959), enables the employment of a certain class or classes of persons to be enforced in public transport (article 7A). The Nursing Act No. 69 of 1957 (sections 4, 11 and 49) enables the "Nursing Council", to which only Whites may be appointed or elected, to prescribe different conditions and qualifications according to the classes of person for admission to the profession and forbids the employment of a person of white race in the profession under the orders or supervision of a non-white. As far as public services are concerned, the policy followed in the employment of persons of different races does not appear to be expressed in any legislation and is apparently the result of administrative practice.

Terms and conditions of employment

Collective bargaining, settlement of disputes and fixing of wages

17. The union rights and collective bargaining rights recognized by the Industrial Conciliation Act (recast as Act No. 28 of 1956, later amended) do not apply to Africans (section 1, sub-section (1) (xi)). The Native Labour (Settlement of Disputes) Act, No. 48, of 1953, provides a special machinery for settling disputes which is not based on the principles of collective bargaining (sections 3 and 4); moreover, the Act strictly prohibits strikes (and lockouts) where African workers are concerned (section 18). In addition, under the above-mentioned Industrial Conciliation Act, unions are segregated as between Whites, on the one hand, and Coloureds and Asians on the other (sections 4 and 8). With regard to the possible effects of the procedures concerning employment of Africans which are provided for under the Industrial Conciliation Act, it should be noted that under that Act agreements and awards may be declared to be binding upon Africans "if the Minister is of opinion that any object of an agreement [or award]... is being or may be defeated... by the employment of Natives... at rates of remuneration or under terms or conditions of employment other than those specified in the agreement [or award]" (sections 48 (3) and 49 (12)); the Minister may, however, declare that the agreement or award shall not be operative within a Native area (section 51 (12)). For workers not covered by measures adopted under the Industrial Conciliation Act, minimum wages are fixed under the Wage Act (recast as Act No. 5 of 1957; section 2, sub-section (3)). This Act permits the fixing of wages according to trade, area and

¹ Republic of South Africa, *House of Assembly Debates (Hansard)*, 2 March 1962, col. 1875.

^m Republic of South Africa, *Department of Education, Arts and Science: Annual Report for the Calendar Year 1961* (Pretoria, Government Printer). R. P. 24/1961.

A/AC.115/L.17	Note on developments concerning the policies of <i>apartheid</i> of the Government of the Republic of South Africa since the first interim report of 6 May 1963	A/AC.115/L.25	Statement dated 30 July 1963 from the International Commission of Jurists
A/AC.115/L.18	Repressive legislation in the Republic of South Africa	A/AC.115/L.26	Letter dated 1 August 1963 from the Acting Permanent Representative of Hungary addressed to the Chairman of the Special Committee
A/AC.115/L.19	Letter dated 19 July 1963 from the Chairman of the Africa Bureau, London	A/AC.115/L.27	Letter dated 20 July 1963 from the Chairman of the Shipyard Workers' Union, Copenhagen
A/AC.115/L.20	Declaration dated 9 July 1963 from the Finnish Association of Attorneys	A/AC.115/L.28	Letter dated 13 August 1963 from the African National Congress (South Africa), London
A/AC.115/L.21	Letter dated 18 July 1963 from the Secretary-General of the World Federation of Trade Unions, Prague, addressed to the Secretary-General	A/AC.115/L.29	Memorandum dated 4 September 1963 from the International Labour Office
A/AC.115/L.22	Index of documents	A/AC.115/L.30	Memorandum dated 6 September 1963 from the International Commission of Jurists
A/AC.115/L.23	Statement dated 26 July 1963 from the PAFMECSA (Pan-African Freedom Movement for East, Central and South Africa) Affiliates	A/AC.115/L.31	Extract from a statement on Racial Tension adopted by the Central Committee of the World Council of Churches at its session, held 27 August-2 September
A/AC.115/L.24	Cable dated 26 July 1963 from the African Trade Union Federation, Dakar		



Agenda item 31: Effects of atomic radiation:

- (a) Report of the United Nations Scientific Committee on the Effects of Atomic Radiation;
 (b) Report of the World Meteorological Organization*

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*For the discussion of this item, see *Official Records of the General Assembly, Eighteenth Session, Special Political Committee*, 397th meeting, and *ibid.*, *Plenary Meetings*, 1256th meeting.

DOCUMENT A/5406

Report of the United Nations Scientific Committee on the Effects of Atomic Radiation

[Original text: English]
 [22 March 1963]

1. The United Nations Scientific Committee on the Effects of Atomic Radiation was established by resolution 913 (X) of 3 December 1955 at the tenth session of the General Assembly. It has the following members: Argentina, Australia, Belgium, Brazil, Canada, Czechoslovakia, France, India, Japan, Mexico, Sweden, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland and United States of America.

2. The Committee held its twelfth session at the European Office of the United Nations, Geneva, from 21 January to 30 January 1963. Dr. D. Beninson of Argentina and Dr. M. E. A. El-Kharadly of the United Arab Republic served as Chairman and Vice-Chairman respectively.

**CONSIDERATION OF SECTION I OF GENERAL ASSEMBLY
 RESOLUTION 1764 (XVII)**

3. At this session, as requested by the General Assembly in operative paragraph 5 of section I of resolution 1764 (XVII), the Committee discussed its programme of work. The Committee considered its future activity under the following headings:

- Subjects and scope of scientific study
- Reporting practice
- Sources of information
- Relations with United Nations agencies and other organizations
- Scientific assistance to the Committee

Subjects and scope of scientific study

4. The Committee noted that the General Assembly had requested that it continue the assessment of radia-

tion risks and that this involved reviewing, on the one hand, the dose contributions from different sources of radiation, and, on the other, the results of biological and medical studies which would lead to a better knowledge of the genetic and somatic effects of radiation and of the way in which the frequency of their occurrence depended upon radiation dose. Any significant change in estimates of the doses received by human tissues or in the evaluation of quantitative relationships between dose and effects might require revision of the estimates of radiation risks.

5. The Committee surveyed information that had become available since the adoption of its second comprehensive report to the General Assembly,¹ particularly regarding environmental contamination, and the somatic effects of radiation. The Committee was of the opinion that new information already available and data that were likely to be forthcoming within the next year might make it appropriate to undertake a further review of the dose contribution from short- and long-lived nuclides—particularly those introduced into the environment by nuclear tests—and also of the relationship between levels of radiation and the induction of malignancies in man, especially leukaemia. The Committee further felt that a general review of the factors influencing radiation sensitivity would throw much light on the induction of genetic and somatic effects and would therefore demand the Committee's attention.

Reporting practice

6. The Committee discussed the way in which it should report to the General Assembly and considered

¹ *Official Records of the General Assembly, Seventeenth Session, Supplement No. 16.*

that the General Assembly would be effectively kept informed of the results of the Committee's continuing deliberations if the Committee submitted, at relatively frequent but not necessarily yearly intervals, short or specialized reports on any conclusions significantly affecting the estimates of radiation risk. The Committee left open the possibility of preparing a new general review of the whole field of study encompassed by its terms of reference at a time when scientific progress would, in its opinion, so require.

7. The Committee expressed the hope that the data at its disposal would make it possible to prepare for submission to the nineteenth session of the General Assembly a short report dealing with such revised estimates of risks as might result from its consideration of the doses due to environmental contamination, and of its survey of advances in the knowledge of radiation-induced malignancies in man, including leukaemia. If appropriate at that time, the report would also embody a review of exposure from other sources of radiation and the conclusions of the Committee's discussions on radio-sensitivity, which might otherwise form the subject of separate reports at later dates.

8. The Committee noted that a progress report would, as in the past, be submitted to the General Assembly every year.

Sources of information

9. The Committee expressed the wish that States Members of the United Nations, its specialized agencies and the International Atomic Energy Agency, as also the agencies themselves and a number of non-governmental organizations, would continue to supply the Committee with the information it needed to carry out its task, in particular on radiation levels from various sources and on genetic and somatic effects of radiation. The Committee emphasized the importance of the submission of these reports at the earliest possible dates after the relevant information had become available.

Relations with United Nations agencies and other organizations

10. The Committee emphasized the importance for its work of the assistance that it expected to receive from the specialized agencies of the United Nations, the International Atomic Energy Agency and such non-governmental agencies as the International Commission on Radiological Protection and the International Commission on Radiological Units and Measurements. It noted the interest of the World Health Organization in studies in areas of high natural radiation and that of

the International Atomic Energy Agency in the standardization of radio-active samples.

11. In the course of its discussion of environmental contamination, the Committee recognized that it would greatly benefit from a continued close co-operation with the Food and Agriculture Organization of the United Nations and discussed the way in which data on dietary contamination and composition could be most appropriately presented by that organization so that they might be of the greatest value to the Committee in the preparation of its reports to the General Assembly.

12. The Committee recognized the importance of reviewing the information regarding the transport and distribution of radio-active debris in the atmosphere and requested that the World Meteorological Organization be invited to convene a small group of experts which should discuss with the Committee, during part of its thirteenth session, certain meteorological problems of interest to it.

Scientific assistance

13. The Committee requested that the Secretariat provide it with scientific assistance of the kind it had received in the past.

CONSIDERATION OF THE PLAN PREPARED BY THE WORLD METEOROLOGICAL ORGANIZATION FOR THE IMPLEMENTATION OF SECTION II OF GENERAL ASSEMBLY RESOLUTION 1629 (XVI)

14. The Committee gave detailed consideration to the plan proposed by the World Meteorological Organization² for the implementation of section II of resolution 1629 (XVI) of the General Assembly. As a result of its deliberations the Committee adopted a statement containing a number of recommendations on those aspects of the plan which fell within the terms of reference of the Committee. The Committee requested that the statement be transmitted to the Secretary-General of the World Meteorological Organization.

TIME AND PLACE OF NEXT MEETING

15. The Committee recognized that in 1964 it would be necessary to hold two sessions, each of two weeks' duration, one in March and the other in June or July, and it asked that arrangements should be made for one of the sessions, preferably the fourteenth, to be held at Headquarters, and the other at the European Office.

² *Ibid.*, *Seventeenth Session, Annexes*, agenda item 30, document A/5253.

DOCUMENT A/5590

Report of the Special Political Committee

[Original text: English and French]
[4 November 1963]

1. The report of the United Nations Scientific Committee on the Effects of Atomic Radiation (A/5406) was placed on the provisional agenda of the eighteenth session of the General Assembly, in accordance with resolution 913 (X) of 3 December 1955 and subsequent Assembly resolutions on this subject. At its 1210th plenary meeting, on 20 September 1963, the General Assembly decided to include the item in its agenda and

allocated it to the Special Political Committee for consideration and report.

2. The Special Political Committee considered the item at its 397th meeting, held on 31 October 1963.

3. At that meeting, the representative of the Secretary-General of the World Meteorological Organization (WMO) made a statement presenting orally the report

of WMO to the General Assembly, pursuant to resolution 1764 (XVII) of 20 November 1962. The Director-General of the International Atomic Energy Agency also made a statement on the question. The Committee decided to have the two statements circulated as Committee documents (A/SPC/87 and A/SPC/88).

4. The Committee also had before it a draft resolution (A/SPC/L.97/Rev.1 and Add.1) sponsored by Brazil, Burma, Cameroon, Canada, Colombia, Czechoslovakia, Ghana, Japan, Mali, Mexico, New Zealand, Norway, Pakistan, the Philippines, Poland, Sweden, Thailand and the United Arab Republic.

5. According to the operative part of the draft resolution, the General Assembly, after taking note of the report of the United Nations Scientific Committee on the Effects of Atomic Radiation, would invite the International Atomic Energy Agency, the specialized agencies, international and national non-governmental scientific organizations and individual scientists to continue extending to the Scientific Committee the co-operation which it required; recommend the Governments of Member States, the International Atomic Energy Agency, the specialized agencies, and international and national non-governmental scientific organizations to take appropriate action to carry out, with

the means at their command, information programmes on the effects of atomic radiation; urge the World Meteorological Organization to proceed with the implementation of the scheme for monitoring and reporting levels of atmospheric radio-activity, taking into account the recommendations made by the Scientific Committee at its twelfth session; request the Scientific Committee to continue its programme and its co-ordinating activities to increase the knowledge of the levels and effects of atomic radiation from all sources; and note the intention of the Scientific Committee to submit to the General Assembly at its nineteenth session a further report on the results of its work.

6. The draft resolution (A/SPC/L.97/Rev.1 and Add.1) was adopted unanimously.

Recommendation of the Special Political Committee

7. The Special Political Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1256th plenary meeting, on 11 November 1963, the General Assembly adopted the draft resolution submitted by the Special Political Committee (A/5590, para. 7). For the final text, see resolution 1896 (XVIII) below.

Resolution adopted by the General Assembly

1896 (XVIII). EFFECTS OF ATOMIC RADIATION

The General Assembly,

Reaffirming the objectives of its resolutions 1629 (XVI) of 27 October 1961 and 1764 (XVII) of 20 November 1962,

Recalling the important part which the study of the effects of atomic radiation has played in alerting world opinion to their dangers,

Emphasizing the importance, from the point of view of harmful atomic radiation, of the cessation of nuclear tests in the atmosphere, in outer space and under water,

Noting with satisfaction the progress achieved towards implementing the scheme for monitoring and reporting levels of atmospheric radio-activity,

Convinced that international co-operation in this field continues to be necessary to gain knowledge of the levels of radio-activity from all sources,

1. *Takes note* of the report of the United Nations Scientific Committee on the Effects of Atomic Radiation on the work of its twelfth session (A/5406);

2. *Invites* the International Atomic Energy Agency, the specialized agencies, international and national non-

governmental scientific organizations and individual scientists to continue to extend to the Scientific Committee the co-operation which it requires;

3. *Recommends* the Governments of Member States, the International Atomic Energy Agency, the specialized agencies, and international and national non-governmental scientific organizations to take appropriate action to carry out, with the means at their command, information programmes on the effects of atomic radiation;

4. *Urges* the World Meteorological Organization to proceed with the implementation of the scheme for monitoring and reporting levels of atmospheric radio-activity, taking into account the recommendations made by the Scientific Committee at its twelfth session;

5. *Requests* the Scientific Committee to continue its programme and its co-ordinating activities to increase the knowledge of the levels and effects of atomic radiation from all sources;

6. *Notes* the intention of the Scientific Committee to submit to the General Assembly at its nineteenth session a further report on the results of its work.

*1256th plenary meeting,
11 November 1963.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 31 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/SPC/87	Statement by Mr. Gordon D. Cartwright (World Meteorological Organization) at the 397th meeting of the Special Political Committee	Mimeographed; for summary see A/SPC/SR.397, paras. 2-8

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/SPC/88	Statement by Mr. Sigvard Eklund, Director General of the International Atomic Energy Agency, at the 397th meeting of the Special Political Committee	<i>Idem</i> , paras. 17-21
A/SPC/L.97	Brazil, Burma, Cameroon, Canada, Colombia, Czechoslovakia, Ghana, Japan, Mali, Mexico, Norway, Thailand and United Arab Republic: draft resolution	Replaced by A/SPC/L.97/Rev.1
A/SPC/L.97/ Rev.1 and Add.1	Brazil, Burma, Cameroon, Canada, Colombia, Czechoslovakia, Ghana, Japan, Mali, Mexico, New Zealand, Norway, Pakistan, Philippines, Poland, Sweden, Thailand and United Arab Republic: draft resolution	Adopted without change. See A/5590, para. 7



Agenda item 32: Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East*

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* For the discussion of this item, see *Official Records of the General Assembly, Eighteenth Session, Special Political Committee*, 398th to 416th meetings; and *ibid.*, *Plenary Meetings*, 1269th meeting.

DOCUMENT A/5545

Twenty-first progress report of the United Nations Conciliation Commission for Palestine (8 December 1962—31 October 1963)

[Original text: English]
 [1 November 1963]

[NOTE BY THE SECRETARY-GENERAL: The twenty-first progress report of the United Nations Conciliation Commission for Palestine has been transmitted by the Chairman of the Commission for communication to the Members of the United Nations in accordance with paragraph 6 of General Assembly resolution 512 (VI) of 26 January 1952.]

1. In the period since the submission of its twentieth progress report on 7 December 1962,¹ the United Nations Conciliation Commission for Palestine has given continuing and serious attention to how it might best fulfil the Assembly's mandate to achieve progress on the Palestine refugee problem, as expressed most recently in General Assembly resolution 1856 (XVII) of 20 December 1962.

2. The Commission early in 1963 held the first of several meetings to determine how it should proceed to carry out the request of the General Assembly. Taking into account the Commission's intensive efforts during the past year, the United States suggested that, as a member of the Commission, it might initiate a series of quiet talks with the parties concerned—Israel, Jordan, Lebanon, Syria and the United Arab Republic. It was proposed that the five Governments concerned should be approached at a high level and without preconditions as to the nature of the eventual solution of the problem. The Commission agreed to this approach, and has been kept generally informed of the

progress of these talks with Arab and Israel leaders during the past spring and summer.

3. Recently the United States informed the Commission that, in its opinion, the talks had been useful. All sides had shown goodwill, a desire to achieve progress on the refugee problem, and a desire to continue the talks, which are not yet completed. The Commission noted these views, expressed appreciation for the efforts made in the conduct of these talks, and requested that it continue to be kept informed of their progress. The Commission, expressing confidence that every effort will be made in the continuation of such talks to advance the wishes of the General Assembly expressed in resolution 1856 (XVII), proposes to report to the General Assembly after the completion of such talks.

4. On 31 January 1963, the Commission accepted with deep regret the resignation of its Special Representative, Mr. Joseph E. Johnson. In submitting his letter of resignation because of "compelling personal commitments", Mr. Johnson expressed his appreciation for the opportunity to "attempt to contribute to a solution of the problem of the Arab refugees, whose tragedy has become increasingly apparent during these past fifteen years".

¹ *Official Records of the General Assembly, Seventeenth Session, Annexes*, agenda item 31, document A/5337.

IDENTIFICATION AND VALUATION PROGRAMME

5. In its twentieth progress report the Commission, after explaining that the task of computing the value of each owner's holdings and the preparation of an index of owners' names was the most logical stage of work following completion of the valuation of individual parcels of immovable property, stated that in its opinion any compensation operation would be facilitated by completion of this task which was begun in 1962.

6. At its 353rd meeting on 9 January 1963, the Commission decided to request the Secretary-General to provide the necessary staff and facilities to enable this task to be completed during 1963. The Secretary-General agreed to the Commission's request.

7. The land expert in charge of its Technical Office has reported to the Commission that the substantive work on this programme is largely completed and that statistical summaries will be completed by the end of the year, as was forecast in the Commission's twentieth

progress report. Consequently, on 31 December 1963 the staff engaged in this project will be released.

8. However, additional technical arrangements will be required to make easier later use of the information developed in the course of the identification and evaluation programme. The land expert has been instructed to take the necessary steps to this end prior to 1 April 1964.

RELEASE OF ARAB REFUGEE BANK ACCOUNTS BLOCKED IN ISRAEL AND TRANSFER OF SAFE DEPOSIT AND SAFE CUSTODY ITEMS

9. During the period since the submission of the Commission's last progress report, the processing of applications for the release of bank accounts of refugees and absentee owners has continued in accordance with established procedure. Full current figures on this operation and on the transfer of safe deposit and safe custody items, which has also proceeded during this period, were not available at the time of preparation of the present report and will be released when received.

DOCUMENT A/SPC/91

Letter dated 12 November 1963 from the representatives of Jordan, Lebanon, Syria and United Arab Republic to the Chairman of the Special Political Committee

[Original text: English]
[13 November 1963]

1. Further to the statements made earlier in this Committee by our respective delegations regarding the twenty-first progress report of the United Nations Conciliation Commission for Palestine (A/5545), we have the honour, upon instructions from our respective Governments, to call your attention to the incorrect statements contained in that report and in particular to the statement that a series of quiet talks have been conducted "at a high level and without preconditions as to the nature of the eventual solution of the problem". We hardly need to emphasize that the report, as it stands at present, is so detrimental to the rights of the Palestine Arab refugees that we deem it necessary to call the attention of United Nations members to this serious situation which the Palestine Conciliation Commission has brought about.

2. In our considered opinion the general tenor of the report of the Palestine Conciliation Commission deviates seriously from the mandate of the Commission as specifically stipulated in paragraph 11 of General Assembly resolution 194 (III) of 11 December 1948; a mandate which has been reaffirmed by the relevant successive resolutions of the General Assembly.

3. We seize this opportunity to assert that the rights of the refugees as declared in paragraph 11 of resolution 194 (III) have been reaffirmed by the General Assembly in each and every session of the General Assembly of the United Nations, and our Governments

are in no way prepared to relinquish those rights or diminish them in any manner, regardless of the fact that those rights belong to the Palestine Arab refugees themselves.

4. In the light of the above considerations we are authorized to declare that our Governments are not prepared to undertake any talks of any nature with the Conciliation Commission, on the basis of the general outline set out in the report. In the same manner, we should like to reiterate that, as in the past, our Governments will be ready to hold discussions with the Conciliation Commission with a view, strictly and exclusively, to implementing paragraph 11 of resolution 194 (III).

5. We request that this letter be circulated to the Members as a United Nations document.

The Permanent Representatives of:

(Signed)

Abdul Monem RIFA'I,
Jordan

Georges HAKIM,
Lebanon

Salah El Dine TARAZI,
Syria

Mahmoud RIAD,
United Arab Republic

DOCUMENT A/5624

Report of the Special Political Committee

[Original text: English and French]
[27 November 1963]

1. In accordance with the request made in operative paragraph 21 of resolution 302 (IV) of 8 December 1949 and in operative paragraph 8 of resolution 1315 (XIII) of 12 December 1958, the Commissioner-

General of the United Nations Relief and Work Agency for Palestine Refugees in the Near East (UNRWA) submitted to the General Assembly his report for the year ended 30 June 1963 (A/5513).

2. At its 1210th plenary meeting, on 20 September, the General Assembly, acting on the recommendation of its General Committee, decided to include the report of the Commissioner-General of UNRWA on its agenda and allocated it to the Special Political Committee for consideration and report.

3. The Special Political Committee considered the question at its 398th to 416th meetings, from 4 to 21 November 1963.

4. At the 398th meeting on 4 November, the Chairman, with the consent of the Committee, invited the Commissioner-General of UNRWA to take a seat at the Committee table. At the same meeting and at the 400th and 413th meetings, on 6 and 19 November, statements were made by the Commissioner-General of UNRWA.

5. At the same meeting, the Chairman drew the attention of the Committee to a letter dated 29 October 1963 (A/SPC/89) from the permanent representatives of Algeria, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Saudi Arabia, Sudan, Syria, Tunisia, the United Arab Republic and Yemen, requesting that "the Palestine Arab delegation" be heard by the Committee during its deliberations on the report of the Commissioner-General of UNRWA. In accordance with past practice, the Committee agreed to hear the spokesman of the group mentioned in that communication. Accordingly, Mr. Ahmed Shukairy made statements at the 399th, 407th, 412th and 413th meetings on 5, 14 and 19 November 1963, respectively.

6. At the 405th meeting of the Committee, on 12 November, the representative of Afghanistan introduced a draft resolution (A/SPC/L.99), jointly sponsored by Afghanistan, Indonesia and Pakistan. In its operative part the General Assembly, after taking note of the annual report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, would (1) express its deep regret that repatriation and compensation of the refugees as provided for in paragraph 11 of resolution 194 (III) had not been effected, and that, therefore, the situation of the refugees continued to be a matter of serious concern; (2) note with regret that the United Nations Conciliation Commission for Palestine had not made progress in carrying out the task entrusted to it in paragraph 4 of General Assembly resolution 1456 (XIV), and urge the Commission to make serious efforts to secure the implementation of paragraph 11 of General Assembly resolution 194 (III) and to report thereon not later than 15 October 1964; (3) direct the United Nations Conciliation Commission for Palestine to make further efforts regarding measures for the protection of property, property rights and interests of the refugees; (4) express its thanks to the Commissioner-General and the staff of the Agency for their continued faithful efforts to carry out the mandate of the Agency, and to the specialized agencies and private organizations for their valuable and continuing work in assisting the refugees; and (5) express its sincere appreciation to Dr. John H. Davis, on the occasion of his resignation as Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, for his efficient administration of the Agency during the past five years, and for his dedicated service to the welfare of the refugees.

7. At the same meeting, the representative of the United States of America submitted a draft resolution

(A/SPC/L.98) whereby the General Assembly, after taking note of the annual report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 1962 to 30 June 1963, and noting with deep regret that the repatriation or compensation of the refugees as provided for in paragraph 11 of resolution 194 (III) had not been effected, that no substantial progress had been made in the programme endorsed in paragraph 2 of resolution 513 (VI) for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continued to be a matter of serious concern, would: (1) express its sincere appreciation to Dr. John H. Davis, on the occasion of his resignation as Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, for his efficient administration of the Agency during the past five years, and for his dedicated service to the welfare of the refugees; (2) express its thanks to the staff of the Agency for their continued faithful efforts to provide essential services for the Palestine refugees and to the specialized agencies and private organizations for their valuable work in assisting the refugees; (3) request the Secretary-General to provide the staff and facilities that the United Nations Conciliation Commission for Palestine might require in carrying on its work; (4) renew its request to the United Nations Conciliation Commission for Palestine, contained in operative paragraph 2 of resolution 1856 (XVII) which expressed its thanks to the United Nations Conciliation Commission for Palestine for its efforts to find a way to achieve progress on the Palestine Arab refugee problem pursuant to paragraph 11 of resolution 194 (III), and requested the Commission to continue its endeavours with the parties concerned; and (5) again direct attention to the precarious financial position of the United Nations Relief and Works Agency for Palestine refugees in the Near East and urge non-contributing Governments to contribute, and contributing Governments to consider increasing their contributions, so that the Agency could carry out its essential programmes.

8. At the same meeting, the Chairman ruled that under rule 132 of the rules of procedure of the General Assembly, the three-Power draft resolution (A/SPC/L.99) was the first submitted in the Committee, by the representative of Afghanistan, who was the first inscribed on the list of speakers. The ruling was challenged by the United States representative on the ground that his delegation's draft resolution (A/SPC/L.98) had been submitted to the Secretariat before the meeting. The ruling of the Chairman was upheld by a roll-call vote of 38 to 18, with 37 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Guinea, Hungary, Indonesia, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Malaysia, Mali, Mauritania, Mongolia, Morocco, Pakistan, Poland, Romania, Saudi Arabia, Somalia, Sudan, Syria, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yemen, Yugoslavia.

Against: Austria, Belgium, Costa Rica, Denmark, Dominican Republic, France, Guatemala, Iceland, Israel, Italy, Netherlands, New Zealand, Norway, Portugal, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Australia, Burma, Cameroon, Canada, Ceylon, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Ecuador, El Salvador, Ethiopia, Finland, Ghana, Greece, India, Ireland, Ivory Coast, Jamaica, Japan, Liberia, Madagascar, Mexico, Nepal, Nigeria, Panama, Philippines, Rwanda, Senegal, Sierra Leone, Spain, Thailand, Upper Volta, Uruguay, Venezuela.

9. On 18 November, the Central African Republic, Congo (Brazzaville), Costa Rica, Dahomey, Denmark, the Dominican Republic, El Salvador, Gabon, Haiti, Honduras, Iceland, Ivory Coast, Luxembourg, Madagascar, the Netherlands, Rwanda, Sierra Leone and Togo submitted a draft resolution (A/SPC/L.100) whereby the General Assembly would renew its appeal to the Governments concerned to undertake direct negotiations—with the assistance of the Conciliation Commission for Palestine if they so desired—with a view to finding an agreed solution for the question of the Palestine refugees. Liberia subsequently joined the co-sponsors of the draft resolution (A/SPC/L.100/Add.1).

10. At the 414th meeting, on 20 November, the United States revised its draft resolution (A/SPC/L.98) to make operative paragraph 4 read as follows: “Calls on the United Nations Conciliation Commission for Palestine to continue its efforts for the implementation of paragraph 11 of resolution 194 (III)” (A/SPC/L.98/Rev.1).

11. At the 415th meeting, on the same day, the Committee proceeded to vote on the three draft resolutions before it. At the request of the United States representative, the Committee agreed, without objection, to give priority to that delegation's draft resolution (A/SPC/L.98/Rev.1). Operative paragraph 4 was adopted by roll-call vote of 75 to 1, with 20 abstentions. The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Chile, China, Colombia, Cuba, Czechoslovakia,

Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Finland, France, Ghana, Greece, Guinea, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Lebanon, Liberia, Libya, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Netherlands, New Zealand, Norway, Pakistan, Panama, Peru, Poland, Romania, Saudi Arabia, Somalia, Spain, Sudan, Sweden, Syria, Thailand, Trinidad and Tobago, Tunisia, Turkey, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Israel.

Abstaining: Cameroon, Central African Republic, Chad, Congo (Brazzaville), Congo (Leopoldville), Dahomey, Guatemala, Haiti, Ivory Coast, Madagascar, Nepal, Niger, Nigeria, Philippines, Portugal, Rwanda, Senegal, Sierra Leone, Togo, Upper Volta.

The United States draft resolution (A/SPC/L.98/Rev.1) was adopted as a whole by 83 votes to 1, with 12 abstentions.

12. On behalf of the co-sponsors of the three-Power draft resolution (A/SPC/L.99), the representative of Afghanistan stated that they would not press the draft resolution to a vote.

13. On behalf of the co-sponsors of the nineteen-Power draft resolution (A/SPC/L.100 and Add.1), the representative of the Central African Republic stated that they would not press the draft resolution to a vote.

Recommendation of the Special Political Committee

14. The Special Political Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See “Action taken by the General Assembly” below.]

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1269th plenary meeting, on 3 December 1963, the General Assembly adopted the draft resolution submitted by the Special Political Committee (A/5624, para. 14). For the final text, see resolution 1912 (XVIII) below.

Resolution adopted by the General Assembly

1912 (XVIII). REPORT OF THE COMMISSIONER-GENERAL OF THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 302 (IV) of 8 December 1949, 393 (V) and 394 (V) of 2 and 14 December 1950, 512 (VI) and 513 (VI) of 26 January 1952, 614 (VII) of 6 November 1952, 720 (VIII) of 27 November 1953, 818 (IX) of 4 December 1954, 916 (X) of 3 December 1955, 1018 (XI) of 28 February 1957, 1191 (XII) of 12 December 1957, 1315 (XIII) of 12 December 1958, 1456 (XIV) of 9 December 1959, 1604 (XV) of 21 April 1961, 1725 (XVI) of 20 December 1961 and 1856 (XVII) of 20 December 1962,

Noting the annual report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1962 to 30 June 1963 (A/5513),

Noting with deep regret that the repatriation or compensation of the refugees as provided for in paragraph 11 of resolution 194 (III) has not been effected, that no substantial progress has been made in the programme endorsed in paragraph 2 of resolution 513 (VI) for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continues to be a matter of serious concern,

1. Expresses its sincere appreciation to Dr. John H. Davis, on the occasion of his resignation as Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, for his efficient administration of the Agency during the past five years and for his dedicated service to the welfare of the refugees;

2. *Expresses its thanks* to the staff of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for their continued faithful efforts to provide essential services for the Palestine refugees, and to the specialized agencies and private organizations for their valuable work in assisting the refugees;

3. *Requests* the Secretary-General to provide the staff and facilities that the United Nations Conciliation Commission for Palestine may require in carrying on its work;

4. *Calls upon* the United Nations Conciliation Commission for Palestine to continue its efforts for the implementation of paragraph 11 of resolution 194 (III);

5. *Again directs attention* to the precarious financial position of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and urges non-contributing Governments to contribute, and contributing Governments to consider increasing their contributions, so that the Agency can carry out its essential programmes.

*1269th plenary meeting,
3 December 1963.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 32 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/5513	Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (1 July 1962-30 June 1963)	<i>Official Records of the General Assembly, Eighteenth Session, Supplement No. 13</i>
A/SPC/89	Letter dated 29 October 1963 from the representatives of Algeria, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Saudi Arabia, Sudan, Syria, Tunisia, United Arab Republic and Yemen to the Chairman of the Special Political Committee	See A/5624, para. 5
A/SPC/90	Statement by Mr. Ahmed Shukairy, spokesman of the group mentioned in document A/SPC/89, at the 399th meeting of the Special Political Committee	Mimeographed; for summary see A/SPC/SR.399, paras. 3-27
A/SPC/92	Statement by the representative of Liberia at the 412th meeting of the Special Political Committee	Mimeographed; for summary see A/SPC/SR.412, paras. 4-12
A/SPC/93	Statement by Mr. Ahmed Shukairy, spokesman of the group mentioned in document A/SPC/89, at the 412th and 413th meetings of the Special Political Committee	Mimeographed; for summary see A/SPC/SR.412, paras. 13-39, and A/SPC/SR.413, paras. 2-24
A/SPC/L.98	United States of America: draft resolution	Replaced by A/SPC/L.98/Rev.1
A/SPC/L.98/Rev.1	United States of America: revised draft resolution	Adopted without change. See A/5624, para. 14
A/SPC/L.99	Afghanistan, Indonesia and Pakistan: draft resolution	See A/5624, para. 6
A/SPC/L.100 and Add.1	Central African Republic, Congo (Brazzaville), Costa Rica, Dahomey, Denmark, Dominican Republic, El Salvador, Gabon, Haiti, Honduras, Iceland, Ivory Coast, Liberia, Luxembourg, Madagascar, Netherlands, Rwanda, Sierra Leone and Togo: draft resolution	<i>Ibid.</i> , paras. 9 and 13



Agenda item 38: Report of the United Nations High Commissioner for Refugees*

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* For the discussion of this item, see *Official Records of the General Assembly, Eighteenth Session, Third Committee*, 1270th to 1272nd meetings; and *ibid.*, *Plenary Meetings*, 1279th meeting.

DOCUMENT A/5643

Report of the Third Committee

[*Original text: English*]
[5 December 1963]

1. The General Assembly, at its 1210th plenary meeting on 20 September 1963, allocated item 38 of its agenda entitled "Report of the United Nations High Commissioner for Refugees", to the Third Committee.

STATEMENT BY THE HIGH COMMISSIONER

2. At the invitation of the Committee, the High Commissioner made an introductory statement (1270th meeting), in which he commented on his written report submitted to the General Assembly through the Economic and Social Council (A/5511/Rev.1 and Add.1).

3. The High Commissioner pointed out that his Office, whose thirteen-year term had been extended for five years, beginning on 1 January 1964, by the General Assembly in its resolution 1783 (XVII), was making simultaneous efforts to settle the "old" refugee problems in Europe, and to face new refugee situations in other parts of the world, mainly in Africa.

4. The High Commissioner emphasized the fundamental character of the international protection of refugees and pointed out the importance of the 1951 Convention relating to the Status of Refugees,¹ to which forty-two States were now parties. Attention was drawn to the increasing importance of recommendation E of the Final Act of the Conference of Plenipotentiaries of July 1951 that States grant refugees who for formal reasons are not covered by the Convention, the treatment for which the Convention provides.

5. Referring to the draft Declaration on the Right of Asylum which was under consideration by the General Assembly and which the High Commissioner hoped the General Assembly would adopt, he emphasized that for the refugee, the principle of the right of asylum, and particularly that of ensuring that he cannot be returned to his country of origin against his will, domi-

nated any other provisions which had been, or might be, adopted at a national or international level.

6. The High Commissioner also provided information on the implementation of the Agreement concluded in 1960 between the Government of the Federal Republic of Germany and his Office concerning the indemnification of refugees persecuted by the national socialist régime for reasons of their nationality. In addition, he reported on the present position of the various assistance programmes carried out by his Office, and informed the Committee that the problem of the camps in Europe had virtually been solved in Austria and Greece and was only a residual problem in Italy and Germany. Therefore, the over-all programme for the completion of major aid programmes would be carried out before the end of 1965.

7. The complementary assistance programme for 1963 was under implementation. This programme was designed to help refugees in Europe who, owing to the nature of their cases, had not been covered by earlier programmes, and also to give the High Commissioner the necessary facilities for meeting the needs of new groups of refugees, particularly in Africa. With a similar purpose, the High Commissioner had recently submitted to the Executive Committee of the High Commissioner's Programme a "programme for 1964" with a financial target of \$2.6 million.

8. The High Commissioner stressed that his programmes provided for the three types of permanent solutions specified in the Statute of his Office: voluntary repatriation, integration in the economic and social life of the host countries or, if necessary, emigration and re-establishment in countries of final settlement. He gave the Committee information on repatriation and resettlement activities and paid particular tribute to those Governments which were helping his Office in the resettlement of seriously handicapped refugees.

¹ United Nations, *Treaty Series*, vol. 189 (1954), No. 2545.

9. In turning to new refugee programmes, the High Commissioner recalled the considerable financial assistance and effort rendered for Algerian refugees formerly in Morocco and Tunisia, which efforts had resulted in their repatriation.

10. With regard to the problem of the refugees in Togo, it was well on the way to solution, almost 4,000 persons having been integrated into the local economy. There was still a residual problem to be handled.

11. Referring to the refugees from Angola in the Republic of the Congo (Leopoldville), the High Commissioner recalled that the work had been completed on behalf of some 150,000 refugees who had arrived in 1961. His Office made various grants in 1963 on behalf of several thousands of newly-arrived refugees.

12. The major refugee problem in Africa at present being dealt with in the framework of the assistance programmes of the High Commissioner's Office was that of over 130,000 refugees from Rwanda in Burundi, the Republic of the Congo (Leopoldville), Uganda and Tanganyika. In addition to a sum of over \$500,000 allocated in 1962, allocations of over \$700,000 had been made in 1963.

13. Because of the various situations arising in Africa and the need to determine the responsibilities that might devolve upon him, the High Commissioner had established a regional mission in Africa with headquarters at Bujumbura, while retaining his representatives in Leopoldville and in Kivu Province.

14. The High Commissioner referred to the general principles followed by his Office in new refugee situations. He welcomed the fact that the understanding of the humanitarian character of his Office's activities had increased and he considered this an essential basis for action by his Office. He elaborated on the co-operation with Governments, particularly those of the countries of asylum, which in accordance with the principle of the sovereign authority of States retained a primary responsibility for refugees living in their territories, regardless of the scale or methods of assistance provided from outside.

15. Refugees, far from being an obstacle to the development of the country which had received them, should rather be given the opportunity of integrating themselves in over-all programmes which also, and mainly, affected those who had been long established in the country. This approach had led the High Commissioner to strengthen relations with other United Nations bodies and with the various specialized agencies of the United Nations family. The High Commissioner paid tribute to these bodies and agencies, the World Health Organization, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the Technical Assistance Board and the United Nations Children's Fund. He made special reference to the efforts made by the International Labour Organisation (ILO), at the request of the Governments of Burundi and the Congo (Leopoldville), concerning the economic and social development of the parts of these countries where there were large groups of refugees from Rwanda. His Office would try to ensure that its efforts, made within its statutory responsibilities, together with a wider and more general activity of the ILO, would succeed in bridging the gulf between the problems particular to refugees as such and the more general development problems.

16. The High Commissioner referred to the valuable and indispensable assistance given by non-governmental organizations and mentioned that the 1963 Nansen Medal had been awarded to the International Council of Voluntary Agencies.

17. The High Commissioner emphasized the trend towards universality of the work of his Office. This was also reflected in resolution 965 (XXXVI) adopted by the Economic and Social Council in July 1963. Further, and in order to increase the representation of the States which had joined the United Nations in recent years, the General Assembly was requested to enlarge the Executive Committee of the High Commissioner's Programme from 25 to 30 members.

18. In concluding his remarks, the High Commissioner expressed the hope that support for the universal problems and character of the work of his Office would be reflected in the number of States contributing to his voluntary funds for the coming year.

GENERAL DEBATE

19. Many delegations expressed their appreciation of the work of the High Commissioner's Office and commended the High Commissioner, the Deputy High Commissioner and the staff for their continuing devotion to refugee work.

20. Several delegations concurred with the High Commissioner in emphasizing the importance of international protection as a fundamental aspect of the international work on behalf of refugees. They expressed their satisfaction that additional States had become parties to the 1951 Convention relating to the Status of Refugees, and urged other States to accede to this Convention. Some delegations thought that although the Convention, in view of its date limit contained in its article 1, did not apply in a number of new refugee situations, it could still be used as an instrument of protection also for new refugees if States agreed to follow recommendation E of the Final Act of the Conference of Plenipotentiaries of July 1951.

21. Most delegations noted that new refugee situations had arisen, mainly in Africa, and they expressed particular satisfaction at the manner in which the High Commissioner was discharging his duties on behalf of refugees in Africa on the basis of his over-all humanitarian and non-political approach to refugee problems. Some delegations mentioned the considerable efforts made by their Governments on behalf of refugees in Africa and believed that additional means should be made available by the High Commissioner. Other delegations referred to present African developments, seen as a background for the occurrence of new refugee situations.

22. Several delegations noted that while the activity of the High Commissioner now extended to new continents, the High Commissioner should still be concerned with refugee problems in Europe where they had not been completely solved and where refugees continued to arrive each year. The High Commissioner should therefore pursue his efforts to find permanent solutions to these problems.

23. Several delegations referred to the resettlement of refugees and particularly to the problem of handicapped refugees. They mentioned the efforts which their own countries had made in accepting handicapped refugees within the framework of the High Commissioner's programmes and urged other Governments to partici-

pate in the international effort calculated to solve this serious aspect of the refugee problem. One delegation drew attention to the existence of several thousands of handicapped refugees in Latin America, a region where the local means are limited and where further international assistance is therefore required.

24. One delegation thought that the solution of the refugee problem in Europe was long overdue; he felt that the High Commissioner should concentrate his means and his activity on the new refugee problems in Africa.

25. A number of delegations referred to the efforts made in their own countries to solve the refugee problems in their territory. Some delegations referred on this occasion to new refugee situations, such as refugees in Senegal, or to refugee problems of long standing which in their opinion required additional efforts.

26. A majority of delegations stressed the continuing character of the refugee problem and also the fact that the High Commissioner's activity had become more universal in recent years. They believed that the Economic and Social Council had been entirely justified in recommending, at its thirty-sixth session, an increase in the membership of the Executive Committee of the High Commissioner's Programme in order to reflect both the fact that refugee problems had arisen in new areas and the increased membership of the United Nations.

DRAFT RESOLUTION ON THE MEMBERSHIP OF THE EXECUTIVE COMMITTEE OF THE HIGH COMMISSIONER'S PROGRAMME

27. At the 1270th meeting of the Committee, Afghanistan, Algeria, Iran, Nigeria, Panama, Sudan and the United States of America submitted a draft resolution (A/C.3/L.1178 and Corr.1) on the membership of the Executive Committee of the High Commissioner's Programme.

28. This resolution was adopted unanimously by the Third Committee at its 1272nd meeting (see paragraph 34 below, draft resolution I).

DRAFT RESOLUTION ON THE REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

29. At the 1271st meeting, Colombia, Congo (Leopoldville), Greece, Italy, Mali, Mauritania, Morocco, Nepal, the Netherlands, Nigeria, Norway, Senegal, Uganda and the United Kingdom of Great Britain and Northern Ireland submitted a draft resolution (A/C.3/L.1179) on the report of the United Nations High Commissioner for Refugees. The operative paragraphs of this draft resolution read as follows:

"1. *Requests* the United Nations High Commissioner for Refugees to continue to afford international protection to refugees and to pursue his efforts on behalf of refugees within his mandate and of those to whom he extends his good offices, by giving par-

ticular attention to new refugee groups, in conformity with the relevant resolutions of the General Assembly and the directives of the Executive Committee of the High Commissioner's Programme;

"2. *Invites* States Members of the United Nations and members of the specialized agencies to continue to lend their support to the alleviation of refugee problems:

"(a) By improving the legal status of refugees residing in their territory, particularly in new refugee situations, *inter alia*, by acceding to the 1951 Convention relating to the Status of Refugees and by treating new refugee problems in accordance with the principles and the spirit of the Convention;

"(b) By facilitating the voluntary repatriation, resettlement or local integration of refugees;

"(c) By providing the High Commissioner with the necessary financial means for the accomplishment of the tasks incumbent upon him and, in particular, by enabling him to reach the financial targets established with the approval of the Executive Committee of the High Commissioner's Programme."

30. At the 1272nd meeting, the United States of America suggested an oral amendment to insert in operative paragraph 2 (a) the words "as appropriate" between "by acceding" and "to the 1951 Convention...".

31. At the same meeting, Syria proposed an oral amendment to reverse the order of operative paragraphs 2 (a) and 2 (b).

32. Italy, on behalf of the co-sponsors of the draft resolution, accepted the oral amendment proposed by Syria and the United States of America.

33. At the 1272nd meeting, the Committee unanimously adopted by the draft resolution as amended above (see paragraph 34 below, draft resolution II).

Recommendations of the Third Committee

34. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

I

MEMBERSHIP OF THE EXECUTIVE COMMITTEE OF THE HIGH COMMISSIONER'S PROGRAMME

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

II

REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1279th plenary meeting, on 12 December 1963, the General Assembly adopted draft resolutions I and II submitted by the Third Committee (A/5643, para. 34). For the final texts, see resolutions 1958 (XVIII) and 1959 (XVIII) below.

Resolutions adopted by the General Assembly**1958 (XVIII). MEMBERSHIP OF THE EXECUTIVE COMMITTEE OF THE HIGH COMMISSIONER'S PROGRAMME**

The General Assembly,

Having considered Economic and Social Council resolution 965 B (XXXVI) of 25 July 1963,

Recalling its resolution 1166 (XII) of 26 November 1957, which provided for the establishment of an Executive Committee of the High Commissioner's Programme to consist of representatives of from twenty to twenty-five States Members of the United Nations or members of any of the specialized agencies, to be elected by the Economic and Social Council on the widest possible geographical basis from those States with a demonstrated interest in, and devotion to, the solution of the refugee problem,

Recalling its resolution 1783 (XVII) of 7 December 1962 relating to the continuation of the Office of the United Nations High Commissioner for Refugees,

Noting that the Executive Committee has at present a membership of twenty-five,

Bearing in mind the continued interest of Member States in the work of the Office of the High Commissioner and the increase in the membership of the United Nations,

1. *Decides* to enlarge the Executive Committee of the High Commissioner's Programme to thirty members so as to achieve the widest possible geographical representation;

2. *Requests* the Economic and Social Council to elect the five additional members of the Executive Committee during its resumed thirty-sixth session.

*1279th plenary meeting,
12 December 1963.*

1959 (XVIII). REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees (A/5511/Rev.1 and Add.1) and having heard his statement,²

Taking note of the progress achieved in the international protection of refugees and in the search for per-

² *Official Records of the General Assembly, Eighteenth Session, Third Committee, 1270th meeting.*

manent solutions to refugee problems through voluntary repatriation, integration in countries of asylum or resettlement in other countries,

Noting with satisfaction the efforts made by the High Commissioner, in his various fields of activity, for groups of refugees for whom he lends his good offices,

Recognizing the importance of an adequate assistance programme for the over-all effectiveness of the work of the High Commissioner,

Commending the non-governmental organizations working for refugees for their untiring activity on behalf of refugees throughout the world,

Noting with appreciation that since the seventeenth session of the General Assembly six more States have adhered to the 1951 Convention relating to the Status of Refugees,³ bringing to forty-two the number of States parties to the Convention;

1. *Requests* the United Nations High Commissioner for Refugees to continue to afford international protection to refugees and to pursue his efforts on behalf of the refugees within his mandate and of those to whom he extends his good offices, by giving particular attention to new refugee groups, in conformity with the relevant resolutions of the General Assembly and the directives of the Executive Committee of the High Commissioner's Programme;

2. *Invites* States Members of the United Nations and members of the specialized agencies to continue to lend their support to the alleviation of refugee problems:

(a) By facilitating the voluntary repatriation, resettlement or local integration of refugees;

(b) By improving the legal status of refugees residing in their territory, particularly in new refugee situations, *inter alia*, by acceding as appropriate to the 1951 Convention relating to the Status of Refugees and by treating new refugee problems in accordance with the principles and the spirit of the Convention;

(c) By providing the High Commissioner with the necessary financial means for the accomplishment of the tasks incumbent upon him and, in particular, by enabling him to reach the financial targets established with the approval of the Executive Committee of the High Commissioner's Programme.

*1279th plenary meeting,
12 December 1963.*

³ United Nations, *Treaty Series*, vol. 189 (1954), No. 2545.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 38 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/5511/Rev.1	Report of the United Nations High Commissioner for Refugees	<i>Official Records of the General Assembly, Eighteenth Session, Supplement No. 11</i>
A/5511/Rev.1/ Add.1	Addendum to the report of the United Nations High Commissioner for Refugees	<i>Ibid., Supplement No. 11A</i>
A/5608	Election of the United Nations High Commissioner for Refugees: note by the Secretary-General	<i>Ibid., Eighteenth Session, Annexes, agenda item 18</i>
A/AC.96/189	The problem of refugees from Angola in the Congo (Leopoldville): report submitted by the High Commissioner	Mimeographed
A/AC.96/207	New refugee situations: report submitted by the High Commissioner	Ditto

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/C.3/L.1178 and Corr.1	Afghanistan, Algeria, Iran, Nigeria, Panama, Sudan and United States of America : draft resolution	Adopted without change. See A/5643, para. 34, draft resolution I
A/C.3/L.1179	Colombia, Congo (Leopoldville), Greece, Italy, Mali, Mauritania, Morocco, Nepal, Netherlands, Nigeria, Norway, Senegal, Uganda and United Kingdom of Great Britain and Northern Ireland: draft resolution	For the text of this document, as amended by the Third Committee at its 1272nd meeting, see A/5643, para. 34, draft resolution II

**GENERAL
ASSEMBLY****ANNEXES****EIGHTEENTH SESSION***Official Records*

NEW YORK, 1963

Agenda item 40: Draft Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages***Agenda item 41: Measures to accelerate the promotion of respect for human rights and fundamental freedoms*****Agenda item 42: Manifestations of racial prejudice and national and religious intolerance*****Agenda item 44: Draft Declaration on the Elimination of All Forms of Religious Intolerance*****Agenda item 45: Draft Declaration on the Right of Asylum*****Agenda item 46: Freedom of Information:*****(a) Draft Convention on Freedom of Information;****(b) Draft Declaration on Freedom of Information****C O N T E N T S**

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* For the discussion of these items, see *Official Records of the General Assembly, Eighteenth Session, Third Committee, 1287th meeting, and ibid., Plenary Meetings, 1279th meeting.*

DOCUMENT A/5443**Draft Convention on Freedom of Information****Note by the Secretary-General**

[Original text: English]
[16 July 1963]

1. The General Assembly was unable to consider the draft Convention on Freedom of Information at its seventeenth session. In resolution 1840 (XVII), adopted at its 1198th plenary meeting on 19 December 1962, the Assembly decided to give priority, and to devote as many meetings as necessary, to this item at its eighteenth session.

2. The draft Convention on Freedom of Information has been on the agenda of the Assembly since its fourteenth session. The text of the draft Convention (A/AC.42/7 and Corr.1, annex) was formulated by the Committee on the draft Convention on Freedom of Information, which the Assembly set up under resolution 426 (V) of 14 December 1950. A number of States, in pursuance of resolutions 1189 A (XII) and

1313 C (XIII), commented or made proposals on specific articles of the draft Convention. These are reproduced in documents A/3868 and Add.1-8 and A/4173 and Corr.1 and Add.1-3. An amendment to article 6 of the draft Convention, submitted at the Assembly's fourteenth session, is to be found in document A/C.3/L.843.

3. At the fourteenth session of the Assembly the Third Committee adopted the preamble and article 1; at the fifteenth session article 2; and at the sixteenth session articles 3 and 4 of the draft Convention. The preamble and articles 1-4, as adopted by the Committee, are contained in documents A/4341, A/4636 and A/5041.

DOCUMENT A/5444

Draft Declaration on Freedom of Information

Note by the Secretary-General

[Original text: English]
[16 July 1963]

1. The draft Declaration on Freedom of Information has been on the agenda of the General Assembly since its fifteenth session. The Assembly, at its seventeenth session, was not able to consider it and decided, in resolution 1840 (XVII), dated 19 December 1962, adopted at its 1198th plenary meeting, to give priority and to devote as many meetings as necessary to this item at its eighteenth session.

2. The question of a draft Declaration on Freedom of Information was discussed by the Economic and Social Council at its twenty-seventh and twenty-eighth sessions in 1959. Pursuant to Council resolution 732 (XXVIII) of 30 July 1959 Member States made comments on the desirability of the adoption by the United Nations of a declaration on freedom of information and on the draft text of such a declaration, which was annexed to the resolution. These comments appear in document E/3323 and Add.1-5.

3. The Council, at its twenty-ninth session, considered and adopted a draft Declaration on Freedom of Information and, in its resolution 756 (XXIX) of 21 April 1960, transmitted it to the Assembly for its consideration.

DOCUMENT A/5460

Draft Declaration on the Elimination of All Forms of Religious Intolerance

Note by the Secretary-General

[Original text: English]
[29 July 1963]

1. In resolution 1781 (XVII) of 7 December 1962, the General Assembly requested the Economic and Social Council to ask the Commission on Human Rights, bearing in mind the views of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the debates at the seventeenth session of the General Assembly, any proposals on this matter submitted by Governments, and any international instruments already adopted in this field by the specialized agencies, to prepare: (a) a draft declaration on the elimination of all forms of religious intolerance, to be submitted to the Assembly for consideration at its eighteenth session; and (b) a draft international convention on the elimination of all forms of religious intolerance, to be submitted to the Assembly if possible at its nineteenth session and, in any case, not later than at its twentieth session. By the same resolution, the General Assembly invited Member States to submit their comments and proposals concerning the draft convention by 15 January 1964.

2. At its resumed thirty-fourth session the Economic and Social Council, on 19 December 1962,¹ decided to transmit the General Assembly resolution to the Commission on Human Rights and to the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

3. At its fifteenth session (14 January-1 February 1963) the Sub-Commission agreed that no attempt should be made at that session to prepare a draft of a convention, since the draft convention was to be submitted to the General Assembly only at the Assembly's

nineteenth or twentieth session. With reference to the draft declaration, the Sub-Commission unanimously adopted resolution 8 (XV) (see E/CN.4/846 and Corr.1, para. 221), in which it expressed the view that the draft principles on freedom and non-discrimination in the matter of religious rights and practices which it had prepared in its resolution 1 (XII) (see E/CN.4/800), and which were under examination by the Commission on Human Rights, contain the basic elements which should be included in a draft declaration on the elimination of all forms of religious intolerance. The Sub-Commission urged the Commission to take special measures to complete its examination of these draft principles at its nineteenth session in order that a draft declaration might be submitted to the General Assembly for consideration at its eighteenth session.

4. The Commission on Human Rights held a brief exchange of views on General Assembly resolution 1781 (XVII) at its nineteenth session (see E/3743, chap. X), held in Geneva from 11 March to 5 April 1963, and noted resolution 8 (XV) of the Sub-Commission. In resolution 10 (XIX) (*ibid.*), adopted at its 769th meeting on 3 April 1963, the Commission decided to give priority at its twentieth session to preparing a draft declaration on the elimination of all forms of religious intolerance. The Commission requested the Sub-Commission on Prevention of Discrimination and Protection of Minorities to prepare and submit to the Commission, at its twentieth session, a preliminary draft of a declaration on the elimination of all forms of religious intolerance, taking into account the views expressed during the debate on this subject at the nineteenth session of the Commission, and requested the

¹ Official Records of the Economic and Social Council, Resumed Thirty-fourth Session, 1238th meeting.

Secretary-General to invite the Governments of Member States to submit any proposals which they may wish to make as to the provisions which such a declaration should contain, in time for consideration by the Commission at its twentieth session.

5. On the recommendation of the Commission, the Economic and Social Council, in resolution 958 F (XXXVI) dated 12 July 1963, took note of resolution 10 (XIX) of the Commission and drew the attention of the General Assembly to this resolution.

DOCUMENT A/5461

Draft Declaration on the Right of Asylum

Note by the Secretary-General

[Original text: English]
[29 July 1963]

1. At the seventeenth session of the General Assembly, the Third Committee began its consideration of the draft Declaration on the Right of Asylum and approved texts for the preamble and article 1. In resolution 1839 (XVII), adopted at the 1198th plenary meeting on 19 December 1962, the Assembly decided to take up the draft Declaration as soon as possible at its eighteenth session and to devote as many meetings as necessary to the completion of it.

2. The text of the Declaration as proposed by the Commission on Human Rights is reproduced in paragraph 6 of document A/5359; the texts of the preamble and article 1, as approved by the Third Committee are reproduced in the annex to the same docu-

ment. A brief account of the work on the Declaration in the Commission on Human Rights and in the Economic and Social Council may be found in document A/4792.

3. During the seventeenth session several amendments to the draft Declaration were proposed in the Third Committee which were not considered by the Committee. These are contained in the following documents: A/C.3/L.1035 and Add.1 (Costa Rica, Norway and Togo); A/C.3/L.1036 (Brazil); A/C.3/L.1037 (Greece); A/C.3/L.1038 (Poland); A/C.3/L.1039/Rev.3 (Belgium); A/C.3/L.1043/Rev.1 (USSR); and A/C.3/L.1045 (Algeria, Guinea, Iraq, Mali, Morocco and United Arab Republic).

DOCUMENT A/5463

Measures to accelerate the promotion of respect for human rights and fundamental freedoms

Note by the Secretary-General

[Original text: English]
[30 July 1963]

1. At its seventeenth session in 1962 the General Assembly, upon the recommendation of the Third Committee (see A/5314, paras. 68-78 and 95), adopted resolution 1776 (XVII), dated 7 December 1962, on the further promotion and encouragement of respect for human rights and fundamental freedoms. In this resolution, the General Assembly proposed that the Economic and Social Council should instruct the Commission on Human Rights to study and to encourage the adoption of measures designed to accelerate the promotion of respect for human rights and fundamental freedoms and to devote special attention to this matter during the United Nations Development Decade. The Commission on Human Rights was also to submit a report and recommendations on this question at the eighteenth session of the General Assembly.

2. The Economic and Social Council, at its resumed thirty-fourth session, decided to forward the General Assembly resolution to the Commission on Human Rights.²

3. The Economic and Social Council at its thirty-sixth session considered the first report and recommendations on this question submitted by the Commission on Human Rights at its nineteenth session (see E/3743, chap. VIII). The Council, on 12 July 1963, adopted resolution 958 D (XXXVI) on the further promotion and encouragement of respect for human rights and fundamental freedoms.

4. In part I of resolution 958 D (XXXVI) the Council transmitted to the General Assembly, in accordance with the request made in the latter's resolution 1776 (XVII), the first report made by the Commission on Human Rights at its nineteenth session (*ibid.*, para. 88), together with the records of the discussion on this subject at that session.³ It further recommended that the General Assembly adopt the following draft resolution at its eighteenth session:

"The General Assembly,

"Recognising the need, during the United Nations Development Decade, to devote special attention, both on the national and international level, to progress in the field of human rights and to encourage the adoption of measures designed to accelerate the promotion of respect for and observance of human rights and fundamental freedoms,

"1. Urges all Governments to make special efforts during the United Nations Development Decade to promote respect for and observance of human rights and fundamental freedoms, and invites particularly the Governments of developing countries to include in their plans for economic and social development, to the extent of their available resources, measures directed towards the achievement of further progress in the implementation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights;

² *Ibid.*

³ E/CN.4/SR.753-756 and 769-770.

"2. *Calls upon* the technical assistance authorities of the United Nations and the specialized agencies to give all possible assistance, within the framework of their programmes during the Development Decade, with a view to the achievement of progress in the field of human rights."

5. In part II of resolution 958 D (XVII) the Council expressed the hope that the Third Committee of the General Assembly would devote, at the eighteenth and

subsequent sessions of the Assembly, the maximum possible time to the completion of its work on the draft International Covenants on Human Rights; invited universities, institutes, learned societies, trade unions and other organization to contribute to the advancement of human rights, through education, research, discussions and publications; and requested the Secretary-General to collect documentation on new ideas and recent experiments concerning the protection of human rights.

DOCUMENT A/5483

Draft Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages

Memorandum by the Secretary-General

[Original text: English]
[27 August 1963]

INTRODUCTION

1. On completing the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages on 7 November 1962, the General Assembly, in resolution 1763 B (XVII), requested the Economic and Social Council to ask the Commission on the Status of Women "to consider the draft Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (Economic and Social Council resolution 821 III B (XXXII)) in the light of the discussions in the General Assembly on the draft Convention relating to the same subject, and to report back in time for consideration of the draft Recommendation by the Assembly at its eighteenth session". The Council, at its resumed thirty-fourth session,⁴ transmitted this resolution to the Commission.

2. The Commission on the Status of Women, at its seventeenth session in March 1963, revised the draft Recommendation, making the substantive provisions contained in paragraph I (1), (2) and (3) almost identical with those set forth in articles 1, 2 and 3 of the Convention. The Economic and Social Council, at its thirty-sixth session in July 1963, in resolution 961 H (XXXVI), forwarded to the General Assembly the draft recommendation as revised by the Commission, together with the comments and views expressed in the Social Committee of the Council. Further details of these decisions of the Commission and the Council are given in paragraphs 8-14 and 15-17 below.

3. The text of Council resolution 961 H (XXXVI) containing the draft Recommendation which is before the General Assembly for consideration is reproduced in annex I to the present document. For the convenience of members of the Assembly, the text of the preamble and three substantive articles of the Convention have been reproduced in annex II.

4. Attention is drawn to a memorandum prepared by the Secretary-General for the General Assembly at its sixteenth session (A/4844), in which are described the relevant decisions of the Economic and Social Council and the Commission on the Status of Women relating to the preparation of the draft Convention and the draft Recommendation from 1956 (when the question of studying free consent to marriage and the establish-

ment of a minimum age for marriage was first raised)⁵ to 1961. That year the Council, in resolution 821 III A (XXXII), recommended to the General Assembly that an international convention on free consent to marriage, minimum age of marriage and registration of marriages be adopted as soon as possible, and transmitted to the General Assembly, as the basis for such a convention, the text of the preamble and three substantive articles adopted by the Commission on the Status of Women at its fifteenth session in 1961, together with amendments to those texts proposed in the Council at its thirty-second session, and the records of the relevant discussions. In resolution 821 III B (XXXII) the Council transmitted to the General Assembly the text of the draft recommendation on the same subject adopted by the Commission on the Status of Women at its fifteenth session, together with amendments proposed in the Council and the records of its discussions.

5. It will be recalled that the General Assembly, at its sixteenth session, in 1961, basing its consideration on the text forwarded to it by the Council in resolution 821 III A (XXXII), adopted the preamble and substantive articles of the draft Convention, and that it completed its work at the seventeenth session in 1962 by adopting the formal and final clauses and the Convention as a whole, opening it for signature on 10 December 1962.⁶

6. The General Assembly did not discuss the text of the draft Recommendation at either the sixteenth or seventeenth session. The text which the Commission on the Status of Women was asked to consider in reso-

⁵ The question was first raised at the Conference of Plenipotentiaries, convened in August 1956 to complete and adopt a Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery. The Conference recommended, in a resolution, that the Council "consider the appropriateness of initiating a study of the question of marriage with the object of drawing attention to the desirability of free consent of both parties and of the establishment of a minimum age for marriage, preferably of not less than fourteen years" (see United Nations Conference of Plenipotentiaries on a Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, held at Geneva, 13 August to 4 September, 1956, *Final Act and Supplementary Convention* (United Nations publication, Sales No.: 57.XIV.2), Final Act).

⁶ By 15 August 1963 there were thirteen signatories: Ceylon, Chile, China, France, Greece, Guinea, Israel, Netherlands, Philippines, Poland, Sweden, United States of America and Yugoslavia.

⁴ *Official Records of the Economic and Social Council, Resumed Thirty-fourth Session, 1238th meeting.*

lution 1763 B (XVII), therefore, is that which the Commission itself had prepared at its fifteenth session in 1961, and which the Council had transmitted to the General Assembly in resolution 821 III B (XXXII).

7. In reviewing the new text of the draft Recommendation prepared by the Commission at its seventeenth session, the General Assembly may wish to refer to the relevant reports of the Third Committee relating to the draft Convention (A/5035 and A/5273). Attention is drawn in particular to that of the sixteenth session in which the discussions on the preamble and substantive articles of the draft Convention are summarized, and all the amendments submitted to these provisions are described, together with the voting on them. Attention is also drawn to the relevant summary records of the discussion in the Third Committee during the sixteenth session (1062nd-1070th, 1133rd and 1134th meetings).

DECISIONS TAKEN BY THE COMMISSION ON THE STATUS OF WOMEN AT ITS SEVENTEENTH SESSION (MARCH 1963) (SEE E/3749, PARAS. 143-169)

8. The Commission on the Status of Women, at its fifteenth session in 1961, had decided to incorporate the same principles relating to consent to marriage and registration of marriages in both the draft Convention and draft Recommendation which it adopted at that time. Paragraphs I (1) and I (3) of the draft Recommendation and articles 1 and 3 of the draft Convention of 1961, therefore, were written in almost identical terms. The approach to the provision on minimum age for marriage in the two instruments was, however, different. The Commission was of the view that, in a legally binding instrument such as the draft Convention, there would be great difficulty in fixing a suitable minimum age which a large majority of Governments could accept. It decided to incorporate in article 2 of the draft Convention the general principle that States Parties would take legislative action to prescribe a minimum age for marriage. The corresponding provision of the draft recommendation (paragraph I (2)), which the Commission adopted in 1961, specified fifteen years as the age below which no marriage might be entered into legally. The Commission thought that such a provision in the draft Recommendation could be used as a desirable minimum standard by Governments when determining a suitable age for marriage.

9. In the general debate on the draft Recommendation at the seventeenth session of the Commission in 1963, some representatives questioned the need for a recommendation embodying essentially the same principles as those incorporated in the Convention already adopted. It was suggested that the recommendation should include more detailed provisions on the three basic principles set forth in the Convention, and might indicate methods and procedures for giving effect to those principles, based on methods and procedures which had been found useful in various countries with different religious and cultural backgrounds and different legal systems.

10. Other representatives believed that it would be unwise to reopen discussion of the three basic principles which had already been accepted; that would mean considerable delay in completing the recommendation and moreover it might prove difficult to reach agreement. It was recalled that the draft Recommendation before the Commission had been unanimously adopted

by it in 1961. The mandate from the General Assembly was to review that text in the light of the Assembly's discussion on the draft Convention, and to report in time for the Assembly to consider the draft Recommendation at its eighteenth session in 1963. It was thought that the wisest course would be to revise the substantive provisions of the draft Recommendation to conform to those of the Convention. The recommendation, when adopted by the General Assembly, would exert great moral influence on States, whether or not they were parties to the Convention, and would, therefore, be of considerable value.

11. Amendments submitted to the draft Recommendation by China (see E/3749, para. 158), Poland (*ibid.*, para. 160), Spain (*ibid.*, para. 156) and the United Kingdom (*ibid.*, paras. 149 and 155) were all adopted by the Commission. Two of these, designed to bring the substantive provisions of the recommendation into line with those of the Convention, raised points which had been discussed at length in the General Assembly in relation to the Convention, namely the question of proxy marriages and the minimum age for marriage.

12. The amendment relating to marriage by proxy (submitted by Spain) proposed the addition to paragraph I (1) of the draft Recommendation of a provision drafted in the same terms as article 1, paragraph 2, of the Convention. Some representatives defended marriage by proxy even under circumstances that could not be considered as exceptional, and explained the part played by proxy marriages in the social and religious systems of their countries. Others thought that many countries could not accept the idea of marriage by proxy and it would be preferable not to add such a controversial provision to the draft Recommendation.⁷

13. The amendment relating to the provision on minimum age for marriage (submitted by China) proposed that paragraph I (2) of the draft recommendation should be revised and presented in terms similar to article 2 of the Convention. Representatives on the Commission agreed that the requirement of a minimum age for marriage was essential to the purposes of the Convention and the draft Recommendation, which was to eliminate child marriages. Differences of opinion existed, however, as to whether or not the draft Recommendation should mention a specific age, and also as to what that age should be. Some considered that fifteen years was too low, others thought it was too high for universal acceptance. Several representatives expressed the view that conditions in various countries differed so greatly that it would be preferable to leave it to each country to decide the precise age for marriage as had been done in the Convention.⁸

14. The resolution forwarding the revised text of the draft Recommendation to the Council was unanimously adopted by the Commission.

DECISIONS TAKEN BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS THIRTY-SIXTH SESSION (JULY 1963)

15. When the recommendation of the Commission on the Status of Women was discussed in the Council at its thirty-sixth session, the value of having a con-

⁷ In this amendment, the words "that the circumstances are exceptional and" were adopted by 11 votes to 2, with 8 abstentions, and the amendment as a whole by 9 votes to 5, with 7 abstentions.

⁸ The amendment was adopted by 8 votes to 5, with 5 abstentions.

vention and a recommendation, the substantive provisions of which were drafted in virtually identical terms, was questioned. Regret was expressed that the Commission had deleted from paragraph I (2) of the draft Recommendation any reference to a specific minimum age for marriage. It was pointed out that the purpose of both instruments was to prevent child marriages: while it might be difficult to stipulate a minimum age for marriage in a convention, to omit a specific age from the recommendation, which should go further than the Convention, greatly detracted from its value. It was considered unrealistic to speak of "full and free consent" of parties to a marriage unless a minimum age for marriage were specified. The question was also directly related to social, educational and economic conditions, for, if women were to play their full part in the development and life of the country, it was essential for them to have at least a secondary education, and this would automatically raise the age at which they would marry. It was suggested that the recommendation should stipulate a minimum age for marriage, setting a standard with which Governments could comply, if not immediately, then by progressive stages in a few years' time. Several representatives in the Council expressed the hope that the final text of the draft Recommendation as adopted by the Assembly would mention a specific minimum age below which entry into marriage should not be legally permitted.

16. Attention was drawn to certain discrepancies of wording which existed in the text of paragraph I of the draft Recommendation and article 1 of the Convention, and it was agreed that these should be removed.

17. The Council adopted by 16 votes to none, with 1 abstention, resolution 961 H (XXXVI) by which it forwarded the draft Recommendation to the General Assembly, and, at the same time, transmitted the comments and views expressed in the Social Committee.⁹

ANNEX I

DRAFT RECOMMENDATION ON CONSENT TO MARRIAGE, MINIMUM AGE FOR MARRIAGE AND REGISTRATION OF MARRIAGES

[For the text of the draft Recommendation, see Official Records of the Economic and Social Council, Thirty-sixth Session, Supplement No. 1, resolution 961 H (XXXVI).]

ANNEX II

PREAMBLE AND SUBSTANTIVE ARTICLES OF THE CONVENTION ON CONSENT TO MARRIAGE, MINIMUM AGE FOR MARRIAGE AND REGISTRATION OF MARRIAGES

[For the text of the preamble and substantive articles of the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, see Official Records of the General Assembly, Seventeenth Session, Supplement No. 17, resolution 1763 A (XVII).]

⁹ E/AC.7/SR.476-478.

DOCUMENT A/5667

Report of the Third Committee

[Original text: English]
[12 December 1963]

1. At its 1210th plenary meeting, on 20 September 1963, the General Assembly decided to include the above-mentioned items on its agenda and to allocate them to the Third Committee for consideration and report.

2. At its 1287th meeting, on 11 December 1963, the Third Committee decided, on the proposal of the representatives of the Philippines and Saudi Arabia, that, owing to lack of time, it was unable to consider the above-mentioned items. The Committee therefore recommended the General Assembly to postpone consideration of these items to its nineteenth session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1279th meeting, on 12 December 1963, the General Assembly approved the recommendation of the Third Committee (A/5667, para. 2) to postpone to the nineteenth session the consideration of agenda items 40, 41, 42, 44, 45 and 46.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda items 40, 41, 42, 44, 45 and 46 which are not reproduced in the present fascicle.

Document No.	Title	Observations and references
A/3868 and Add.1-8	Views and suggestions of Governments concerning the draft Convention on Freedom of Information: report of the Secretary-General	Mimeographed
A/4173 and Corr.1 and Add.1-3	Comments by Governments on the text of the draft Convention on Freedom of Information (A/AC.42/7) and Corr.1, annex): report of the Secretary-General	Ditto
A/4341	Report of the Third Committee	Official Records of the General Assembly, Fourteenth Session, Annexes, agenda item 35

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4636	Report of the Third Committee	<i>Ibid.</i> , Fifteenth Session, Annexes, agenda item 35
A/4792	Memorandum by the Secretary-General	<i>Ibid.</i> , Sixteenth Session, Annexes, agenda item 38
A/4844	Memorandum by the Secretary-General	<i>Ibid.</i> , agenda item 85
A/5035	Report of the Third Committee	<i>Ibid.</i>
A/5041	Report of the Third Committee	<i>Ibid.</i> , agenda item 36
A/5273	Report of the Third Committee	<i>Ibid.</i> , Seventeenth Session, Annexes, agenda item 44
A/5314	Report of the Third Committee	<i>Ibid.</i> , agenda item 12
A/5359	Report of the Third Committee	<i>Ibid.</i> , agenda item 46
A/5473 and Add.1-2	Manifestations of racial prejudice and national and religious intolerance: report of the Secretary-General	Mimeographed
A/AC.42/7 and Corr.1	Committee on the draft Convention on Freedom of Information: report to the Economic and Social Council	<i>Official Records of the General Assembly, Seventh Session, Annexes, agenda item 29</i>
A/C.3/L.843	Colombia, Ecuador and Venezuela: amendment to the draft Convention on Freedom of Information (A/AC.42/7 and Corr.1, annex	<i>Ibid.</i> , Fifteenth Session, Annexes, agenda item 35, document A/4401, para. 3
A/C.3/L.1035 and Add.1	Costa Rica, Norway and Togo: amendments to articles 2, 3 and 4 of the draft Declaration on the Right of Asylum	<i>Ibid.</i> , Seventeenth Session, Annexes, agenda item 46
A/C.3/L.1036	Brazil: amendment to article 4 of the draft Declaration on the Right of Asylum	<i>Ibid.</i>
A/C.3/L.1037	Greece: amendments to articles 2 and 4 of the draft Declaration on the Right of Asylum	<i>Ibid.</i>
A/C.3/L.1038	Poland: amendments to the title and articles 1, 2, 3 and 4 of the draft Declaration on the Right of Asylum and proposal for the addition of a new article 6	<i>Ibid.</i>
A/C.3/L.1039/Rev.3	Belgium: revised amendments to articles 1 and 3 of the draft Declaration on the Right of Asylum	<i>Ibid.</i>
A/C.3/L.1043/Rev.1	Union of Soviet Socialist Republics: revised amendments to the preamble and article 4 of the draft Declaration on the Right of Asylum	<i>Ibid.</i>
A/C.3/L.1045	Algeria, Guinea, Iraq, Mali, Morocco and United Arab Republic: amendments to document A/C.3/L.1035	<i>Ibid.</i>
E/3323 and Add.1-5	Comments of governments on the question of a declaration on freedom of information: note by the Secretary-General	Mimeographed
E/3743-E/CN.4/857	Report of the Commission on Human Rights on its nineteenth session (11 March-5 April 1963)	<i>Official Records of the Economic and Social Council, Thirty-Sixth Session, Supplement No. 8</i>
E/3749-E/CN.6/413	Report of the Commission on the Status of Women on its seventeenth session (11-29 March 1963)	<i>Ibid.</i> , Supplement No. 7
E/CN.4/800	Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (twelfth session) to the Commission on Human Rights	Mimeographed
E/CN.4/846 and Corr.1	Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (fifteenth session) to the Commission on Human Rights	Ditto



Agenda item 43: Draft Declaration on the Elimination of All Forms of Racial Discrimination*

C O N T E N T S

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A/C.3/L.1142	Drafting suggestions submitted by the Rapporteur	2
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* For the discussion of this item, see *Official Records of the General Assembly, Eighteenth Session, Third Committee*, 1213th to 1233rd, 1237th, 1242nd, 1244th to 1252nd meetings; and *ibid.*, *Plenary Meetings*, 1260th and 1261st meetings.

DOCUMENT A/5459

Note by the Secretary-General

[Original language: English]
[29 July 1963]

1. In resolution 1780 (XVII), of 7 December 1962, the General Assembly requested the Economic and Social Council to ask the Commission on Human Rights, bearing in mind the views of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the debates at the seventeenth session of the General Assembly, any proposals on this matter that might be submitted by Governments and any international instruments already adopted in this field by the specialized agencies, to prepare: (a) a draft declaration on the elimination of all forms of racial discrimination, to be submitted to the General Assembly for consideration at its eighteenth session, and (b) a draft international convention on the elimination of all forms of racial discrimination, to be submitted to the General Assembly, if possible at its nineteenth session and, in any case, not later than at its twentieth session. By the same resolution, the General Assembly invited Member States to submit their comments and proposals concerning the draft convention by 15 January 1964.

2. At its resumed thirty-fourth session the Economic and Social Council, on 19 December 1962 (1238th meeting), decided to transmit General Assembly resolution 1780 (XVII) to the Commission on Human Rights and to the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

3. At its fifteenth session, held from 14 January to 1 February 1963, the Sub-Commission agreed that no attempt should be made at that session to prepare a draft of a convention, since the draft convention was to be submitted to the General Assembly only at the Assembly's nineteenth or twentieth session. The Sub-Commission did, however, adopt resolution 7 (XV) submitting to the Commission on Human Rights the draft declaration on the elimination of all forms of racial discrimination which was annexed to that resolution (see E/3743, para. 93).

4. At its nineteenth session, held at Geneva from 11 March to 5 April 1963, the Commission on Human Rights considered item 12 of its agenda, "Draft declaration and draft convention on the elimination of all forms of racial discrimination" (*ibid.*, paras. 89-145) and adopted a draft declaration on the elimination of all forms of racial discrimination (*ibid.*, chap. XIII, draft resolution VI, annex). On the recommendation of the Commission, the Economic and Social Council, in resolution 958 E (XXXVI) dated 12 July 1963, submitted the draft declaration prepared by the Commission to the General Assembly for consideration at its eighteenth session, together with the summary records of the debates of the Commission.¹

¹ See E/CN.4/SR.740-744 and 757-767.

DOCUMENT A/C.3/L.1133

Financial implications of the draft resolution contained in document A/C.3/L.1126/Rev.1

Note by the Secretary-General

[Original language: English]
[17 October 1963]

1. In accordance with rule 154 of the rules of procedure of the General Assembly, the Secretary-General submits herewith a statement of the financial implications of the draft resolution contained in document A/C.3/L.1126/Rev.1.

2. The draft resolution requests the Secretary-General to ensure the immediate and large-scale circulation of the Declaration on the Elimination of All Forms of Racial Discrimination, and to that end to publish and distribute texts in all languages possible.

3. The Secretary-General would endeavour, by adjustment of priorities in the publications programme of the Office of Public Information, to publish and distribute the texts of the declaration in some thirty languages by using, as required, the existing appropriations for 1963 and those requested for 1964.

DOCUMENT A/C.3/L.1142

Drafting suggestions submitted by the Rapporteur

[Original language: English/French/Spanish/Russian]
[24 October 1963]

1. In the course of the discussion of the draft Declaration on the Elimination of All Forms of Racial Discrimination in the Third Committee, it has frequently been stated that certain drafting changes may be required and, in particular, that the various language versions of the draft Declaration should be examined by the Rapporteur in order to ensure conformity one with another.

2. The Rapporteur has the honour to submit to the Committee the text of the draft Declaration incorporating certain suggestions, intended only as drafting suggestions not affecting the substance. In a few cases, the changes proposed apply to all language versions. In other cases, the Rapporteur has taken as the basic text the original language of the proposals which had become the text adopted, and has made any changes which appeared necessary in the other languages.

3. The deletions suggested are in brackets and the additions are underlined, with explanatory footnotes, in the text of the draft Declaration which is annexed. The text, as adopted by the Committee, may be found in document A/C.3/L.1131.

ANNEX

DRAFT DECLARATION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

The General Assembly,

Considering that the Charter of the United Nations is based on the principles of the dignity and equality of all human beings and seeks, among other basic objectives, to achieve international co-operation [by] *in*^a promoting and encouraging respect for human rights and *for*^a fundamental freedoms for all without distinction as to race, sex, language or religion,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in

^a This change is suggested in the English, Spanish and Russian texts.

dignity and rights and that everyone is entitled to all the rights and freedoms set out in the Declaration, without distinction of any kind, in particular race, colour or national origin,

Considering that the Universal Declaration of Human Rights^b proclaims further that all are equal before the law and are entitled without any discrimination to equal protection of the law and that all are entitled to equal protection against any discrimination and against any incitement to such discrimination,

Considering that the United Nations has condemned colonialism, and all practices of segregation and discrimination associated therewith, and that the Declaration on the granting of independence to colonial countries and peoples proclaims in particular the necessity of bringing it to a speedy and unconditional end,

Considering that any doctrine of racial differentiation or superiority is scientifically false, morally condemnable, socially unjust and dangerous, and that there is no justification for racial discrimination either in theory or in practice,

Taking into account the other resolutions adopted by the General Assembly and the international instruments adopted by the specialized agencies, especially the International Labour Organisation and the United Nations Educational, Scientific and Cultural Organization, in the field of discrimination,

Taking into account the fact that, although international action and efforts made in a number of countries have made it possible to achieve progress in that field, discrimination based on race, colour or ethnic origin in certain areas of the world none the less continues to give cause for serious concern,

Alarmed by the manifestation of racial discrimination still in evidence in some areas of the world, some of which are imposed by certain Governments by means of legislative, administrative or other measures, in the form, *inter alia*, of *apartheid*, segregation and separation, as well as by the promotion and dissemination of doctrines of racial superiority and expansionism in certain areas,

Convinced that all forms of racial discrimination, and still more so governmental policies based on the prejudice of racial

^b This change is suggested in all languages.

superiority or on racial hatred, besides constituting a violation of fundamental human rights, tend to jeopardize friendly relations among peoples, co-operation between nations and international peace and security,

Convinced also that racial discrimination harms not only those who are [the] *its* objects [of discrimination] but also those who practise it,^c

Convinced further^d that the building of a world society free from all forms of racial segregation and discrimination, factors which create hatred and division among men, is one of the fundamental objectives of the United Nations,

Solemnly affirms the necessity of speedily eliminating racial discrimination throughout the world and in all its forms and manifestations and of securing understanding of and respect for the dignity of the human person,

Solemnly affirms the necessity of adopting national and international measures to that end, including teaching, education and information, in order to secure the universal and effective recognition and observance of the principles set forth below, and

Proclaims [the following] this^b Declaration:

Article 1

Discrimination between human beings on the grounds of race, colour or ethnic origin is an offence to human dignity and shall be condemned as a denial of the principles of the Charter of the United Nations, as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights, as an obstacle to friendly and peaceful relations among nations and as [an act] *a fact*^c capable of disturbing peace and security among peoples.

Article 2

1. No State, institution, group or individual shall make any discrimination whatsoever in matter of human rights and fundamental freedoms in [the treatment] *respect*^d of persons, groups of persons or institutions on the grounds of race, colour or ethnic origin.

2. No State shall encourage, advocate, or lend its support, through police action or otherwise, to any discrimination based on race, colour or ethnic origin by any group, institution, or individual.

3. Special concrete measures shall be taken in appropriate circumstances in order to secure adequate development or protection of individuals belonging to certain racial groups with the object of ensuring the full enjoyment by such individuals of human rights and fundamental freedoms. These measures shall in no circumstances have as a consequence the maintenance of unequal or separate rights for different racial groups.

Article 3

1. Particular efforts shall be made to prevent discrimination based on race, colour or ethnic origin, especially in the fields of civil rights, access to citizenship, education, religion, employment, occupation and housing.

2. Everyone shall have equal access to any place or facility intended for use by the general public, without distinction as to race, colour or ethnic origin.

Article 4

All States shall take effective measures to revise governmental and other public policies and to rescind laws and regulations which have the effect of creating and perpetuating racial discrimination wherever it still exists. They should pass legislation for prohibiting such discrimination and should take all appropriate measures to combat those prejudices which lead to racial discrimination.

Article 5

An end shall be put without delay to governmental and other public policies of racial segregation and especially policies of *apartheid*, as well as all forms of racial discrimination and separation resulting from such policies.

Article 6

No discrimination by reason of race, colour, or ethnic origin shall be admitted in the enjoyment by any person of political and citizenship rights in his country, in particular the right to participate in elections through universal and equal suffrage and to take part in the government. Everyone has the right of equal access to public service in his country.

Article 7

1. Everyone has the right to equality before the law and to equal justice under the law. Everyone, without distinction as to race, colour, or ethnic origin, has the right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials, or by any individual, group, or institution.

2. Everyone shall have the right to an effective *protection and remedy* [and protection]^b against any discrimination he may suffer on the ground of race, colour or ethnic origin with respect to his fundamental rights and freedoms through independent national tribunals competent to deal with such matters.

Article 8

All effective steps shall [immediately] be taken *immediately* in the fields of teaching, [and] education, and [in the field of] information, with a view to eliminating racial discrimination and prejudice and promoting understanding, tolerance and friendship among nations and racial groups, as well as to propagating the purposes and principles of the Charter of the United Nations, [and] of the Universal Declaration of Human Rights, and of the Declaration on the granting of independence to colonial countries and peoples.^c

Article 9

1. All propaganda and organizations based on ideas or theories of the superiority of one race or group of persons of one colour or ethnic origin, with a view to justifying or promoting racial discrimination in any form, shall be severely condemned.

2. All incitement to, or acts of violence, whether by individuals or organizations, against any race or group of persons of another colour or ethnic origin shall be considered an offense against society and punishable under law.

3. In order to put into effect the purposes and principles of this Declaration, all States shall take immediate and positive measures including legislative and other measures to prosecute and/or outlaw organizations which promote racial discrimination or incite to or use violence for the purpose of discrimination based on race, colour or ethnic origin.

Article 10

The United Nations, the specialized agencies, States and non-governmental organizations [should] *shall*^a do all in their power to promote energetic action which, by combining legal and other practical measures, will make possible the abolition of all forms of racial discrimination. They shall, in particular, study the causes of such discrimination with a view to recommending appropriate and effective measures to combat and eliminate it.

Article 11

Every State shall promote respect for and observance of human rights and fundamental freedoms in accordance with the Charter of the United Nations, and shall fully and faithfully observe the provisions of the present Declaration, the Universal Declaration of Human Rights and the Declaration on the granting of independence to colonial countries and peoples.

^c This change is suggested in the English text.

^d This change is suggested in the English and Spanish texts.

DOCUMENT A/C.3/L.1145

Financial implications of the draft resolution contained in document A/C.3/L.1137 and Add.1-2

Note by the Secretary-General

[Original language: English]
[25 October 1963]

1. The operative paragraph of the draft resolution in document A/C.3/L.1137 and Add.1-2 requests the Economic and Social Council to ask the Commission on Human Rights to prepare a draft international convention on the elimination of all forms of racial discrimination, for consideration by the General Assembly at its nineteenth session.

2. Inasmuch as the Economic and Social Council, at its thirty-sixth session, formally decided that none of its functional Commissions, except the Commission on Narcotic Drugs, should meet in 1964,² the Secretary-

² See *Official Records of the Economic and Social Council, Thirty-sixth Session*, 1297th meeting.

General would, if the draft resolution is approved by the General Assembly, bring the request for consideration and decision to the attention of the Council at its resumed thirty-sixth session to convene in December 1963.

3. The convening of a session of the Commission on Human Rights in 1964, to carry out the task referred to in the draft resolution, has budgetary implications. These are being reported on separately in document A/C.3/L.1144³ relating to the draft resolution in document A/C.3/L.1136 and Add.1-2.

³ See annex fascicle relating to agenda item 12.

DOCUMENT A/5603*

Report of the Third Committee

[Original language: English]
[12 November 1963]

INTRODUCTION

1. In resolution 1780 (XVII) of 7 December 1962, the General Assembly requested the Economic and Social Council to ask the Commission on Human Rights, bearing in mind the views of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the debates at the seventeenth session of the General Assembly, any proposals on this matter that might be submitted by Governments and any international instruments already adopted in this field by the specialized agencies, to prepare a draft declaration on the elimination of all forms of racial discrimination, to be submitted to the Assembly for consideration at its eighteenth session. The Commission on Human Rights accordingly adopted a draft declaration on the elimination of all forms of racial discrimination (see E/3743, chap. XIII, draft resolution VI, annex) at its nineteenth session, held in Geneva from 11 March to 5 April 1963. The Economic and Social Council, in resolution 958 E (XXXVI), of 12 July 1963, submitted this draft declaration, together with the summary records of the debates of the Commission,⁴ to the General Assembly for consideration at its eighteenth session.

2. At its 1210th plenary meeting, held on 20 September 1963, the General Assembly allocated item 43, "Draft Declaration on the Elimination of All Forms of Racial Discrimination", to the Third Committee.

3. The Third Committee had before it a note by the Secretary-General (A/5459) outlining the history of the consideration of the question in the United Nations, which included the text of the draft declaration prepared by the Commission on Human Rights, and the relevant section of the report of the Economic and Social Council to the General Assembly (A/5503, chap. X, sec. II).

* Incorporating document A/5603/Corr.1.

⁴ See E/CN.4/SR.740-744 and 757-767.

4. The Third Committee devoted thirty meetings (1213th to 1233rd meetings, held between 26 September and 16 October 1963; 1242nd meeting, held on 25 October 1963; 1244th to 1249th meetings, held from 28 to 31 October 1963; 1251st meeting, held on 1 November 1963; and 1252nd meeting, held on 6 November 1963) to the consideration of the draft Declaration on the Elimination of All Forms of Racial Discrimination.

5. Nine of the meetings (1213th to 1221st meetings) were devoted to a general debate. The draft Declaration prepared by the Commission on Human Rights was not opposed by any delegations. Some pointed out that the text had been submitted by the Commission after a thorough and at times arduous debate, and suggested that it be accepted by the Committee as it stood. Others, while approving the text in general terms, felt that it was too restricted in its scope and not sufficiently strong in its wording. They suggested that the draft should be improved and strengthened, and rendered more specific and categorical. In particular, a number of delegations expressed the hope that the Declaration in its final form would clearly define the place of racial discrimination in the present-day world, indicate the close causal link between colonialism and racial discrimination, emphasize the danger which racial discrimination presents to world peace and co-operation between nations, and define more clearly the role and obligations of States and of the United Nations in the struggle against racial discrimination.

6. After the completion of the general debate, the Committee proceeded to examine the preamble and each of the principles of the draft Declaration, taking as a basic text the draft declaration submitted by the Commission on Human Rights. The amendments proposed and the voting thereon are described below. No attempt has been made to summarize the opinions expressed by the various delegations represented on the

Committee, and attention is drawn to the summary records of the discussions where these may be found.

7. The draft Declaration adopted by the Committee contains a preamble and eleven articles. The numbers of the articles quoted in the present report are those of the text as finally adopted by the Third Committee (see para. 183, draft resolution I, below).

8. At the 1217th meeting, held on 1 October 1963, the Committee heard a statement by the representative of the International Labour Organisation (ILO) on the activities of that organization aimed at combating racial discrimination. At the 1220th meeting, held on 3 October 1963, the Committee heard a statement by the representative of the United Nations Educational, Scientific and Cultural Organization (UNESCO) on its activities to further human rights, and within that context to eradicate racial discrimination.

CONSIDERATION OF THE TEXT OF THE DRAFT DECLARATION

9. The Committee discussed the preamble to the draft Declaration at two meetings (1222nd and 1223rd meetings on 7 October 1963).

FIRST PREAMBULAR PARAGRAPH

10. The first preambular paragraph of the draft Declaration, as submitted by the Commission on Human Rights, read as follows:

"Considering that the Charter of the United Nations is based on the principle of the equality of all human beings, and seeks, among other basic objectives, to achieve international co-operation by promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,"

11. The United Kingdom of Great Britain and Northern Ireland proposed (A/C.3/L.1064) that the words "reaffirms faith in the equal rights of men and women and of nations large and small" should be substituted for the words "is based on the principle of the equality of all human beings," and that the term "in promoting" should be substituted for the term "by promoting." These amendments were however withdrawn.

12. Nigeria, Paraguay, and Peru proposed (A/C.3/L.1065) that the words "dignity and" should be inserted between the words "on the principle of the" and "equality".

13. Ceylon proposed (A/C.3/L.1091) that the words "is based on the principle of equality of all human beings" should be replaced by "reaffirms faith in the dignity of the human person, and in the equal rights of all human beings and of all nations, large and small". Saudi Arabia proposed (A/C.3/L.1099) that the words "inherent dignity and" should be inserted before "equality of all human beings". The Ceylonese and Saudi Arabian amendments were however withdrawn.

14. At the 1222nd meeting the amendment proposed by Nigeria, Paraguay and Peru was adopted unanimously. The first preambular paragraph, as amended, was adopted unanimously.

SECOND PREAMBULAR PARAGRAPH

15. The second preambular paragraph, as submitted by the Commission on Human Rights, read as follows:

"Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all those rights and freedoms, without distinction of any kind, in particular race, colour or national origin,"

16. Australia proposed (A/C.3/L.1066) that the words "those rights and freedoms" should be replaced by the words "the rights and freedoms set out in the Declaration".

17. At the 1222nd meeting the Australian amendment was adopted unanimously. The second preambular paragraph, as amended, was adopted unanimously.

THIRD PREAMBULAR PARAGRAPH

18. The third preambular paragraph, as submitted by the Commission on Human Rights, read as follows:

"Considering that the Universal Declaration proclaims further that all are equal before the law and are entitled without any discrimination to equal protection of the law and that all are entitled to equal protection against any discrimination and against any incitement to such discrimination,"

19. At the 1222nd meeting the third preambular paragraph was adopted unanimously.

FOURTH PREAMBULAR PARAGRAPH

20. The fourth preambular paragraph, as submitted by the Commission on Human Rights, read as follows:

"Considering that the Declaration on the granting of independence to colonial countries and peoples affirms that an end must be put to colonialism and all practices of segregation and discrimination associated therewith,"

21. Algeria, Cameroon, Guinea, Chad, Iraq, Lebanon, Mauritania, Niger, Senegal and Togo proposed (A/C.3/L.1068/Rev.2 and Add.1) that the paragraph should be replaced by the following:

"Considering that the United Nations has condemned colonialism and all practices of segregation and discrimination associated therewith and that the Declaration on the granting of independence to colonial countries and peoples proclaims in particular the necessity of bringing it to a speedy and unconditional end,"

22. Saudi Arabia proposed (A/C.3/L.1099) that the word "affirms" should be replaced by the words "solemnly proclaims". However, the proposal was withdrawn.

23. At the 1222nd meeting the ten-Power amendment was adopted by 96 votes to none, with 3 abstentions.

FIFTH PREAMBULAR PARAGRAPH

24. Algeria, Cuba, Guinea, Mali, Mauritania and Senegal proposed (A/C.3/L.1092 and Add.1) that the following text should be added after the fourth preambular paragraph:

"Considering that any doctrine of racial differentiation or superiority is scientifically false, morally condemnable, socially unjust and dangerous; and that there is no justification for racial discrimination either in theory or in practice,"

25. At the request of the representative of the United States of America, a separate vote was taken, at the

1222nd meeting, on the words “differentiation or” in the proposed new paragraph. At the request of the representative of Cuba, a roll-call vote was taken. The words “differentiation or” were approved by 35 votes to 19, with 45 abstentions. The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Bulgaria, Byelorussian Soviet Socialist Republic, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Cuba, Czechoslovakia, Dahomey, Guinea, Haiti, Hungary, Indonesia, Iraq, Ivory Coast, Lebanon, Libya, Mali, Mauritania, Mongolia, Morocco, Niger, Poland, Portugal, Romania, Senegal, Spain, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Colombia, Denmark, Finland, Iceland, Ireland, Italy, Jamaica, Netherlands, New Zealand, Nicaragua, Panama, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Austria, Bolivia, Burma, Burundi, Cambodia, Cameroon, Chile, Costa Rica, Cyprus, Ecuador, France, Gabon, Ghana, Greece, India, Iran, Israel, Japan, Jordan, Kuwait, Laos, Liberia, Madagascar, Malaysia, Mexico, Nepal, Nigeria, Norway, Pakistan, Peru, Philippines, Saudi Arabia, Sierra Leone, Sudan, Sweden, Syria, Tanganyika, Thailand, Togo, Tunisia, United Arab Republic, Upper Volta, Venezuela, Yemen.

26. At the 1222nd meeting, at the request of the representative of Cuba, a roll-call vote was taken on the six-Power proposal. It was adopted by 64 votes to 1, with 34 abstentions. The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Gabon, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Jordan, Kuwait, Laos, Lebanon, Libya, Madagascar, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Peru, Poland, Portugal, Romania, Saudi Arabia, Senegal, Sierra Leone, Spain, Sudan, Syria, Tanganyika, Thailand, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Uruguay, Yemen, Yugoslavia.

Against: Netherlands.

Abstaining: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Cambodia, Canada, Chile, China, Colombia, Denmark, Ecuador, Finland, France, Greece, Iceland, Israel, Italy, Jamaica, Japan, Liberia, Malaysia, Mexico, New Zealand, Nicaragua, Norway, Panama, Philippines, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

SIXTH PREAMBULAR PARAGRAPH

27. The sixth preambular paragraph was based on the text of the fifth preambular paragraph of the text of the Commission on Human Rights, which read as follows:

“*Recalling* the other resolutions adopted by the General Assembly and the international instruments adopted by the specialized agencies, especially the International Labour Organisation and the United Nations Educational, Scientific and Cultural Organization, in the field of discrimination,”.

28. Argentina, Bolivia, Brazil, Ecuador, Mexico, Paraguay and Venezuela proposed (A/C.3/L.1073/Rev.1) that the word “*Recalling*” should be replaced by “*Taking into account*”.

29. At the 1222nd meeting, the seven-Power amendment was adopted by 94 votes to none, with 1 abstention. The paragraph, as amended, was adopted unanimously.

SEVENTH PREAMBULAR PARAGRAPH

30. The seventh preambular paragraph was based on the text of the sixth preambular paragraph of the text of the Commission on Human Rights, which read as follows:

“*Considering* that, although international action and efforts made in a number of countries have made it possible to achieve progress in that field, discrimination based on race, colour or ethnic origin in certain areas of the world none the less continues to give cause for serious concern,”.

31. Argentina, Bolivia, Brazil, Ecuador, Mexico, Paraguay and Venezuela proposed (A/C.3/L.1073/Rev.1) that the word “*Considering*” should be replaced by “*Taking into account the fact*”. Poland proposed (A/C.3/L.1096) that the words “to give cause for serious concern” should be replaced by “to cause serious tension”.

32. At the 1222nd meeting, the seven-Power amendment was adopted by 95 votes to none, with 2 abstentions.

33. The representative of the United States of America proposed that the Committee should not vote on the Polish amendment. In response to an appeal by the Chairman, however, he did not press for a vote on his proposal.

34. At the 1223rd meeting the Polish amendment was rejected by 32 votes to 17, with 33 abstentions. The seventh preambular paragraph, as amended, was adopted unanimously.

EIGHTH PREAMBULAR PARAGRAPH

35. The eighth preambular paragraph was based on the text of the seventh preambular paragraph of the text of the Commission on Human Rights, which read as follows:

“*Disturbed* by the manifestations of racial discrimination still in evidence in some areas of the world, some of which are imposed by certain Governments by means of legislative, administrative or other measures, in the form, *inter alia*, of *apartheid*, segregation and separation, as well as by the promotion and dissemination of doctrines of racial superiority and expansionism in certain areas,”.

36. Argentina, Bolivia, Brazil, Ecuador, Mexico, Paraguay and Venezuela proposed (A/C.3/L.1073/Rev.1) that the word “*Disturbed*” should be replaced by “*Alarmed*”.

37. At the 1223rd meeting, the seven-Power amendment was adopted by 82 votes to none, with 2 abstentions.

38. At the request of the representative of Saudi Arabia, a separate vote was taken on the words “and expansionism”. The words were retained by 63 votes to 9, with 14 abstentions. The eighth preambular paragraph, as amended, was adopted unanimously.

NINTH PREAMBULAR PARAGRAPH

39. The ninth preambular paragraph was based on the text of the eighth preambular paragraph of the text of the Commission on Human Rights, which read as follows:

"Convinced that racial discrimination and governmental policies based on racial superiority or hatred, besides constituting a violation of fundamental human rights, tend to jeopardize friendly relations among peoples, co-operation between nations and international peace and security,".

40. Argentina, Bolivia, Brazil, Ecuador, Mexico, Paraguay and Venezuela proposed (A/C.3/L.1073/Rev.1) that the opening of the paragraph should be amended to read as follows:

"Convinced that all forms of racial discrimination, and still more so governmental policies based on the prejudice of racial superiority or on racial hatred, besides constituting . . ."

Colombia proposed (A/C.3/L.1093) that the word "injurious" should be replaced by the word "degrading". However, at the 1220th meeting the representative of Colombia withdrew the amendment in favour of the seven-Power proposal.

41. Poland and Yugoslavia proposed (A/C.3/L.1097/Rev.1) that the words "may imperil" should be inserted before the words "international peace and security".

42. At the 1223rd meeting the seven-Power amendment was adopted unanimously. The Polish-Yugoslav amendment was rejected by 33 votes to 25, with 31 abstentions. The paragraph, as amended, was adopted unanimously.

TENTH PREAMBULAR PARAGRAPH

43. The tenth preambular paragraph was based on the text of the ninth preambular paragraph of the text of the Commission on Human Rights, which read as follows:

"Convinced also that racial discrimination is injurious not only to those who are the objects of discrimination but also to those who practise discrimination,".

44. Argentina, Bolivia, Brazil, Ecuador, Mexico, Paraguay and Venezuela proposed (A/C.3/L.1073/Rev.1) that the words "is injurious" should be replaced by "harms", and that the word "to" should therefore be deleted.

45. At the 1223rd meeting the seven-Power amendment was adopted by 83 votes to 1, with 10 abstentions. The paragraph, as amended, was adopted by 97 votes to none, with 1 abstention.

ELEVENTH PREAMBULAR PARAGRAPH

46. Guinea, Lebanon and Tunisia proposed (A/C.3/L.1084) that the following paragraph should be inserted in the preamble:

"Convinced that the building of a world society free from all forms of racial segregation and discrimination, factors which create hatred and division among men, is one of the fundamental objectives of the United Nations,".

47. At the 1223rd meeting the proposal was adopted by 88 votes to none, with 7 abstentions.

OPERATIVE PARAGRAPHS

48. The operative paragraphs of the draft Declaration were based on the paragraph following the preamble in the text of the Commission on Human Rights, which read as follows:

"Solemnly affirms the necessity of the speedy elimination of racial discrimination in all its forms and manifestations and proclaims this Declaration in order to secure by national and international measures and by teaching and education the universal and effective recognition and observance of the principles therein set forth:".

49. Argentina, Bolivia, Brazil, Ecuador, Mexico, Paraguay and Venezuela proposed (A/C.3/L.1073/Rev.1) that the paragraph should be replaced by the following:

"1. Solemnly affirms the necessity of speedily eliminating racial discrimination in all its forms and manifestations and of securing understanding of and respect for the dignity of the human person;

"2. Solemnly affirms the necessity of adopting national and international measures to that end, including teaching and education, in order to secure the universal and effective recognition and observance of the principles set forth below; and

"3. Proclaims the following Declaration:".

50. Tunisia proposed (A/C.3/L.1071, as orally revised) the insertion of the words "throughout the world" after the word "dissemination". The seven Powers agreed to incorporate the Tunisian amendment in their own amendment.

51. Uganda proposed (A/C.3/L.1118) that, in the second paragraph of the seven-Power amendment, the word "and" after "including teaching" should be replaced by a comma, that the comma after "education" should be deleted, and that the words "and information" should be added. Another proposal by Uganda (A/C.3/L.1095), to replace the words "in all its forms and manifestations" by "either directly as a deliberate policy of Government or indirectly in the form of films, literature, television and any other forms of mass media" was withdrawn at the 1218th meeting since its substance had been incorporated in the seven-Power amendment.

52. At the 1223rd meeting the first paragraph of the seven-Power amendment was adopted unanimously. The Ugandan sub-amendment to the second paragraph of the seven-Power amendment was adopted by 91 votes to none, with 5 abstentions. The second paragraph of the seven-Power amendment, as amended, was adopted unanimously. The two paragraphs of the seven-Power amendment, together with the words "and Proclaims the following Declaration:", were adopted unanimously.

ARTICLE 1

53. Article 1, discussed at the 1223rd meeting of the Committee on 7 October 1963, was based on article 1 of the text of the Commission on Human Rights, which read as follows:

"Discrimination between human beings on the grounds of race, colour, or ethnic origin is an offence to human dignity and shall be condemned as a denial of the principles of the Charter of the United Nations, as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and as an obstacle to friendly and peaceful relations among nations.".

54. Argentina, Bolivia, Ecuador, Mexico and Venezuela proposed (A/C.3/L.1102) that a new text should be inserted in the draft declaration as article 1, and that the following articles should be renumbered. The new text read as follows:

“Any doctrine of racial differentiation or superiority is scientifically false, morally condemnable, socially unjust and internationally dangerous. There is no justification for racial discrimination either in theory or in practice.”

However, in view of the fact that the Committee had already included a text along these lines in the fifth preambular paragraph, the co-sponsors withdrew their proposal.

55. Argentina, Bolivia, Ecuador, Mexico and Venezuela (A/C.3/L.1103) that the word “*constituye*” should be substituted for “*es*”, “*deberá*” for “*debe*” and “*denegación*” for “*negación*” in the Spanish text. The proposed changes were not voted upon as they affected only the Spanish text.

56. Tunisia proposed (A/C.3/L.1080/Rev.2) the deletion of the word “and” after “Human Rights” in the Commission’s text, and the addition at the end of the article of the following: “and as a fact capable of disturbing peace and security among peoples”.

57. Article 1, in the amended form proposed by Tunisia, was adopted by 96 votes to none, with 1 abstention.

ARTICLE 2

58. Article 2, discussed at the 1223rd and 1224th meetings of the Committee on 7 and 8 October 1963, was based on article 2 of the text of the Commission on Human Rights, which read as follows:

“No State, institution, group or individual shall make any discrimination in matters of human rights and fundamental freedoms in the treatment of persons on the grounds of race, colour or ethnic origin.

“Special measures may be taken in order to secure adequate development or protection of individuals belonging to certain racial groups with the object of ensuring the full enjoyment by such individuals of human rights and fundamental freedoms. These measures shall not be maintained after the need for them has disappeared and shall in no circumstances have as a consequence the maintenance of unequal or separate rights for different racial groups.”

First paragraph

59. Austria and Nigeria proposed (A/C.3/L.1074) that, in the first paragraph of the article, the word “whatsoever” should be inserted after the word “discrimination”, the words “in matters of human rights and fundamental freedoms” should be deleted, and the words “groups of persons or institutions” should be inserted after the words “treatment of persons”. The co-sponsors however withdrew point 2 of their amendments.

60. Point 1 of the amendments of Austria and Nigeria was adopted by 74 votes to none, with 9 abstentions. Point 3 of the amendments was adopted by 71 votes to 5, with 16 abstentions.

61. The representative of the United States of America orally proposed the deletion of the words “institution, group or individual”. The proposal was rejected by 65 votes to 7, with 14 abstentions.

62. Paragraph 1 of article 2, as amended, was adopted by 84 votes to none, with 10 abstentions.

Second paragraph

63. The United States of America proposed (A/C.3/L.1079/Rev.1) that the following text be inserted as a new paragraph after the first paragraph, renumbering the second paragraph as the third paragraph:

“2. No State shall encourage, advocate or lend its support, through police action or otherwise, to any discrimination based on race, colour or ethnic origin by any group, institution or individual.”

64. The Byelorussian Soviet Socialist Republic proposed (A/C.3/L.1094) that the words “institution, group or individual” should be inserted after the word “State” in the amendment submitted by the United States of America. However, this proposal was not pressed to a vote.

65. The proposal of the United States of America was adopted by 85 votes to none, with 9 abstentions.

Third paragraph

66. Argentina, Bolivia, Ecuador, Mexico and Venezuela proposed (A/C.3/L.1104) that the second paragraph of the text of the Commission on Human Rights should be replaced by the following:

“Discriminatory practices shall not be deemed to include special measures taken by Governments in order to secure adequate development and protection of individuals belonging to certain racial groups with the object of ensuring the full enjoyment by such individuals of human rights and fundamental freedoms.”

67. The five-Power amendment was rejected by 31 votes to 14, with 45 abstentions.

68. Ghana, Mali and Nigeria proposed (A/C.3/L.1100 and Add.1) the replacement of the word “may” by “shall” in the first sentence of the paragraph, and the deletion of the second sentence.

69. Point 1 of the amendment, relating to the first sentence, was adopted by 58 votes to 19, with 14 abstentions.

70. With regard to the second sentence, the representative of Senegal proposed orally the insertion of the words “in appropriate circumstances” after the word “taken”. The representative of Cameroon proposed orally the insertion of the word “concrete” between the words “special” and “measures”.

71. The proposal of Senegal was adopted by 49 votes to none, with 41 abstentions. The proposal of Cameroon was adopted by 48 votes to none, with 41 abstentions.

72. The representative of Peru proposed orally that the words “shall not be maintained after the need for them has disappeared and” should be deleted. The Peruvian proposal was adopted by 40 votes to 7, with 41 abstentions. Point 2 of the amendment proposed by Ghana, Mali and Nigeria, calling for the deletion of the second sentence, was therefore not put to the vote.

73. The third paragraph of article 2, as amended, was adopted by 87 votes to none, with 3 abstentions. Article 2 as a whole, as amended, was adopted by 91 votes to none, with 4 abstentions.

ARTICLE 3

74. Article 3, discussed at the 1224th to 1226th meetings of the Committee, held on 8 and 9 October

1963, was based on article 3 of the text of the Commission on Human Rights, which read as follows:

"Particular efforts shall be made to prevent discrimination based on race, colour or ethnic origin, especially in the fields of political rights, citizenship, education, religion, employment, occupation and housing.

"Everyone shall have equal access to any place or facility intended for use by the general public, without distinction as to race, colour or ethnic origin."

75. Article 3 was discussed together with article 6, inasmuch as the former was meant to deal with the enjoyment of rights under private law and the latter with the sphere of public law.

76. Argentina, Bolivia, Ecuador, Mexico and Venezuela proposed (A/C.3/L.1105) that, in the Spanish text, the word "*prevenir*" should be substituted for the word "*impedir*"; and that the words "political rights, citizenship" should be replaced by "civil and political rights". Point 1, which affected only the Spanish text, was adopted without a vote.

77. Algeria, Guinea and Senegal proposed (A/C.3/L.1101) to delete the word "or" before the words "ethnic origin", and to add at the end of the paragraph the following: "or economic or social condition". This amendment was, however, withdrawn.

78. During the discussion of article 3, it was pointed out that there was a substantial difference between the French text of the article as submitted by the Commission on Human Rights and the texts in other languages; the French text referred to "civil rights" whereas the others referred to "political rights".

79. At the request of the Chairman, and in consultation with the delegations of France, Greece, Italy, Mexico and the Union of Soviet Socialist Republics, the representative of Syria prepared amendments to articles 3 and 6 of the draft Declaration. Point 2 of the five-Power amendment (A/C.3/L.1105) was withdrawn in view of the proposed new text of article 3. Article 6 was voted upon (see para. 100 below) prior to article 3.

80. Syria proposed (A/C.3/L.1119) that, in the first paragraph of article 3, the term "political rights" should be revised to read "civil rights" in the English, Spanish and Russian texts; and that the word "citizenship" should be replaced by "access to citizenship".

81. Point 1 of the Syrian amendment was adopted by 93 votes to none, with 1 abstention. Point 2 of the Syrian amendment was adopted by 91 votes to none, with 2 abstentions. The first and second paragraphs of article 3 were each adopted unanimously, and the paragraph as a whole was also adopted unanimously.

ARTICLE 4

82. Article 4, discussed at the 1225th meeting of the Committee held on 9 October 1963, was based on article 4 of the text of the Commission on Human Rights, which read as follows:

"All States shall take the necessary steps to revise governmental policies and to rescind laws and regulations which have the effect of creating and perpetuating racial discrimination wherever it still exists. They should pass legislation, if necessary, for prohibiting such discrimination and should take all appropriate measures to combat those prejudices which lead to racial discrimination."

83. Argentina, Bolivia, Ecuador, Mexico and Venezuela proposed (A/C.3/L.1106) that, in the Spanish text, the word "*deberán*" should be substituted for "*deben*". The amendment, which affected only the Spanish and French texts, was adopted without a vote.

84. Nigeria proposed (A/C.3/L.1098) that, in the first sentence of article 4, the words "the necessary steps" should be replaced by "effective measures"; and that the words "and public" should be added between "governmental" and "policies". With regard to the second sentence, Nigeria proposed that the words "if necessary" should be deleted.

85. The proposal to replace "the necessary steps" by "effective measures" was adopted by 85 votes to none, with 1 abstention. The proposal to add the words "and public", orally revised to read "and other public", was adopted by 75 votes to 3, with 16 abstentions. The proposal to delete "if necessary" was adopted by 45 votes to 28, with 17 abstentions. Article 4 as a whole, as amended, was adopted by 76 votes to 2, with 13 abstentions.

ARTICLE 5

86. Article 5, discussed at the 1225th meeting of the Committee, held on 9 October 1963, was based on article 5 of the text of the Commission on Human Rights, which read as follows:

"An end should be put without delay to governmental policies of racial segregation and especially policies of apartheid, as well as all forms of racial discrimination and separation resulting from such policies."

87. Nigeria proposed (A/C.3/1082/Rev.1) that the word "should" should be replaced by "shall", and that the words "and public" should be added between "governmental" and "policies".

88. Argentina, Bolivia, Ecuador, Mexico and Venezuela proposed (A/C.3/L.1107) that the word "*deberá*" should be substituted for "*debe*". The amendment, which affected only the Spanish and French texts, was adopted without a vote.

89. The proposal to replace the word "should" by "shall" was adopted without a vote. The representative of Nigeria revised orally point 2 of the Nigerian amendments, so that it proposed the addition of the words "and other public" between "governmental" and "policies". The revised amendment was adopted by 77 votes to none, with 13 abstentions. Article 5, as amended, was adopted by 93 votes to none, with 2 abstentions.

ARTICLE 6

90. Article 6, discussed at the 1224th to 1226th meetings of the Committee, held on 8 and 9 October 1963, was based on article 6 of the text of the Commission on Human Rights, which read as follows:

"Every person, without distinction as to race, colour or ethnic origin, shall have the right to take part in the government of his country and to participate in elections through universal and equal suffrage. In appointments to public office there shall be no discrimination on the grounds of race, colour or ethnic origin."

91. Austria proposed (A/C.3/L.1075/Rev.1) that the second sentence should be replaced by the following: "Everyone has the right of equal access to public service in his country".

92. The United States of America proposed (A/C.3/L.1088/Rev.1) that the following should be inserted as the first sentence of the article: "No State shall make any distinction in the rights of its citizens on the basis of race, colour, or ethnic origin".

93. Argentina, Bolivia, Ecuador, Mexico and Venezuela proposed (A/C.3/L.1108) substitution of the word "*tendrá*" for "*tiene*". The amendment, which affected only the Spanish and French texts, was not put to the vote.

94. The amendment to article 6 prepared by the representative of Syria, at the request of the Chairman and in consultation with the delegations of France, Greece, Italy, Mexico and the Union of Soviet Socialist Republics (A/C.3/L.1120), in connexion with the consideration of article 3 (see para. 79 above), proposed that the first sentence should be replaced by the following text:

"No discrimination by reason of race, colour or ethnic origin should prevent any person from enjoying political and citizenship rights in his country, in particular the right to take part in the government and to participate in elections through universal and equal suffrage."

95. Upon presentation of the Syrian proposal, the representative of the United States of America withdrew the amendment which he had proposed to the Commission's text.

96. At the request of the representative of the Union of Soviet Socialist Republics, the representative of Syria revised his proposal, replacing the words "should prevent" by the words "shall be admitted or prevent". The representative of the United States thereupon reintroduced his amendment as a sub-amendment to the Syrian amendment; his proposal was that the amendment submitted by the United States should be added at the end of the Syrian amendment, the full stop at the end being replaced by a comma.

97. After a consultation between the interested delegations the representative of Ghana submitted orally to the Committee the following text, co-sponsored by Cameroon, Senegal, Syria and the Union of Soviet Socialist Republics:

"No discrimination by reason of race, colour or ethnic origin should be admitted in the enjoyment by any person of political and citizenship rights in his country, in particular the right to participate in elections through universal and equal suffrage and to take part in the government."

98. The representative of the United States proposed orally that the word "admitted" in the joint text should be replaced by "permitted". This sub-amendment was rejected by 25 votes to 24, with 40 abstentions.

99. The joint text was adopted by 90 votes to none, with 6 abstentions.

100. The Austrian amendment was adopted by 73 votes to none, with 16 abstentions. Article 6 as a whole, as amended, was adopted by 93 votes to none, with 1 abstention.

ARTICLE 7

101. Article 7, discussed at the 1225th meeting of the Committee, held on 9 October 1963, was based on article 7 of the text of the Commission on Human Rights, which read as follows:

"Everyone shall have the right to an effective remedy against any discrimination he may suffer on the ground of race, colour or ethnic origin with respect to his fundamental rights and freedoms through independent national tribunals competent to deal with such matters."

102. Argentina, Bolivia, Ecuador, Mexico and Venezuela proposed (A/C.3/L.1109) that the word "*tendrá*" should be substituted for "*tiene*" in the Spanish text of the article. As the amendment affected only the Spanish and French texts, it was adopted without a vote. These five Powers also proposed that the words "and protection" should be added after the word "remedy".

103. The United States of America proposed (A/C.3/L.1089) the insertion of the following text as a new paragraph 1 of article 7:

"Everyone has the right to equality before the law and to equal justice under the law. Everyone, without distinction as to race, colour or ethnic origin, has the right to security of person and protection by the State against violence or bodily harm, whether inflicted by police or other government officials, or by any individual, group, or institution."

104. At the request of the representative of Saudi Arabia, the representative of the United States deleted the words "police or other" from his proposal. The proposal, as revised, was adopted by 94 votes to 1, with 3 abstentions, with the understanding that it would constitute paragraph 1 of article 7.

105. The proposal to add the words "and protection" after "remedy" was adopted by 90 votes to none, with 4 abstentions. Paragraph 2 of article 7, as amended, was adopted unanimously. Article 7 as a whole, as amended, was adopted unanimously.

ARTICLE 8

106. Article 8, discussed at the 1226th meeting of the Committee, held on 9 October 1963, was based on article 8 of the text of the Commission on Human Rights, which read as follows:

"All necessary steps shall be taken as soon as possible, in the field of teaching and education and in the field of information, with a view to eliminating racial discrimination and prejudice and promoting understanding, tolerance and friendship among nations and racial groups, as well as propagating the Purposes and Principles of the United Nations and of the Universal Declaration of Human Rights."

107. Tunisia proposed (A/C.3/L.1072) the insertion, in the last clause of the article, of the words "of the Charter" after the word "Principles". Tunisia also proposed that, in the last clause of the article, the word "and" should be replaced by a comma, and that the words "and of the Declaration on the granting of independence to colonial countries and peoples", should be added after the word "Rights".

108. Argentina, Bolivia, Ecuador, Mexico and Venezuela proposed (A/C.3/L.1110) that the words "as soon as possible" should be replaced by "without delay", and that the numbering of articles should be altered so that article 8 would become article 9, and vice versa. However, these proposals were withdrawn.

109. Chad proposed (A/C.3/L.1081) that the opening phrases of the article, up to the word "teaching", should be amended to read: "Following the adoption

of this Declaration by the General Assembly, all necessary measures shall be taken immediately by all States Members of the United Nations, in the field of teaching . . .”.

110. Nigeria proposed (A/C.3/L.1083) that the opening phrase of the article should be amended to read: “Effective measures shall be taken immediately in the field of . . .”.

111. At the 1217th meeting the amendments submitted by Chad and Nigeria were withdrawn in favour of a joint proposal by these Powers (A/C.3/L.1115/Rev.1) to replace the word “necessary” by “effective”, to insert the word “immediately” between “shall” and “be taken”, and to delete the words “as soon as possible”.

112. The amendment of Chad and Nigeria, to replace the word “necessary” by “effective”, was adopted by 65 votes to none, with 18 abstentions. The amendment, to insert the word “immediately”, was adopted by 89 votes to none, with 3 abstentions. Point 1 of the Tunisian amendments, to insert the words “of the Charter”, was adopted by 92 votes to none, with 2 abstentions. Point 2 of the Tunisian amendments, to add the words “and of the Declaration on the granting of independence to colonial countries and peoples”, was adopted by 86 votes to 7, with 7 abstentions.

113. Article 8 as a whole, as amended, was adopted by 94 votes to none, with 2 abstentions.

ARTICLE 9

114. Article 9, discussed at the 1227th to 1232nd meetings of the Committee, held on 10, 11, 14 and 15 October 1963, was based on article 9 of the text of the Commission on Human Rights, which read as follows:

“All propaganda based on ideas or theories of the superiority of one race or group of persons of one colour or ethnic origin with a view to justifying or promoting racial discrimination in any form, and all incitement of hatred and violence against any race or group of persons of another colour or ethnic origin, should be condemned.”

115. The Union of Soviet Socialist Republics proposed (A/C.3/L.1067) that the following new article should be added after article 9:

“Racist and neo-fascist organizations, and all other organizations propagandizing racist views or engaging in other kinds of activity provoking or encouraging racial discrimination, should be prohibited and disbanded.”

116. Czechoslovakia proposed (A/C.3/L.1069) that article 9 should be revised to read as follows:

“Any dissemination of racist or fascist ideas or theories of the superiority of one race or group of persons of one colour or ethnic origin, as well as inciting to hatred and violence against another race or group of persons of another colour or ethnic origin by individuals or groups of persons or organizations, shall be punishable under criminal law.”

117. The United States of America submitted amendments (A/C.3/L.1085) to the article proposed by the Union of Soviet Socialist Republics. Point 1 would have deleted the words “and neo-fascist” and “all other” in the first sentence; point 2 proposed to replace the words “other kinds of activity” by “activities”; and point 3 to replace the words “should be

prohibited and disbanded” by “shall be condemned”. The United States of America also submitted sub-amendments (A/C.3/L.1087) to the amendment of Czechoslovakia: point 1 proposed to delete the words “or fascist”; point 2 to replace the words “shall be punishable under criminal law” by “shall be condemned”; and point 3 to replace the word “and” by “or” in the phrase, “to hatred and violence”.

118. Brazil proposed (A/C.3/L.1090) that the words “should be condemned”, in the text submitted by the Commission on Human Rights, should be replaced by the words “should be punishable under criminal law” and that the following should be added as the second sentence: “All organizations engaged in such activities should be prohibited and disbanded”. Article 9 would then read as follows:

“All propaganda based on ideas or theories of the superiority of one race or group of persons of one colour or ethnic origin with a view to justifying or promoting racial discrimination in any form, and all incitement of hatred and violence against any race or group of persons of another colour or ethnic origin, should be punishable under criminal law. All organizations engaged in such activities should be prohibited and disbanded.”

119. Czechoslovakia withdrew its amendment, and joined in co-sponsoring the amendment originally proposed by Brazil. Burundi, Ceylon, Chile, Mali, Tanganyika, the Union of Soviet Socialist Republics and Yugoslavia also joined (A/C.3/L.1090/Add.1) in co-sponsoring the Brazilian amendment.

120. Albania proposed a sub-amendment (A/C.3/L.1117) to the nine-Power amendment, to add, after the words “engaged in such activities”, the words: “as also racist and fascist organizations and all organizations engaging in racist propaganda”.

121. Austria proposed (A/C.3/L.1076) that the words “of hatred and violence”, in the text submitted by the Commission on Human Rights, should be replaced by the words “to hatred or violence”.

122. Argentina, Bolivia, Ecuador, Mexico and Venezuela proposed (A/C.3/L.1111) that, in the text submitted by the Commission on Human Rights the word “*deberá*” should be replaced by the word “*debe*” in the Spanish text, and that the numbering of the articles should be changed so that article 9 would become article 8, and vice versa. The first of these proposals, which affected only the Spanish text, was not put to a vote. The second was withdrawn.

123. The United States of America proposed a sub-amendment (A/C.3/L.1116) to the Brazilian amendment. In the course of the debate the sub-amendment was revised three times. In its original form the sub-amendment proposed that the words “prohibited and disbanded” should be replaced by “condemned”.

124. In their first revised form (A/C.3/L.1116/Rev.1) the United States sub-amendments read as follows:

“1. In point 1 replace ‘punishable under criminal law’ by ‘severely condemned’.

“2. In point 2, replace ‘should be prohibited and disbanded’ by ‘should also be severely condemned and all appropriate steps shall be taken against them’.”

125. Tunisia proposed (A/C.3/L.1122) that the United States sub-amendments should be amended by

the insertion of the words "including legislative measures" between the words "appropriate steps" and "shall be taken".

126. Lebanon proposed (A/C.3/L.1123) that the United States sub-amendments should be amended by the addition, at the end of the second sentence, of the words "in accordance with the spirit and letter of this Declaration".

127. The United Arab Republic proposed (A/C.3/L.1124) that the United States sub-amendments should be amended by replacing the words "severely condemned" by "considered a crime against society and therefore unlawful".

128. The representative of the United States of America revised his sub-amendments so as to take into account the Tunisian and Lebanese sub-amendments, and submitted the following proposal (A/C.3/L.1116/Rev.2):

"1. In point 1, replace 'punishable under criminal law' by 'severely condemned'.

"2. In point 2, replace 'should be prohibited and disbanded' by 'should also be severely condemned and all appropriate steps, including as appropriate legislative measures, shall be taken against them in accordance with the spirit and letter of this Declaration'."

129. The representative of Tunisia, indicating that he objected to the form in which his sub-amendment had been incorporated in the United States sub-amendments, introduced a new sub-amendment to the revised United States proposal. The sub-amendment read as follows (A/C.3/L.1125):

"In point 2, delete the words 'as appropriate' after the word 'including'."

130. In the course of the discussion it was noted that there was a fundamental divergence between the delegations which wished only to condemn certain acts and those who thought that those acts should be punishable under law.

131. At the 1229th meeting, the representative of the United States of America submitted revised sub-amendments to the nine-Power amendment, reading as follows (A/C.3/L.1116/Rev.3):

"1. In point 1, replace 'punishable under criminal law' by 'considered an affront to society and subject to law'.

"2. In point 2, replace 'should be prohibited and disbanded' by 'should be severely condemned and all appropriate steps, including legislative and other measures, shall be taken against them in accordance with the spirit and letter of this Declaration'."

132. The representative of the United Arab Republic revised his sub-amendment to point 1 of the United States sub-amendments and proposed (A/C.3/L.1124/Rev.1) to replace "considered an affront to society and subject to law" by "considered an offence against society and therefore subject to law".

133. After extensive informal consultations, Bolivia, India, Libya, Nigeria, Peru, Spain, Sudan and the United Arab Republic submitted to the Committee, at its 1231st meeting, sub-amendments to the amendment submitted by Brazil, Burundi, Ceylon, Chile, Czechoslovakia, Mali, Tanganyika, Union of Soviet Socialist Republics and Yugoslavia. The sub-amendments read as follows (A/C.3/L.1127):

"1. All propaganda and organizations based on ideas or theories of the superiority of one race or group of persons of one colour or ethnic origin, with a view to justifying or promoting racial discrimination in any form, shall be severely condemned.

"2. All incitement to, or acts of, violence, whether by individuals or organizations, against any race or group of persons of another colour or ethnic origin shall be considered an offence against society and punishable under law.

"3. In order to put into effect the purposes and principles of this Declaration, all States shall take immediate and positive measures, including legislative and other measures, to prosecute and/or outlaw organizations which incite to or use violence for the purposes of discrimination based on race, colour or ethnic origin."

134. At the 1232nd meeting three sub-amendments to the eight-Power sub-amendments were submitted.

135. Albania replaced the sub-amendment which it had submitted to the nine-Power amendment by a sub-amendment (A/C.3/L.1129) to the eight-Power sub-amendment; this proposed the deletion of "/or" and the addition of the words "all racist and fascist organizations and" after the word "outlaw".

136. The Byelorussian Soviet Socialist Republic proposed (A/C.3/L.1128) that in paragraph 2, after the word "incitement", the words "to racial hatred" should be inserted; and that, in paragraph 3, the words "promote racial discrimination or" should be inserted after the words "organizations which".

137. Cameroon, Guinea and Senegal proposed (A/C.3/L.1130) that the third paragraph should be replaced by the following:

"3. States shall take immediate and effective measures to prosecute, prohibit and even disband all organizations which incite to hatred or commit acts of violence for purposes of discrimination and racial segregation."

138. The eight-Power text proposed for paragraph 1 of article 9 was adopted by 87 votes to none, with 15 abstentions.

139. Point 1 of the Byelorussian sub-amendments, to insert the words "to racial hatred" after "incitement", was rejected by 37 votes to 25, with 30 abstentions.

140. The eight-Power text proposed for paragraph 2 of article 9 was adopted by 80 votes to none, with 18 abstentions.

141. The sub-amendment of Cameroon, Guinea and Senegal, consisting of a new text to replace the eight-Power text of paragraph 3, was rejected by a roll-call vote of 47 to 29, with 27 abstentions. The voting was as follows:

In favour: Albania, Algeria, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Cuba, Czechoslovakia, France, Ghana, Greece, Guinea, Hungary, Indonesia, Iraq, Ivory Coast, Mali, Mongolia, Poland, Romania, Senegal, Tanganyika, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Upper Volta, Uruguay, Yugoslavia.

Against: Australia, Austria, Belgium, Bolivia, Canada, Chile, China, Colombia, Costa Rica, Denmark, Ecuador, El Salvador, Finland, Guatemala, Ice-

land, India, Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Libya, Malaysia, Mexico, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Spain, Sweden, Syria, Thailand, Turkey, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yemen.

Abstaining: Afghanistan, Argentina, Brazil, Burma, Cambodia, Ceylon, Congo (Brazzaville), Congo (Leopoldville), Cyprus, Ethiopia, Gabon, Iran, Israel, Laos, Lebanon, Liberia, Madagascar, Mauritania, Morocco, Niger, Saudi Arabia, Sierra Leone, Somalia, Togo, Trinidad and Tobago, Tunisia, Uganda.

142. The representative of Saudi Arabia requested a separate vote on the words "and other". Several delegations objected to the motion for division. When put to the vote, this motion was accepted by 43 votes to 25, with 28 abstentions. The words "and other" were adopted by 58 votes to 18, with 20 abstentions.

143. The Albanian proposal to delete the word "/or" in the eight-Power amendment was rejected by 61 votes to 20, with 17 abstentions.

144. The Albanian proposal to add the words "all racist and fascist organizations", after the word "outlaw", was rejected by a roll-call vote of 50 to 13, with 41 abstentions. The voting was as follows:

In favour: Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Central African Republic, Cuba, Czechoslovakia, Hungary, Israel, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Against: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cyprus, Denmark, Ecuador, El Salvador, Finland, France, Gabon, Greece, Guatemala, Iceland, India, Ireland, Italy, Jamaica, Japan, Liberia, Libya, Madagascar, Malaysia, Mexico, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Portugal, Spain, Sweden, Syria, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Abstaining: Afghanistan, Algeria, Burma, Burundi, Cambodia, Cameroon, Ceylon, Chad, Congo (Brazzaville), Congo (Leopoldville), Dahomey, Ethiopia, Ghana, Guinea, Indonesia, Iran, Iraq, Ivory Coast, Jordan, Kuwait, Laos, Lebanon, Mali, Mauritania, Morocco, Nepal, Niger, Pakistan, Saudi Arabia, Senegal, Sierra Leone, Somalia, Tanganyika, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Republic, Upper Volta, Yugoslavia, Yemen.

145. Point 2 of the Byelorussian amendments, to insert the words "promote racial discrimination or" after the words "organizations which", was adopted by 44 votes to 31, with 21 abstentions.

146. The eight-Power text proposed for paragraph 3 of article 9, as amended, was adopted by a roll-call of 64 votes to none, with 39 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Bolivia, Brazil, Burma, Burundi, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Congo (Brazzaville), Costa Rica, Cyprus, Dahomey, Ecuador, El Salvador, Ethiopia, Gabon, Ghana, Guatemala, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Jordan, Kuwait, Laos, Lebanon, Liberia, Libya, Mada-

gascar, Malaysia, Mali, Mauritania, Mexico, Morocco, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Pakistan, Saudi Arabia, Senegal, Sierra Leone, Somalia, Spain, Syria, Tanganyika, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Republic, Upper Volta, Uruguay, Yugoslavia.

Against: None.

Abstaining: Albania, Australia, Austria, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Ceylon, Cuba, Czechoslovakia, Denmark, Finland, France, Greece, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Mongolia, New Zealand, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Sweden, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yemen.

147. Article 9 as a whole, as amended, was adopted by a roll-call vote of 69 to none, with 33 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Bolivia, Burma, Burundi, Cambodia, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo (Brazzaville), Costa Rica, Dahomey, Ecuador, El Salvador, Ethiopia, Gabon, Ghana, Guatemala, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mexico, Morocco, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Pakistan, Paraguay, Peru, Philippines, Saudi Arabia, Senegal, Sierra Leone, Somalia, Spain, Syria, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Republic, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: None.

Abstaining: Albania, Australia, Austria, Belgium, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Ceylon, Cuba, Czechoslovakia, Denmark, Finland, France, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Mongolia, New Zealand, Norway, Panama, Poland, Portugal, Romania, Sweden, Tanganyika, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

148. The proposal of the Union of Soviet Socialist Republics (A/C.3/L.1067), for the addition of a new article after article 9, was withdrawn.

ARTICLE 10

149. Article 10, discussed at the 1229th meeting of the Committee, held on 11 October 1963, was based on article 10 of the text of the Commission on Human Rights, which read as follows:

"The United Nations, the specialized agencies, States and non-governmental organizations, each within the sphere appropriate to its activities, should do all in their power to ensure the abolition of all forms of discrimination based on race, colour or ethnic origin."

150. Austria proposed (A/C.3/L.1077) the addition of the following words at the end of the article: "and they shall, in particular, try to discover and disclose the forms taken by such discrimination with a view to recommending appropriate and effective measures to combat and eliminate it".

151. The United States of America proposed a sub-amendment (A/C.3/L.1086) to the Austrian amendment, to replace the words "try to discover and disclose the forms taken by" by the phrase "study the causes of". The sub-amendment was accepted by the representative of Austria.

152. Argentina, Bolivia, Ecuador, Mexico and Venezuela proposed (A/C.3/L.1112) that, after the word "organizations", the article should read: "should do all in their power to promote energetic action which, by combining legal and practical measures, will make possible the abolition of all forms of racial discrimination".

153. The representative of the Ukrainian Soviet Socialist Republic orally proposed that, in the five-Power amendment, the word "combining" should be replaced by "including". The representative of Peru suggested that the same purpose would be achieved by inserting the word "other" before the word "practical". The co-sponsors of the five-Power amendment revised their text accordingly, and the representative of the Ukrainian Soviet Socialist Republic withdrew his oral amendment.

154. The five-Power amendment, as revised, was adopted by 86 votes to none, with 2 abstentions.

155. At the suggestion of the Chairman, the representative of Austria revised her amendment by drafting it as a separate sentence beginning with the words "In particular, they shall study the causes of such discrimination...".

156. The Austrian amendment, as revised, was adopted by 26 votes to 15, with 46 abstentions. Article 10, as amended, was adopted by 85 votes to none, with 5 abstentions.

ARTICLE 11

157. Article 11, discussed at the 1229th meeting of the Committee on 11 October 1963, was based on two proposals for new articles. One was submitted by the United States of America, the other by Chile, Nigeria, the Ukrainian Soviet Socialist Republic and Yugoslavia.

158. The United States of America proposed (A/C.3/L.1070) that the following should be added as article 11 of the draft Declaration:

"Every State shall promote respect for, and observance of, human rights and fundamental freedoms in accordance with the United Nations Charter, and give full and faithful effect to the principles of this Declaration, and to the relevant provisions of the Universal Declaration of Human Rights, and of the Declaration on the granting of independence to colonial peoples."

159. Chile, Nigeria, the Ukrainian Soviet Socialist Republic and Yugoslavia proposed (A/C.3/L.1078) that the following new article should be added after article 10 of the draft Declaration:

"All States shall observe faithfully and strictly the provisions of the present Declaration as well as the relevant provisions of the Charter of the United Nations and the Universal Declaration of Human Rights and the Declaration on the granting of independence to colonial countries and peoples."

160. Both proposals were withdrawn in favour of a proposal, submitted jointly by Chile, Mali, Nigeria, the Ukrainian Soviet Socialist Republic, the United

States of America and Yugoslavia (A/C.3/L.1113 and Add.1) for a new article, to follow article 10, to read as follows:

"Every State shall promote respect for, and observance of, human rights and fundamental freedoms in accordance with the Charter of the United Nations; and shall fully and faithfully observe the provisions of the present Declaration, the Universal Declaration of Human Rights and the Declaration on the granting of independence to colonial countries and peoples."

161. At the request of the representative of the United Kingdom of Great Britain and Northern Ireland, a separate vote was taken on the words "and the Declaration on the granting of independence to colonial countries and peoples". These words were approved by 88 votes to 1, with 11 abstentions. The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Austria, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Ecuador, El Salvador, Ethiopia, Gabon, Ghana, Greece, Guatemala, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Poland, Romania, Saudi Arabia, Senegal, Sierra Leone, Spain, Sudan, Syria, Tanganyika, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia.

Against: United Kingdom of Great Britain and Northern Ireland.

Abstaining: Australia, Belgium, Canada, Denmark, Finland, France, Iceland, Ireland, Norway, Portugal, Sweden.

162. The article as a whole was adopted by 87 votes to none, with 13 abstentions. The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Cuba, Cyprus, Czechoslovakia, Ecuador, El Salvador, Ethiopia, Gabon, Ghana, Greece, Guatemala, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Poland, Romania, Saudi Arabia, Senegal, Sierra Leone, Spain, Sudan, Syria, Tanganyika, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia.

Against: None.

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Iceland, Ireland, Norway,

Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland.

DRAFTING SUGGESTIONS SUBMITTED BY THE RAPPORTEUR

163. In the course of the discussion of the draft Declaration on the Elimination of All Forms of Racial Discrimination in the Third Committee, it was frequently stated that certain drafting changes might be required and, in particular, that the various language versions of the draft Declaration should be examined by the Rapporteur in order to ensure conformity one with another. At the suggestion of the Chairman, the Committee authorized the Rapporteur, in consultation with the language services of the Secretariat, to review the texts adopted by the Committee (A/C.3/L.1131), to consider various drafting changes suggested by certain delegations, to find a solution for a number of linguistic problems which had been referred to the Rapporteur by the Chairman during the discussion, and to ensure concordance of the texts in the various languages.

164. At the 1242nd meeting, held on 25 October 1963, the Rapporteur submitted to the Committee the text of the draft Declaration incorporating certain suggestions, intended only as drafting suggestions (A/C.3/L.1142). In a few cases, the changes proposed applied to all language versions. In other cases, the Rapporteur took as the basic text the original language of the proposals which had become the text adopted, and suggested any changes which appeared necessary in the other languages. In presenting these suggestions the Rapporteur explained that she had endeavoured, in all objectivity, to bring into line as far as possible texts which, owing to the large number of amendments which had been put before the Committee, had sometimes contained substantial differences.

165. Many of the suggestions put forward by the Rapporteur did not give rise to any objection, and were accordingly incorporated in the text of the Declaration. Certain of the suggestions, however, were not acceptable to one or more delegations. The Committee decided that only those suggestions which had not been opposed by any delegation were to be accepted and that, on all points where objections had been raised to the Rapporteur's suggestions, the text as adopted by the Committee (A/C.3/L.1131) should be maintained.

166. At the 1245th meeting, on 28 October 1963, the Committee considered the draft Declaration incorporating the suggestions by the Rapporteur which had been accepted (A/C.3/L.1148).

ADOPTION OF THE DRAFT DECLARATION

167. The Committee decided that the Declaration should be entitled, "United Nations Declaration on the Elimination of All Forms of Racial Discrimination".

168. The draft Declaration as a whole, as amended, was adopted by a roll-call vote of 89 to none, with 17 abstentions (see para. 183 below, draft resolution I). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Austria, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Dominican Republic, Ecuador, El Salvador, Ethiopia, Gabon,

Ghana, Guatemala, Guinea, Hungary, India, Indonesia, Iran, Iraq, Israel, Ivory Coast, Jamaica, Japan, Jordan, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Spain, Sudan, Tanganyika, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: None.

Abstaining: Australia, Belgium, Canada, Denmark, Finland, France, Greece, Iceland, Ireland, Italy, Luxembourg, Netherlands, New Zealand, Norway, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

DRAFT RESOLUTION ON PUBLICITY TO BE GIVEN TO THE UNITED NATIONS DECLARATION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

169. A draft resolution on publicity to be given to the United Nations Declaration on the Elimination of All Forms of Racial Discrimination (A/C.3/L.1126) was submitted by Bolivia, Lebanon, Liberia, Libya, Mauritania and Senegal. The draft resolution was subsequently revised by the original co-sponsors, joined by Czechoslovakia, India, Philippines and Sierra Leone (A/C.3/L.1126/Rev.1). A statement of the financial implications of the revised draft resolution was submitted to the Committee by the Secretary-General (A/C.3/L.1133).

170. In its revised form the draft resolution proposed that all States should be requested to take all necessary measures in order to implement faithfully, strictly and without delay the principles contained in the Declaration; that the Governments of States, the specialized agencies and non-governmental organizations in consultative status should be requested to publicize the text of the Declaration as widely as possible, using every means at their disposal, including all the appropriate media of communication; and that the Secretary-General should be requested: (a) to ensure the immediate and large-scale circulation of the Declaration, and to that end to publish and distribute texts in all languages possible; (b) to prepare a report on the implementation of the resolution for the General Assembly at its nineteenth session; and (c) to include in the provisional agenda of the General Assembly, as a separate item, the following: "The implementation of the United Nations Declaration on the Elimination of All Forms of Racial Discrimination".

171. Amendments to the draft resolution were submitted jointly by Argentina and Mexico (A/C.3/L.1138). However, the sponsors of the draft resolution and of the amendments submitted a revised text of the draft resolution (A/C.3/L.1126/Rev.2), incorporating the amendments accepted by the sponsors of the draft resolution. The remaining amendments were withdrawn, and Argentina and Mexico joined as co-sponsors of the compromise text.

172. The draft resolution, as revised, was adopted at the 1247th meeting, on 29 October 1963, by 71 votes to none with 8 abstentions (see para. 183 below, draft resolution II).

DRAFT RESOLUTION ON THE PREPARATION OF A DRAFT INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

173. A draft resolution on the preparation of a draft international convention on the elimination of all forms of racial discrimination (A/C.3/L.1137 and Add.1-2) was submitted jointly by Algeria, Brazil, Chile, Cyprus, Czechoslovakia, Ghana, Guinea, Lebanon, Liberia, Libya, Madagascar, Mali, Mauritania, Mongolia, Nigeria, Pakistan, Panama, Peru, Philippines, the United Arab Republic, Uruguay and Yugoslavia. The draft resolution proposed that the General Assembly should request the Economic and Social Council to ask the Commission on Human Rights, bearing in mind the views of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the debates of the seventeenth and eighteenth sessions of the General Assembly, any proposals on this matter that might be submitted by Governments, and any international instruments already adopted in this field, to prepare a draft international convention on the elimination of all forms of racial discrimination, to be submitted to the Assembly for consideration at its nineteenth session.

174. The Committee examined the twenty-two Power proposal in connexion with a nine-Power resolution which had been submitted to it under item 12 of its agenda, "Report of the Economic and Social Council", and which related to the timing of the next session of the Commission on Human Rights (A/C.3/L.1136). The Secretary-General informed the Committee (A/C.3/L.1145) that the convening of a session of the Commission on Human Rights in 1964, to carry out the task referred to in the twenty-two-Power proposal, had the same budgetary implications as those connected with the nine-Power proposal (A/C.3/L.1144).

175. A final decision on the twenty-two-Power proposal was accordingly postponed until the Committee had acted upon a revised version of the nine-Power proposal (A/C.3/L.1136/Rev.1), concerning the convening of a session of the Commission on Human Rights in 1964.

176. Two amendments to the operative paragraph of the twenty-two-Power proposal were submitted by the United States of America (A/C.3/L.1150). The first called for the addition, before the word "Governments", of the word "Member". The second called for replacement of the words "at its nineteenth session" by the words "following the next session of the Commission on Human Rights". The latter amendment was withdrawn at the 1251st meeting.

177. In the debate, some members expressed the view that adoption of the twenty-two-Power proposal was unnecessary in view of the fact that the General Assembly had already, in resolution 1780 (XVII), indicated its interest in the early drafting of an international convention on the elimination of all forms of racial discrimination. Others stated that, in their opinion, preparation of a draft declaration on the elimination of all forms of religious intolerance, which the General Assembly had authorized in resolution 1781 (XVII), was an extremely important task which the Commission on Human Rights should complete before undertaking any other work. Still others emphasized the urgency of the preparation of a draft convention on the elimination of all forms of racial discrimination, even at the expense of a slight delay in the completion

of the proposed instruments relating to the elimination of religious intolerance.

178. The representative of the Ukrainian Soviet Socialist Republic, pointing out that there was no guarantee that the Commission on Human Rights would meet in 1964 and that, even if it met, it might not have the time to complete the study of the proposed draft convention, suggested orally (1251st meeting) that a second operative paragraph should be added to the draft resolution, requesting the Economic and Social Council, in case either of these situations arose, to submit to the General Assembly a draft convention prepared by the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

179. After consultation between the co-sponsors of the twenty-two-Power proposal and the representatives of the Ukrainian Soviet Socialist Republic and Mexico, a revised proposal (A/C.3/L.1137/Rev.1) was submitted to the Committee. The original sponsors of the twenty-two-Power proposal were joined, as sponsors of the revised proposal, by the Ukrainian Soviet Socialist Republic, Sierra Leone and Mexico.

180. The United States amendment, to add the word "Member" before "Governments," was adopted by a roll-call vote of 46 to 25, with 21 abstentions. The voting was as follows:

In favour: Argentina, Australia, Belgium, Brazil, Canada, Ceylon, Chile, China, Colombia, Costa Rica, Cyprus, Denmark, Ecuador, El Salvador, Finland, France, Greece, Iceland, India, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Lebanon, Liberia, Madagascar, Malaysia, Mexico, Netherlands, New Zealand, Norway, Panama, Peru, Philippines, Portugal, Senegal, Spain, Sweden, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Venezuela.

Against: Afghanistan, Albania, Bulgaria, Burma, Byelorussian SSR, Congo (Brazzaville), Cuba, Czechoslovakia, Ethiopia, Ghana, Hungary, Indonesia, Iraq, Mali, Mongolia, Poland, Romania, Syria, Tunisia, Ukrainian SSR, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Yemen, Yugoslavia.

Abstaining: Algeria, Austria, Cambodia, Cameroon, Central African Republic, Chad, Congo (Leopoldville), Gabon, Guinea, Kuwait, Libya, Mauritania, Morocco, Nepal, Niger, Nigeria, Pakistan, Saudi Arabia, Sierra Leone, Togo, Trinidad and Tobago.

181. Operative paragraph 1 of the revised draft resolution, as amended, was adopted by 69 votes to 2, with 17 abstentions.

182. The draft resolution as a whole, as amended, was adopted by 74 votes to none, with 19 abstentions (see para. 183 below, draft resolution III).

Recommendations of the Third Committee

183. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

I

UNITED NATIONS DECLARATION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

[Text adopted by the General Assembly, as amended (A/L.435). See "Action taken by the General Assembly" below.]

II

PUBLICITY TO BE GIVEN TO THE UNITED NATIONS
DECLARATION ON THE ELIMINATION OF ALL FORMS
OF RACIAL DISCRIMINATION

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

III

PREPARATION OF A DRAFT INTERNATIONAL CONVENTION
ON THE ELIMINATION OF ALL FORMS OF RACIAL
DISCRIMINATION

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

DOCUMENT A/L.434**Australia and Greece: amendment to the draft United Nations Declaration on the Elimination of All Forms of Racial Discrimination recommended by the Third Committee (A/5603, para. 183)**

[Original language: English]
[20 November 1963]

Article 9, paragraph 3:

Replace "promote" by "incite to".

DOCUMENT A/L.435**Argentina: amendment to the draft United Nations Declaration on the Elimination of All Forms of Racial Discrimination recommended by the Third Committee (A/5603, para. 183)**

[Original language: Spanish]
[20 November 1963]

Article 9, paragraph 3:

Insert the words "or incite to" after the word "promote".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At the 1261st plenary meeting, on 20 November 1963, the amendment of Australia and Greece (A/L.434) to draft resolution I submitted by the Third Committee (A/5603, para. 183) was withdrawn by its sponsors and the amendment of Argentina (A/L.435) to the same draft resolution was adopted by the General Assembly. Draft resolution I, as amended, was adopted by the General Assembly which also, at the same meeting, adopted draft resolutions II and III submitted by the Third Committee (A/5603, para. 183). For the final texts, see resolutions 1904 (XVIII), 1905 (XVIII) and 1906 (XVIII) below.

Resolutions adopted by the General Assembly**1904 (XVIII). UNITED NATIONS DECLARATION ON
THE ELIMINATION OF ALL FORMS OF RACIAL
DISCRIMINATION***The General Assembly,*

Considering that the Charter of the United Nations is based on the principles of the dignity and equality of all human beings and seeks, among other basic objectives, to achieve international co-operation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out in the Declaration, without distinction of any kind, in particular as to race, colour or national origin,

Considering that the Universal Declaration of Human Rights proclaims further that all are equal before the law and are entitled without any discrimination to equal protection of the law and that all are entitled to equal protection against any discrimination and against any incitement to such discrimination,

Considering that the United Nations has condemned colonialism and all practices of segregation and discrimination associated therewith, and that the Declaration on the granting of independence to colonial countries and peoples proclaims in particular the necessity of bringing colonialism to a speedy and unconditional end,

Considering that any doctrine of racial differentiation or superiority is scientifically false, morally condemnable, socially unjust and dangerous, and that there is no justification for racial discrimination either in theory or in practice,

Taking into account the other resolutions adopted by the General Assembly and the international instruments

adopted by the specialized agencies, in particular the International Labour Organisation and the United Nations Educational, Scientific and Cultural Organization, in the field of discrimination,

Taking into account the fact that, although international action and efforts in a number of countries have made it possible to achieve progress in that field, discrimination based on race, colour or ethnic origin in certain areas of the world continues none the less to give cause for serious concern,

Alarmed by the manifestations of racial discrimination still in evidence in some areas of the world, some of which are imposed by certain Governments by means of legislative, administrative or other measures, in the form, *inter alia*, of *apartheid*, segregation and separation, as well as by the promotion and dissemination of doctrines of racial superiority and expansionism in certain areas,

Convinced that all forms of racial discrimination and, still more so, governmental policies based on the prejudice of racial superiority or on racial hatred, besides constituting a violation of fundamental human rights, tend to jeopardize friendly relations among peoples, co-operation between nations and international peace and security,

Convinced also that racial discrimination harms not only those who are its objects but also those who practise it,

Convinced further that the building of a world society free from all forms of racial segregation and discrimination, factors which create hatred and division among men, is one of the fundamental objectives of the United Nations,

1. *Solemnly affirms* the necessity of speedily eliminating racial discrimination throughout the world, in all its forms and manifestations, and of securing understanding of and respect for the dignity of the human person;

2. *Solemnly affirms* the necessity of adopting national and international measures to that end, including teaching, education and information, in order to secure the universal and effective recognition and observance of the principles set forth below;

3. *Proclaims* this Declaration:

Article 1

Discrimination between human beings on the grounds of race, colour or ethnic origin is an offence to human dignity and shall be condemned as a denial of the principles of the Charter of the United Nations, as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights, as an obstacle to friendly and peaceful relations among nations and as a fact capable of disturbing peace and security among peoples.

Article 2

1. No State, institution, group or individual shall make any discrimination whatsoever in matters of human rights and fundamental freedoms in the treatment of persons, groups of persons or institutions on the grounds of race, colour or ethnic origin.

2. No State shall encourage, advocate or lend its support, through police action or otherwise, to any discrimination based on race, colour or ethnic origin by any group, institution or individual.

3. Special concrete measures shall be taken in appropriate circumstances in order to secure adequate development or protection of individuals belonging to certain racial groups with the object of ensuring the full enjoyment by such individuals of human rights and fundamental freedoms. These measures shall in no circumstances have as a consequence the maintenance of unequal or separate rights for different racial groups.

Article 3

1. Particular efforts shall be made to prevent discrimination based on race, colour or ethnic origin, especially in the fields of civil rights, access to citizenship, education, religion, employment, occupation and housing.

2. Everyone shall have equal access to any place or facility intended for use by the general public, without distinction as to race, colour or ethnic origin.

Article 4

All States shall take effective measures to revise governmental and other public policies and to rescind laws and regulations which have the effect of creating and perpetuating racial discrimination wherever it still exists. They should pass legislation for prohibiting such discrimination and should take all appropriate measures to combat those prejudices which lead to racial discrimination.

Article 5

An end shall be put without delay to governmental and other public policies of racial segregation and especially policies of *apartheid*, as well as all forms of racial discrimination and separation resulting from such policies.

Article 6

No discrimination by reason of race, colour or ethnic origin shall be admitted in the enjoyment by any person of political and citizenship rights in his country, in particular the right to participate in elections through universal and equal suffrage and to take part in the government. Everyone has the right of equal access to public service in his country.

Article 7

1. Everyone has the right to equality before the law and to equal justice under the law. Everyone, without distinction as to race, colour or ethnic origin, has the right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual, group or institution.

2. Everyone shall have the right to an effective remedy and protection against any discrimination he may suffer on the ground of race, colour or ethnic origin with respect to his fundamental rights and freedoms through independent national tribunals competent to deal with such matters.

Article 8

All effective steps shall be taken immediately in the fields of teaching, education and information, with a view to eliminating racial discrimination and prejudice and promoting understanding, tolerance and friendship among nations and racial groups, as well as to propagating the purposes and principles of the Charter of the United Nations, of the Universal Declaration of Human Rights, and of the Declaration on the granting of independence to colonial countries and peoples.

Article 9

1. All propaganda and organizations based on ideas or theories of the superiority of one race or group of persons of one colour or ethnic origin with a view to justifying or promoting racial discrimination in any form shall be severely condemned.

2. All incitement to or acts of violence, whether by individuals or organizations, against any race or group of persons of another colour or ethnic origin shall be considered an offence against society and punishable under law.

3. In order to put into effect the purposes and principles of the present Declaration, all States shall take immediate and positive measures, including legislative and other measures, to prosecute and/or outlaw organizations which promote or incite to racial discrimination, or incite to or use violence for purposes of discrimination based on race, colour or ethnic origin.

Article 10

The United Nations, the specialized agencies, States and non-governmental organizations shall do all in their power to promote energetic action which, by combining legal and other practical measures, will make possible the abolition of all forms of racial discrimination. They shall, in particular, study the causes of such discrimination with a view to recommending appropriate and effective measures to combat and eliminate it.

Article 11

Every State shall promote respect for and observance of human rights and fundamental freedoms in accordance with the Charter of the United Nations, and shall fully and faithfully observe the provisions of the present Declaration, the Universal Declaration of Human Rights and the Declaration on the granting of independence to colonial countries and peoples.

*1261st plenary meeting,
20 November 1963.*

1905 (XVIII). PUBLICITY TO BE GIVEN TO THE UNITED NATIONS DECLARATION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

The General Assembly,

Considering that the United Nations Declaration on the Elimination of All Forms of Racial Discrimination⁵ provides that the United Nations, the specialized agencies, States and non-governmental organizations should do all in their power to ensure the abolition of all forms of discrimination based on race, colour or ethnic origin,

Considering the great importance of the speedy implementation of that Declaration in order to liquidate all forms of racial discrimination as soon as possible,

Considering it essential that, as a step towards the elimination of all forms of racial discrimination, the Declaration should be made known throughout the world,

1. *Requests* that all States shall undertake all necessary measures in order to implement fully, faithfully

and without delay the principles contained in the United Nations Declaration on the Elimination of All Forms of Racial Discrimination;

2. *Requests* the Governments of States and non-governmental organizations to publicize the text of the Declaration as widely as possible, using every means at their disposal, including all the appropriate media of communication;

3. *Requests* the Secretary-General and the specialized agencies to ensure the immediate and large-scale circulation of the Declaration, and to that end to publish and distribute texts in all languages possible;

4. *Invites* the Governments of Member States, the specialized agencies and the non-governmental organizations concerned to inform the Secretary-General of action taken by them in compliance with the Declaration and requests the Secretary-General to submit a report on this matter, which will be considered by the General Assembly at its nineteenth session as a separate agenda item.

*1261st plenary meeting,
20 November 1963.*

1906 (XVIII). PREPARATION OF A DRAFT INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

The General Assembly,

Having adopted the United Nations Declaration on the Elimination of All Forms of Racial Discrimination,⁶

Considering that that Declaration is an important step towards the elimination of all forms of racial discrimination,

Deeply disturbed by the manifestations of discrimination based on differences of race, colour or ethnic origin still in evidence throughout the world,

Convinced therefore of the necessity of taking further action towards the elimination of racial discrimination,

Emphasizing in this connexion the importance of the speedy preparation and adoption of an international convention on the elimination of all forms of racial discrimination, as envisaged in General Assembly resolution 1780 (XVII) of 7 December 1962,

1. *Requests* the Economic and Social Council to invite the Commission on Human Rights, bearing in mind the views of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the debates at the seventeenth and eighteenth sessions of the General Assembly, any proposals on this matter that may be submitted by the Governments of Member States and any international instruments already adopted in this field, to give absolute priority to the preparation of a draft international convention on the elimination of all forms of racial discrimination, to be submitted to the Assembly for consideration at its nineteenth session;

2. *Requests* the Secretary-General to include in the provisional agenda of the nineteenth session of the General Assembly an item entitled "Draft International Convention on the Elimination of All Forms of Racial Discrimination".

*1261st plenary meeting,
20 November 1963.*

⁵ See resolution 1904 (XVIII) of 20 November 1963.

⁶ *Ibid.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 43 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/3525	Draft International Covenants on Human Rights: report of the Third Committee	<i>Official Records of the General Assembly, Eleventh Session, Annexes</i> , agenda item 31
A/4636	Draft Convention on Freedom of Information: report of the Third Committee	<i>Ibid.</i> , <i>Fifteenth Session, Annexes</i> , agenda item 35
A/5000	Text of articles 19 to 26 of the draft Covenant on Civil and Political Rights as adopted by the Third Committee: report of the Third Committee	<i>Ibid.</i> , <i>Sixteenth Session Annexes</i> , agenda item 35
A/5503	Report of the Economic and Social Council (4 August 1962-2 August 1963)	<i>Ibid.</i> , <i>Eighteenth Session, Supplement No. 3</i>
A/5529	Revised estimates for sections 1, 2, 3, 4, 5, 7, 8, 9, 10 and 11 and income section 1 resulting from decisions of the Economic and Social Council: report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid.</i> , <i>Eighteenth Session, Annexes</i> , agenda item 58
A/C.3/L.1064	United Kingdom of Great Britain and Northern Ireland: amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	See A/5603, para. 11
A/C.3/L.1065	Nigeria, Paraguay and Peru: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 12 and 14
A/C.3/L.1066	Australia: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 16 and 17
A/C.3/L.1067	Union of Soviet Socialist Republics: proposal to add a new article to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 115 and 148
A/C.3/L.1068	Algeria, Guinea, Mauritania and Senegal: amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	Mimeographed. Replaced by A/C.3/L.1068/Rev.1
A/C.3/L.1068/Rev.1	Algeria, Guinea, Mauritania and Senegal: revised amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	Mimeographed. Replaced by A/C.3/L.1068/Rev.2 and Add.1
A/C.3/L.1068/Rev.2 and Add.1	Algeria, Cameroon, Chad, Guinea, Iraq, Lebanon, Mauritania, Niger, Senegal and Togo: revised amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	See A/5603, paras. 21 and 23
A/C.3/L.1069	Czechoslovakia: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 116 and 119
A/C.3/L.1070	United States of America: proposal to add a new article to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 158 and 160
A/C.3/L.1071	Tunisia: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , para. 50
A/C.3/L.1072	Tunisia: amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 107 and 112
A/C.3/L.1073 and Corr.1	Argentina, Bolivia, Brazil, Ecuador, Mexico, Paraguay and Venezuela: amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	Mimeographed. Replaced by A/C.3/L.1073/Rev.1
A/C.3/L.1073/Rev.1	Argentina, Bolivia, Brazil, Ecuador, Mexico, Paraguay and Venezuela: revised amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	See A/5603, paras. 28, 29, 31, 32, 36, 37, 40, 42, 44 and 45
A/C.3/L.1074	Austria and Nigeria: amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 59 and 60
A/C.3/L.1075	Austria: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	Mimeographed. Replaced by A/C.3/L.1075/Rev.1
A/C.3/L.1075/Rev.1	Austria: revised amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	See A/5603, paras. 91 and 100
A/C.3/L.1076	Austria: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , para. 121
A/C.3/L.1077	Austria: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 150 and 151
A/C.3/L.1078	Chile, Nigeria, Ukrainian Soviet Socialist Republic and Yugoslavia: proposal to add a new article to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 159 and 160
A/C.3/L.1079	United States of America: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	Mimeographed. Replaced by A/C.3/L.1079/Rev.1
A/C.3/L.1079/Rev.1	United States of America: revised amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	See A/5603, paras. 63 and 65
A/C.3/L.1080	Tunisia: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	Mimeographed. Replaced by A/C.3/L.1080/Rev.1
A/C.3/L.1080/Rev.1	Tunisia: revised amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	Mimeographed. Replaced by A/C.3/L.1080/Rev.2
A/C.3/L.1080/Rev.2	Tunisia: revised amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	See A/5603, paras. 56 and 57

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/C.3/L.1081	Chad: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 109 and 111
A/C.3/L.1082	Nigeria: amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	Mimeographed. Replaced by A/C.3/L.1082/Rev.1
A/C.3/L.1082/Rev.1	Nigeria: revised amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	See A/5603, paras. 87 and 89
A/C.3/L.1083	Nigeria: amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 110 and 111
A/C.3/L.1084	Guinea, Lebanon and Tunisia: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 46 and 47
A/C.3/L.1085	United States of America: amendments to document A/C.3/L.1067	<i>Ibid.</i> , paras. 117 and 148
A/C.3/L.1086	United States of America: amendment to document A/C.3/L.1077	<i>Ibid.</i> , para. 151
A/C.3/L.1087	United States of America: amendments to document A/C.3/L.1069	<i>Ibid.</i> , paras. 117 and 119
A/C.3/L.1088	United States of America: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	Mimeographed. Replaced by A/C.3/L.1088/Rev.1
A/C.3/L.1088/Rev.1	United States of America: revised amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	See A/5603, paras. 92 and 95
A/C.3/L.1089	United States of America: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 103 and 104
A/C.3/L.1090 and Add.1	Brazil, Burundi, Ceylon, Chile, Czechoslovakia, Mali, Tanganyika, Union of Soviet Socialist Republics and Yugoslavia: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 118 and 119
A/C.3/L.1091	Ceylon: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , para. 13
A/C.3/L.1092 and Add.1	Algeria, Cuba, Guinea, Mali, Mauritania and Senegal: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 24, 25 and 26
A/C.3/L.1093	Colombia: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , para. 40
A/C.3/L.1094	Byelorussian Soviet Socialist Republic: amendment to document A/C.3/L.1079/Rev.1	<i>Ibid.</i> , para. 64
A/C.3/L.1095	Uganda: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	Mimeographed
A/C.3/L.1096	Poland: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	See A/5603, paras. 31 and 34
A/C.3/L.1097	Poland and Yugoslavia: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	Mimeographed. Replaced by A/C.3/L.1097/Rev.1
A/C.3/L.1097/Rev.1	Poland and Yugoslavia: revised amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	See A/5603, paras. 41 and 42
A/C.3/L.1098	Nigeria: amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 84 and 85
A/C.3/L.1099	Saudi Arabia: amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 13 and 22
A/C.3/L.1100 and Add.1	Ghana, Mali and Nigeria: amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 68, 69 and 72
A/C.3/L.1101	Algeria, Guinea and Senegal: amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , para. 77
A/C.3/L.1102	Argentina, Bolivia, Ecuador, Mexico and Venezuela: amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , para. 54
A/C.3/L.1103	Argentina, Bolivia, Ecuador, Mexico and Venezuela: amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , para. 55
A/C.3/L.1104	Argentina, Bolivia, Ecuador, Mexico and Venezuela: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 66 and 67
A/C.3/L.1105	Argentina, Bolivia, Ecuador, Mexico and Venezuela: amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 76 and 79
A/C.3/L.1106	Argentina, Bolivia, Ecuador, Mexico and Venezuela: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , para. 83
A/C.3/L.1107	Argentina, Bolivia, Ecuador, Mexico and Venezuela: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , para. 88
A/C.3/L.1108	Argentina, Bolivia, Ecuador, Mexico and Venezuela: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , para. 93
A/C.3/L.1109	Argentina, Bolivia, Ecuador, Mexico and Venezuela: amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 102 and 105
A/C.3/L.1110	Argentina, Bolivia, Ecuador, Mexico and Venezuela: amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , para. 108
A/C.3/L.1111	Argentina, Bolivia, Ecuador, Mexico and Venezuela: amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , para. 122

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/C.3/L.1112	Argentina, Bolivia, Ecuador, Mexico and Venezuela: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 152 and 154
A/C.3/L.1113 and Add.1	Chile, Mali, Nigeria, Ukrainian Soviet Socialist Republic, United States of America and Yugoslavia: proposal to add a new article to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 160, 161 and 162
A/C.3/L.1114	List of amendments to the draft Declaration before the Third Committee	Mimeographed. Replaced by A/C.3/L.1114/Rev.1
A/C.3/L.1114/Rev.1	Revised list of amendments to the draft Declaration before the Third Committee	Mimeographed
A/C.3/L.1115	Chad and Nigeria: amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	Mimeographed. Replaced by A/C.3/L.1115/Rev.1
A/C.3/L.1115/Rev.1	Chad and Nigeria: revised amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	See A/5603, paras. 111 and 112
A/C.3/L.1116	United States of America: amendment to document A/C.3/L.1090	<i>Ibid.</i> , para. 123
A/C.3/L.1116/Rev.1	United States of America: revised amendments to document A/C.3/L.1090 and Add.1	<i>Ibid.</i> , paras. 124 and 128
A/C.3/L.1116/Rev.2	United States of America: revised amendments to document A/C.3/L.1090 and Add.1	<i>Ibid.</i> , para. 128
A/C.3/L.1116/Rev.3	United States of America: revised amendments to document A/C.3/L.1090 and Add.1	<i>Ibid.</i> , para. 131
A/C.3/L.1117	Albania: amendment to document A/C.3/L.1090 and Add.1	<i>Ibid.</i> , paras. 120 and 135
A/C.3/L.1118	Uganda: amendment to document A/C.3/L.1073/Rev.1	<i>Ibid.</i> , paras. 51 and 52
A/C.3/L.1119	Syria: amendments to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 80 and 81
A/C.3/L.1120	Syria: amendment to the draft Declaration on the Elimination of All Forms of Racial Discrimination	<i>Ibid.</i> , paras. 94, 96 and 97
A/C.3/L.1122	Tunisia: amendment to document A/C.3/L.1116/Rev.1	<i>Ibid.</i> , paras. 125 and 128
A/C.3/L.1123	Lebanon: amendment to document A/C.3/L.1116/Rev.1	<i>Ibid.</i> , paras. 126 and 128
A/C.3/L.1124	United Arab Republic: amendment to document A/C.3/L.1116/Rev.1	<i>Ibid.</i> , paras. 127 and 132
A/C.3/L.1124/Rev.1	United Arab Republic: amendment to document A/C.3/L.1116/Rev.3	<i>Ibid.</i> , paras. 132 and 133
A/C.3/L.1125	Tunisia: amendment to document A/C.3/L.1116/Rev.2	<i>Ibid.</i> , paras. 129 and 131
A/C.3/L.1126	Publicity to be given to the United Nations Declaration on the Elimination of All Forms of Racial Discrimination: Bolivia, Lebanon, Liberia, Libya, Mauritania and Senegal—draft resolution	Mimeographed. Replaced by A/C.3/L.1126/Rev.1
A/C.3/L.1126/Rev.1	Publicity to be given to the United Nations Declaration on the Elimination of All Forms of Racial Discrimination: Bolivia, Czechoslovakia, India, Lebanon, Liberia, Libya, Mauritania, Philippines, Senegal and Sierra Leone—revised draft resolution	Mimeographed. Replaced by A/C.3/L.1126/Rev.2
A/C.3/L.1126/Rev.2	Publicity to be given to the United Nations Declaration on the Elimination of All Forms of Racial Discrimination: Argentina, Bolivia, Czechoslovakia, India, Lebanon, Liberia, Libya, Mauritania, Mexico, Mongolia, Philippines, Senegal and Sierra Leone—revised draft resolution	Adopted without change. See A/5603, para. 183 draft resolution II
A/C.3/L.1127	Bolivia, India, Libya, Nigeria, Peru, Spain, Sudan and United Arab Republic: amendments to document A/C.3/L.1090 and Add.1	See A/5603, paras. 133 and 138
A/C.3/L.1128	Byelorussian Soviet Socialist Republic: amendments to document A/C.3/L.1127	<i>Ibid.</i> , paras. 136, 139 and 145
A/C.3/L.1129	Albania: amendment to document A/C.3/L.1127	<i>Ibid.</i> , paras. 135, 143 and 144
A/C.3/L.1130	Cameroon, Guinea and Senegal: amendment to document A/C.3/L.1127	<i>Ibid.</i> , paras. 137 and 141
A/C.3/L.1131	Text of the draft Declaration on the Elimination of All Forms of Racial Discrimination as adopted by the Third Committee prior to the Committee's vote on the draft Declaration as a whole	Mimeographed
A/C.3/L.1137 and Add.1 and 2	Preparation of a draft convention on the elimination of all forms of racial discrimination: Algeria, Brazil, Chile, Cyprus, Czechoslovakia, Ghana, Guinea, Lebanon, Liberia, Libya, Madagascar, Mali, Mauritania, Mongolia, Nigeria, Pakistan, Panama, Peru, Philippines, United Arab Republic, Uruguay and Yugoslavia—draft resolution	Mimeographed. Replaced by A/C.3/L.1137/Rev.1
A/C.3/L.1137/Rev.1	Preparation of a draft international convention on the elimination of all forms of racial discrimination: Algeria, Brazil, Chile, Cyprus, Czechoslovakia, Ghana, Guinea, Lebanon, Liberia, Libya, Madagascar, Mali, Mauritania, Mexico, Mongolia, Nigeria, Pakistan, Panama, Peru, Philippines, Sierra Leone, Ukrainian Soviet Socialist Republic, United Arab Republic, Uruguay and Yugoslavia—revised draft resolution	Adopted as amended. See A/5603, paras. 180 and 183, draft resolution III
A/C.3/L.1138	Publicity to be given to the United Nations Declaration on the Elimination of All Forms of Racial Discrimination: Argentina and Mexico—amendments to document A/C.3/L.1126/Rev.1	See A/5603, para. 171
A/C.3/L.1148	Draft Declaration on the Elimination of All Forms of Racial Discrimination: text adopted by the Third Committee incorporating certain suggestions of the Rapporteur contained in document A/C.3/L.1142	Text adopted as amended by the General Assembly at its 1261st plenary meeting. See above "Action taken by the General Assembly", resolution 1904 (XVIII)
A/C.3/L.1150	Preparation of a draft convention on the elimination of all forms of racial discrimination: United States of America—amendments to document A/C.3/L.1137 and Add.1 and 2	See A/5603, paras. 176 and 184

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/C.5/978	Revised estimates for sections 1, 2, 3, 4, 5, 7, 8, 9, 10 and 11 and income section 1 resulting from decisions of the Economic and Social Council—report of the Secretary-General	<i>Official Records of the General Assembly, Eighteenth Session, Annexes, agenda item 58</i>
A/C.5/988	Statement made by the Secretary-General at the 1019th meeting of the Fifth Committee	<i>Ibid.</i>
E/3743	Report of the Commission on Human Rights on its nineteenth session (11 March-5 April 1963)	<i>Official Records of the Economic and Social Council, Thirty-sixth Session, Supplement No. 8</i>



Agenda item 47: Measures designed to promote among youth the ideals of peace, mutual respect and understanding between peoples*

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* For the discussion of this item, see *Official Records of the General Assembly, Eighteenth Session, Third Committee*, 1279th to 1282nd meetings and 1284th to 1287th meetings; and *ibid.*, *Plenary Meetings*, 1280th meeting.

DOCUMENT A/5445

Note by the Secretary-General

[Original text: English]
[16 July 1963]

1. The General Assembly has considered the item entitled "Measures designed to promote among youth the ideals of peace, mutual respect and understanding between peoples" since its fifteenth session. At its seventeenth session, the General Assembly, by resolution 1842 (XVII), decided to give priority to it and to devote as many meetings as possible to its consideration at the eighteenth session.

2. At the seventeenth session the Assembly had before it a report from the United Nations Educational, Scientific and Cultural Organization (UNESCO) (E/3638 and Add.1), which was prepared in accordance with General Assembly resolution 1572 (XV), and which was transmitted by the Economic and Social Council in its resolution 895 (XXXIV), together with the record of the Council's discussion on the subject,¹ for whatever decision the General Assembly might see fit to take thereon. A draft declaration was also submitted by Romania (A/C.3/L.1051).

¹ See *Official Records of the Economic and Social Council, Thirty-fourth Session*, 1231st and 1233rd meetings.

DOCUMENT A/5669

Report of the Third Committee

[Original text: English]
[12 December 1963]

INTRODUCTION

1. At its 1210th plenary meeting, held on 20 September 1963, the General Assembly allocated to the Third Committee agenda item 47 entitled: "Measures designed to promote among youth the ideals of peace, mutual respect and understanding between peoples".

2. At its seventeenth session the General Assembly had before it a report from the United Nations Educational, Scientific and Cultural Organization (UNESCO) (E/3638 and Add.1), which was

prepared in accordance with General Assembly resolution 1572 (XV), and which was transmitted by the Economic and Social Council in its resolution 895 (XXXIV), together with the record of the Council's discussion on the subject,² for whatever decision the General Assembly might see fit to take thereon. A draft declaration was also submitted by Romania (A/C.3/L.1051). At that session, the Assembly was unable to consider this item and by resolution 1842

² *Ibid.*

(XVII) decided to give priority to it and to devote as many meetings as possible to its consideration at the eighteenth session.

3. The Third Committee considered this item from its 1279th to 1282nd and from its 1284th to 1287th meetings held from 4 to 6 December and from 9 to 11 December 1963.

4. A general discussion was held from the 1279th to the 1282nd and from the 1284th to the 1285th meetings. At the 1282nd meeting the Committee heard a statement by the representative of UNESCO on its current and proposed activities on the subject under discussion. At the 1286th and 1287th meetings, the Committee considered the proposals submitted to it and adopted a draft resolution for submission to the General Assembly (see para. 18 below).

DRAFT DECLARATION

5. At the 1279th meeting a draft declaration on the promotion among youth of the ideals of peace, mutual respect and understanding between peoples (A/C.3/L.1183 and Corr.1), was submitted by Afghanistan, Algeria, Cambodia, Cameroon, Ceylon, Mali and Romania. Subsequently, revisions were made to the draft declaration, and the final version, which was sponsored by Afghanistan, Algeria, Cambodia, Cameroon, Central African Republic, Ceylon, Cuba, Ghana, Guinea, Jordan, Lebanon, Madagascar, Mali, Mauritania, Niger, Nigeria, Romania, Rwanda, Senegal, Tanganyika, Togo, Uganda, Ukrainian Soviet Socialist Republic, the United Arab Republic, Upper Volta, and Yugoslavia, read as follows (A/C.3/L.1183/Rev.3 and Corr.1 and Add.1):

"The General Assembly,

"Recalling that under the terms of the Charter of the United Nations the peoples have declared themselves determined to save succeeding generations from the scourge of war,

"Recalling further that the United Nations has affirmed in its Charter its faith in fundamental human rights, in the dignity of the human person and in the equal rights of men and nations,

"Reaffirming the principles embodied in the Universal Declaration of Human Rights, the Declaration on the granting of independence to colonial countries and peoples (resolution 1514 (XV)), the United Nations Declaration on the Elimination of All Forms of Racial Discrimination (resolution 1904 (XVIII)), its resolution 110 (II) condemning all forms of propaganda designed or likely to provoke or encourage any threat to the peace, the Declaration of the Rights of the Child (resolution 1386 (XIV)) and its resolution 1572 (XV), which have a particular bearing upon the upbringing of young people in a spirit of peace, mutual respect and understanding among peoples,

"Taking into consideration the fact that in the conflagrations which have afflicted mankind it has been the young people who have had to suffer most and who have furnished the greatest number of victims,

"Convinced that young people wish to have an assured future and that peace, freedom and justice are among the chief guarantees that their desire for happiness will be fulfilled,

"Bearing in mind the important part being played by young people in every field of human endeavour

and the fact that they are destined to guide the fortunes of mankind,

"Bearing in mind furthermore that, in this age of great scientific, technological and cultural achievements, the energies, enthusiasm and creative abilities of the young should be devoted to the material and spiritual advancement of all peoples,

"Convinced that the young should know, respect and develop the cultural heritage of their own country and that of all mankind,

"Convinced furthermore that the education of the young and exchanges of young people and of ideas in a spirit of peace, mutual respect and understanding between peoples can help to improve international relations and to strengthen peace and security,

"Proclaims this Declaration on the promotion among youth of the ideals of peace, mutual respect and understanding between peoples and calls upon Governments, non-governmental organizations and youth movements to recognize the principles set forth in this Declaration and to ensure their observance by means of appropriate measures.

"I

"Young people shall be brought up in the conviction that in our time war can and must be eliminated from the world and that general and complete disarmament and friendly relations and co-operation among States are absolutely necessary to the maintenance of peace.

"II

"The education of the young shall prepare them for mutual understanding, international co-operation, friendship, respect between peoples, democracy and human progress.

"All means of education, instruction and information intended for the young should foster among them the ideas of peace, humanism, liberty and international solidarity and any idea which helps to bring peoples closer together.

"III

"Young people shall be brought up in the knowledge of the dignity and equality of all men without distinction as to race, colour or ethnic origins, and in respect for fundamental human rights and for the right of peoples to self-determination.

"IV

"In order to promote mutual understanding and closer contact among young people of all countries, it is necessary to encourage and facilitate exchanges, visits and meetings for the purpose of joint participation in educational and cultural activities in the spirit of this Declaration.

"To the same end encouragement should be given to the twinning of towns, without any discrimination, directly or under the auspices of national or international organizations.

"V

"National and international associations of young people must be encouraged to promote the ideas of peace, mutual understanding, the equal rights of all nations and the final abolition of colonialism and of racial discrimination.

"Youth organizations and movements should take part, without any discrimination, in the work of educating the young, in accordance with these ideals.

"All organizations based on ideas contrary to the principles of this Declaration must be strongly condemned.

"VI

"The aim in educating the young shall be to develop all their faculties, and to train them to acquire higher moral qualities, to be deeply attached to the noble ideas of peace, liberty, the dignity and equality of all men, and imbued with respect and love for humanity and its creative achievements. To this end the family has an important role to play.

"Young people must become conscious of their responsibilities in the world they will be called upon to manage and should be inspired with confidence in a future of happiness for mankind."

6. An amendment was proposed by Greece (A/C.3/L.1185) to insert in principle II of the operative part of the draft declaration the words "including as of major importance parental guidance" after the words "All means of education".

7. Amendments to the draft declaration were submitted also by the United States of America (A/C.3/L.1187 and Corr.2) reading as follows:

"1. The title of the proposal should be changed to read 'Recommendations on education for international understanding among youth'.

"2. Insert an additional paragraph between preambular paragraphs 3 and 4 to read as follows:

"*Recognizing*, as declared by UNESCO in its Constitution, that since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed; that ignorance of each other's ways and lives has been a common cause, throughout the history of mankind, of that suspicion and mistrust which has allowed differences between the peoples of the world to break out in war; and that full and equal opportunities for education for all, the unrestricted pursuit of truth and the free exchange of ideas and knowledge can be employed to advance mutual understanding and a more perfect knowledge of each other's lives,'.

"3. Revise preambular paragraph 4 to read as follows:

"*Taking into consideration* that in war it is young people who are called upon to make the greatest sacrifices, and that in the past the greatest number of victims have been young people,'.

"4. Revise preambular paragraph 5 to read as follows:

"*Convinced* that peace with freedom and justice is essential if young people are to be assured a future in which their desires and happiness can be fulfilled,'.

"5. In preambular paragraph 7, replace the phrase 'should be devoted to the material and spiritual advancement of all peoples' by 'are especially needed to direct these vast new resources for the benefit of all peoples,'.

"6. After the present preambular paragraph 8, insert a new paragraph to read as follows:

"*Recognizing* the interests of young people in giving service as proven by voluntary governmental youth corps now working in various parts of the

world in the cause of peace and international understanding,'.

"7. Replace the present preambular paragraph 10 by the following two paragraphs:

"*Confident* that Governments, non-governmental organizations, educational authorities and all others engaged in activities with young people will collaborate in seeking the methods best suited to prepare the children of the world for the responsibilities of freedom,

"*Recommends* to Member States that:'.

"8. Principle I of the operative part:

"(a) After the word 'war' delete 'can' and insert 'is neither necessary nor inevitable';

"(b) After the word 'disarmament' insert the phrase 'under effective international controls'.

"9. Principle II of the operative part, second paragraph: replace 'should foster among them the ideas of peace, humanism, liberty and international solidarity and of any idea which helps to bring peoples closer together.' by 'should be directed to an understanding of the United Nations as the means to preserve and maintain peace and to achieve a peaceful solution of all disputes between nations, and also an understanding of the obligations of Member States and of their citizens to support the United Nations and its specialized agencies.'

"10. Revise principle IV of the operative part to read as follows:

"In order to promote mutual understanding and closer contact among young people in all countries, exchanges, visits, meetings, and the twinning of cities should be encouraged and facilitated for the purpose of joint participation in education and cultural activities for the purposes of international peace and co-operation.'

"11. Principle V of the operative part:

"(a) Paragraph 1, replace the word 'must' by 'should'.

"(b) In paragraph 1, after the words 'to promote', delete 'the' and insert the phrase 'the purpose of the United Nations and other'.

"(c) Paragraph 2, replace 'and movements should take part, without any discriminating, in the work of educating the young, in accordance with these ideals.' by the following text: 'should aid in arousing young people generally to shoulder their responsibilities to support the United Nations and to resist efforts from any source to disseminate ideas of war, hatred, and the inequality of nations and races. Such organizations should be of their own choosing and in no case should youth organizations be used to inhibit the free exchange of ideas.'

"(d) In paragraph 3, replace the words 'this Declaration' by 'the United Nations'.

"12. Principle VI of the operative part:

"(a) Paragraph 1, replace 'shall' by 'should'.

"(b) Paragraph 2, replace 'must' by 'should'."

OTHER PROPOSALS

8. The following draft resolution (A/C.3/L.1186) entitled "Promotion of international understanding among youth" was submitted by the United States of America:

"*The General Assembly,*

"Noting the report prepared by UNESCO (E/3638 and Add.1) in response to the invitation of the General Assembly in its resolution 1572 (XV), and the action taken by UNESCO, to expand programmes for promotion among youth of the ideals of peace, mutual respect and understanding between peoples,

"*Bearing in mind* that basic research is indispensable to the formation and development of attitudes among youth,

"*Noting also* the UNESCO Youth Conference to be held in Grenoble, France, in August 1964, and the directive of the twelfth General Conference of UNESCO that it consider, *inter alia*, further measures for this purpose,

"*Believing* that the findings of this Conference will be of special interest to the General Assembly,

"1. *Expresses its appreciation* to UNESCO for the report on measures designed to promote among youth the ideals of peace, mutual respect and understanding between peoples;

"2. *Invites* UNESCO to continue to inform the United Nations of its activities among youth through its regular reports to the Economic and Social Council;

"3. *Requests* the Secretary-General to bring the pertinent sections of the forthcoming report of UNESCO to the Council to the attention of the General Assembly at its nineteenth session, with a view to the Assembly's continued consideration of effective programmes for promotion of peace ideals among young people;

"4. *Requests* UNESCO to emphasize studies, investigations and research on prejudices, formation of attitudes, the conditions under which international contact could produce the best results, and on the most effective means of transmitting ideas and on the evaluation of experimental programmes and activities."

9. Australia and Pakistan submitted a draft resolution (A/C.3/L.1188), which read as follows:

"*The General Assembly,*

"*Noting with appreciation* the study made by UNESCO (E/3638 and Add.1) regarding measures designed to promote among youth the ideals of peace, mutual respect and understanding between peoples,

"*Noting* that the twelfth General Conference of UNESCO, held in October 1962:

"(a) *Approved* the report submitted by the Director General of UNESCO on measures designed to promote among youth the ideals of peace, mutual respect and understanding between peoples,

"(b) *Recommended* that the Director General of UNESCO include that subject as an item on the agenda of the 1964 International Conference of Youth,

"*Affirming* the great importance of giving the most serious attention to any proposal for advancing the acceptance of the above-mentioned ideals,

"*Thoroughly approving* the view of UNESCO that the youth of the world itself should have an opportunity of considering a subject which is of great and obvious concern to them,

"*Considering* that a proposal has been made for a declaration on measures designed to promote among

youth the ideals of peace, mutual respect and understanding between peoples,

"*Affirming* the fact that any United Nations declaration should be a solemn affirmation of principle and that it is of the greatest importance that the status of the declaration as an international instrument should be fully maintained,

"*Affirming* the principle that no declaration should issue from the General Assembly that has not been fully and adequately considered,

"*Invites* the United Nations Educational Scientific and Cultural Organization to place on the agenda of its thirteenth General Conference the subject of measures designed to promote among youth the ideals of peace, mutual respect and understanding between peoples, and in the light of the proposals made and the discussions held at the International Conference of Youth, to decide upon the best means of furthering those ideals, and to recommend accordingly to the General Assembly at its nineteenth session."

Subsequently the operative paragraph was revised to read as follows (A/C.3/L.1188/Rev.1):

"*Requests* the Secretary-General to ensure that Member States receive all documents and records relevant to the subject under discussion in adequate time for consideration by Governments before the nineteenth session of the General Assembly, including in particular the records of the International Conference on Youth and of the deliberations of the General Assembly at its eighteenth session and if possible of the thirteenth General Conference of UNESCO."

10. The United States of America, Australia and Pakistan, at the 1287th meeting, withdrew their respective draft resolutions.

11. Argentina, Bolivia, Brazil, Colombia, Costa Rica, Ecuador, Guatemala, Jamaica, Mexico, Panama, Peru, Uruguay, and Venezuela submitted the following draft resolution (A/C.3/L.1189):

"*The General Assembly,*

"*Recalling* its resolutions 1572 (XV) and 1842 (XVII),

"*Convinced* of the desirability of adopting a declaration on the promotion among youth of the ideals of peace, mutual respect and understanding between peoples,

"*Considering* that, despite the praiseworthy efforts made by various delegations, it is still without a draft which would adequately supplement the text of other declarations and resolutions adopted in the past and would constitute an appeal that would arouse intense interest among the youth of the world,

"*Considering also* that such a declaration can only be drawn up with the help of a careful study based on the experience of the Governments of States Members, and close collaboration with the national commissions of UNESCO and with youth organizations throughout the world,

"*Convinced* that it is necessary to continue its efforts in favour of mutual respect and understanding between the youth of the peoples of the world,

"I

"1. *Requests* the Secretary-General to transmit to Member States the records of the present session, together with the draft declaration on the promotion

among youth of the ideals of peace, mutual respect and understanding between peoples;

"2. *Invites* Member States to submit to the Secretary-General their views on the proposed declaration, where necessary consulting the most experienced educators and leaders of youth activities;

"3. *Requests* UNESCO to transmit the records of this session, together with the draft declaration circulated by various delegations, to its national commissions, to youth organizations and to the International Conference of Youth, so that they make whatever comments they may deem appropriate;

"4. *Requests* UNESCO to transmit those comments to the Secretary-General, together with its own views, as early as possible;

"5. *Decides* to set up a special committee composed of representatives of, which will meet in August 1964 and will be instructed to draw up a draft declaration on the promotion among youth of the ideals of peace, mutual respect and understanding between peoples, taking into account the replies and comments received.

"II

"6. *Congratulates* UNESCO on organizing the International Conference of Youth, to be held at Grenoble in August 1964, and is glad to know that the Conference will devote its attention to all measures designed to promote greater understanding and co-operation among young people;

"7. *Requests* the Secretary-General, in consultation with the Director-General of UNESCO, to study the desirability of establishing regional documentation and study centres whose purpose would be to train young people in a greater understanding of their common ideals, upon the achievement of which the future of mankind depends;

"8. *Decides* to include the item 'Measures designed to promote among youth the ideals of peace, mutual respect and understanding between peoples' on the agenda of its nineteenth session."

12. A statement on the financial implications of the above-mentioned draft resolution was submitted by the Secretary-General (A/C.3/L.1190) which related to its operative paragraphs 5 and 7.

13. The draft resolution was subsequently revised by the original co-sponsors, joined by Nicaragua (A/C.3/L.1189/Rev.1) to read as follows:

"The General Assembly,

"Recalling its resolutions 1572 (XV) and 1842 (XVII),

"Recognizing the need to adopt a declaration on the promotion among the young of the ideals of peace, mutual respect and understanding between peoples,

"Considering that praiseworthy efforts have been made by various delegations to prepare a draft which would adequately supplement the text of other declarations and resolutions adopted in the past and would constitute an appeal that would arouse intense interest among the youth of the world,

"Considering the need for the widest possible participation by Governments and youth organizations in the declaration,

"Considering also the lack of time during the present session, which has made it impossible to complete the said declaration,

"Convinced that it is necessary to continue its efforts in favour of mutual respect and understanding between the youth of the peoples of the world,

"I

"1. *Requests* the Secretary-General to transmit to Member States the draft declaration on the promotion among youth of the ideals of peace, mutual respect and understanding between peoples (A/C.3/L.1183/Rev.3 and Corr.1 and Add.1) and the amendments submitted (A/C.3/L.1185 and A/C.3/L.1187 and Corr.2) as well as the records of the present session;

"2. *Invites* Member States to submit to the Secretary-General their views on the proposed declaration, where necessary consulting the most experienced educators and leaders of youth activities;

"3. *Requests* the Director-General of UNESCO to transmit the records of this session of the General Assembly to its national commissions, to youth organizations and to the International Conference on Youth, so that they make whatever comments they may deem appropriate;

"4. *Also requests* the Director-General of UNESCO to transmit those comments to the Secretary-General as early as possible;

"5. *Decides* to continue the examination and final elaboration of the declaration at its nineteenth session;

"II

"1. *Congratulates* UNESCO on organizing the International Conference on Youth, to be held at Grenoble in August 1964, and is glad to know that the Conference will devote its attention to all measures designed to promote greater understanding and co-operation among young people;

"2. *Requests* the Secretary-General, in consultation with the Director-General of UNESCO, to study the desirability of establishing regional documentation and study institutes whose purpose would be to train young people in a greater understanding of their common ideals, upon the achievement of which the future of mankind depends."

VOTING

14. At the 1287th meeting the Committee proceeded to vote on the draft resolution of Argentina, Bolivia, Brazil, Colombia, Costa Rica, Ecuador, Guatemala, Jamaica, Mexico, Nicaragua, Panama, Peru, Uruguay and Venezuela (A/C.3/L.1189/Rev.1) as the draft declaration and amendments thereto (see paras. 5-7 above) were not pressed to the vote.

15. An oral amendment of Cameroon, to insert the words "definitive version of the" after the words "to complete the" and before the words "said declaration" in paragraph 5 of the preamble of the joint draft resolution, was adopted by 59 votes to 11, with 13 abstentions. The fifth paragraph of the preamble, as amended, was adopted by 66 votes to none, with 17 abstentions. It reads as follows:

"Considering also the lack of time during the present session, which has made it impossible to

complete the definitive version of the said declaration.”

16. An oral amendment of Senegal to add in operative paragraph 5 of section I of the joint draft resolution, the words “as a matter of priority” after the words “to continue”, was adopted by 50 to none, with 39 abstentions. Operative paragraph 5, as amended, was adopted by 78 votes to none, with 18 abstentions.

17. The joint draft resolution as a whole, as amended, was adopted by a roll-call vote by 86 to none, with 3 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Austria, Belgium, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Cuba, Cyprus, Czechoslovakia, Denmark, Ecuador, El Salvador, Finland, France, Ghana, Greece, Guinea, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan,

Kuwait, Lebanon, Liberia, Libya, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Pakistan, Panama, Peru, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sudan, Sweden, Syria, Tanganyika, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom, United States of America, Venezuela, Yugoslavia.

Against: None.

Abstaining: Australia, Burma, Nigeria.

Recommendation of the Third Committee

18. The Third Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See “Action taken by the General Assembly” below.]

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1280th plenary meeting, on 13 December 1963, the General Assembly adopted the draft resolution submitted by the Third Committee (A/5669, para 18). For the final text, see resolution 1965 (XVIII) below.

Resolution adopted by the General Assembly

1965 (XVIII). MEASURES DESIGNED TO PROMOTE AMONG YOUTH THE IDEALS OF PEACE, MUTUAL RESPECT AND UNDERSTANDING BETWEEN PEOPLES

The General Assembly,

Recalling its resolutions 1572 (XV) of 18 December 1960 and 1842 (XVII) of 19 December 1962,

Recognizing the need to adopt a declaration on the promotion among youth of the ideals of peace, mutual respect and understanding between peoples,

Considering that praiseworthy efforts have been made by various delegations to prepare a draft which would adequately supplement the text of other declarations and resolutions adopted in the past and constitute an appeal that would arouse intense interest among the youth of the world,

Considering the need for the widest possible participation by Governments and youth organizations with respect to the declaration,

Considering also the lack of time during the eighteenth session, which has made it impossible to complete the definitive version of the said declaration,

Convinced that it must continue its efforts in favour of mutual respect and understanding among the youth of the peoples of the world,

I

1. *Requests* the Secretary-General to transmit to Member States the draft Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples (see A/5669, para. 5) and the amendments thereto (*ibid.*, paras. 6 and 7), as well as the relevant records of the eighteenth session;

2. *Invites* Member States to submit to the Secretary-General their views on the proposed Declaration, after

consultation, where necessary, with the most experienced educators and leaders of youth activities;

3. *Invites* the Director-General of the United Nations Educational, Scientific and Cultural Organization to transmit the relevant records of the eighteenth session of the General Assembly to the national commissions, to youth organizations and to the International Conference on Youth, so that they may make whatever comments they deem appropriate;

4. *Also invites* the Director-General of the United Nations Educational, Scientific and Cultural Organization to transmit those comments to the Secretary-General of the United Nations as early as possible;

5. *Decides* to continue as a matter of priority the examination and final elaboration of the Declaration at its nineteenth session;

II

1. *Congratulates* the United Nations Educational, Scientific and Cultural Organization on organizing the International Conference on Youth, to be held at Grenoble in August 1964, and expresses its satisfaction that the Conference will devote its attention to all measures designed to promote greater understanding and cooperation among young people;

2. *Requests* the Secretary-General of the United Nations, in consultation with the Director-General of the United Nations Educational, Scientific and Cultural Organization, to study the desirability of establishing regional documentation and study institutions whose purpose would be to train young people in a greater understanding of their common ideals, upon the achievement of which the future of mankind depends.

*1280th plenary meeting,
13 December 1963.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 47 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/C.3/L.1051	Romania : draft declaration	<i>Official Records of the General Assembly, Seventeenth Session, Annexes, agenda item 83</i>
A/C.3/L.1183 and Corr.1	Afghanistan, Algeria, Cambodia, Cameroon, Ceylon, Mali and Romania : draft declaration on the promotion among youth of the ideals of peace, mutual respect and understanding between peoples	Replaced by A/C.3/L.1183/Rev.1
A/C.3/L.1183/Rev.1	Afghanistan, Algeria, Cambodia, Cameroon, Central African Republic, Ceylon, Ghana, Mali, Mauritania, Nigeria, Romania, Senegal and Togo : revised draft declaration	Replaced by A/C.3/L.1183/Rev.2
A/C.3/L.1183/Rev.2	Afghanistan, Algeria, Cambodia, Cameroon, Central African Republic, Ceylon, Ghana, Mali, Mauritania, Nigeria, Romania, Senegal, Togo, United Arab Republic, Upper Volta and Yugoslavia : revised draft declaration	Replaced by A/C.3/L.1183/Rev.3
A/C.3/L.1183/Rev.3 and Corr.1 and Add.1	Afghanistan, Algeria, Cambodia, Cameroon, Central African Republic, Ceylon, Cuba, Ghana, Guinea, Jordan, Lebanon, Madagascar, Mali, Mauritania, Niger, Nigeria, Romania, Rwanda, Senegal, Tanganyika, Togo, Uganda, Ukrainian Soviet Socialist Republic, United Arab Republic, Upper Volta, Yugoslavia : revised draft resolution	See A/5669, paras. 5 and 14
A/C.3/L.1185	Greece : amendment to document A/C.3/L.1183/Rev.3	See A/5669, paras. 6, 12 and 14
A/C.3/L.1186	United States of America : draft resolution	See A/5669, paras. 8 and 10
A/C.3/L.1187 and Corr.2	United States of America : amendments to document A/C.3/L.1183/Rev.3	See A/5669, paras. 7 and 14
A/C.3/L.1188	Australia and Pakistan : draft resolution	See A/5669, para. 9
A/C.3/L.1188/Rev.1	Australia and Pakistan : revised draft resolution	See A/5669, paras. 9 and 10
A/C.3/L.1189	Argentina, Bolivia, Brazil, Colombia, Costa Rica, Ecuador, Guatemala, Jamaica, Mexico, Panama, Peru, Uruguay and Venezuela : draft resolution	See A/5669, paras. 11 and 13
A/C.3/L.1189/Rev.1	Argentina, Bolivia, Brazil, Colombia, Costa Rica, Ecuador, Guatemala, Jamaica, Mexico, Nicaragua, Panama, Peru, Uruguay and Venezuela : revised draft resolution	See A/5669, paras. 13, 14, 15, 16 and 17
A/C.3/L.1190	Financial implications of the draft resolution contained in document A/C.3/L.1189 : note by the Secretary-General	See A/5669, para. 12
E/3638 and Add.1	Notes by the Secretary-General transmitting the report by the Acting Director-General of UNESCO (UNESCO/ED/189) and the summary record of a meeting of the Executive Board of UNESCO (UNESCO/61/EX/SR.21).	Mimeographed



Agenda item 48: Draft International Covenants on Human Rights*

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* For the discussion of this item, see *Official Records of the General Assembly, Eighteenth Session, Third Committee*, 1256th to 1269th and 1273rd to 1279th meetings; and *ibid.*, *Plenary Meetings*, 1279th meeting.

DOCUMENTS A/5411 AND ADD.1-2

Explanatory paper on measures of implementation prepared by the Secretary-General and observations from Governments

DOCUMENT A/5411

CONTENTS (continued)

Explanatory paper on measures of implementation prepared by the Secretary-General

[Original text: English]
 [29 April 1963]

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ABBREVIATIONS

FAO	Food and Agriculture Organization of the United Nations
ILO	International Labour Organisation
UNESCO	United Nations Educational, Scientific and Cultural Organization
WHO	World Health Organization

* * *

INTRODUCTION

1. The present document has been prepared in compliance with General Assembly resolution 1843 B (XVII) of 19 December 1962 requesting the Secretary-General to submit to the Assembly at its eighteenth session an explanatory paper bringing up to date his "Annotations on the text of the draft International Covenants on Human Rights" (A/2929), in the light of the developments that have taken place since the publication of that document, with a view to clarifying the main issues involved in the implementation of the International Covenants. In compliance with the above-

mentioned resolution, this document is also being sent to Governments of Member States in order that they may communicate any observations thereon by 30 July 1963 for submission to the Assembly at its eighteenth session. Observations received from Member Governments will be submitted to the General Assembly in addenda to the present document.

2. Since the publication of the "Annotations", there have been no developments in the United Nations directly connected with the measures of implementation of the draft Covenants (*ibid.*, pp. 9-10, 67-103, 116-125). There have been, however, certain developments outside the United Nations, particularly in the regional inter-governmental organizations, which are mentioned in the present paper because these developments relate to instruments comparable to the draft Covenants in scope and contents and deal with the question of implementation. These regional instruments are: the European Convention for the Protection of Human Rights and Fundamental Freedoms, signed at Rome on 4 November 1950,¹ and a protocol to it of 1952, which corresponds to the draft Covenant on Civil and Political Rights; the European Social Charter, signed at Turin on 18 October 1961,² which corresponds to the draft Covenant on Economic, Social and Cultural Rights; and the draft Convention on Human Rights prepared by the Inter-American Council of Jurists of the Organization of American States,³ which corresponds to both draft Covenants. Besides these instruments, and though strictly not comparable to them or to the draft Covenants, there have been certain developments in the ILO and UNESCO which are also of interest in so far as the problem of implementation is concerned. The ILO and UNESCO have adopted conventions which deal with some of the rights and freedoms covered in the draft Covenants. For instance, the ILO adopted the Convention concerning the abolition of forced labour and the Convention concerning the protection and integration of indigenous and other tribal and semi-tribal populations in independent countries, both in 1957;⁴ the Convention concerning discrimination in respect of employment and occupation, in 1958;⁵ and the Convention concerning basic aims and standards of social policy, in 1962.⁶ In 1960 UNESCO adopted the Convention against discrimination in education.⁷ Because these and other human rights conventions which have been or may be adopted by the ILO and UNESCO are subject to the measures of implementation developed under the Constitutions of the ILO and UNESCO, references to these measures are made in this paper.

3. The draft Covenants include certain measures of implementation as integral parts of the Covenants, leaving the possibility open for one or more protocols

¹ See United Nations, *Treaty Series*, vol. 213 (1955), No. I.2889. Although this Convention was adopted before the publication of the "Annotations on the text of the draft International Covenants on Human Rights" (A/2929), its provisions on measures of implementation came into play principally after that time.

² See Council of Europe, *European Treaty Series*, No. 35.

³ See *Organization of American States, Inter-American Council of Jurists, Fourth Meeting, Santiago, Chile, August-September 1959*, document 101.

⁴ See *International Labour Office, Official Bulletin, Vol. XL (1957)*, No. 1, Conventions Nos. 105 and 107.

⁵ *Ibid.*, Vol. XLI (1958), No. 2, Convention No. 111.

⁶ *Ibid.*, Vol. XLV (1962), No. 3, supplement I, Convention No. 117.

⁷ See *United Nations Educational, Scientific and Cultural Organization, General Conference, Eleventh Session, Paris, 1960, Resolutions*, p. 119.

to the Covenants to set out other, and perhaps more far reaching, measures of implementation. The regional instruments mentioned above also include certain measures of implementation as integral parts of those instruments. Further, they incorporate other measures of implementation in the form of optional clauses within the instruments. The UNESCO Convention against discrimination in education includes certain measures of implementation, but certain other measures are set out in the protocol of 1962 to that Convention. Under the ILO system the measures of implementation developed under the Constitution of the ILO for all conventions of the organization do not preclude other measures being included in those conventions.

DIFFERENT MEASURES OF IMPLEMENTATION FOR DIFFERENT HUMAN RIGHTS

4. Different measures of implementation have been included in the two draft Covenants on the ground that the nature of the rights and obligations laid down in each Covenant is distinct. Thus, economic, social and cultural rights are formulated in general terms with an over-all clause concerning permissible limitations to them, and they are to be achieved progressively; civil and political rights are defined more precisely, setting out in the case of each right the permissible limitations to it, and they are to be applied forthwith.

5. For the implementation of the draft Covenant on Civil and Political Rights, it is proposed to establish a system of reports by States Parties on the legislative or other measures, including judicial remedies, which they have adopted at any given time to give effect to the rights recognized therein. It is also proposed to establish a Human Rights Committee to which States Parties may submit complaints concerning failure to give effect to any provision of the Covenant. Further, States Parties may approach the International Court of Justice if the Committee is unable to reach a friendly solution of any matter referred to it. States Parties may also approach the Court independently concerning any dispute arising out of the interpretation or application of the Covenant in a matter within the competence of the Committee.

6. As for the implementation of the Covenant on Economic, Social and Cultural Rights, the draft Covenant would establish a system of periodic reports by States Parties concerning the progress made in achieving the observance of the rights recognized therein. Any complaints procedures for such rights, it was thought, would be impractical since it would be most difficult to determine what the rate of progress in any particular case should be.

7. The differences in the nature of the rights and the obligations to be undertaken by States Parties have also been used as the main criteria to determine the implementation measures which are to apply to instruments comparable to the draft Covenants. Thus, the European Convention and the protocol to it, which deal with civil and political rights, provide for a complaints procedure; the procedure is in many respects more far reaching than that proposed in the draft Covenant on Civil and Political Rights. The European Social Charter contains a reporting system which is comparable to that set out in the draft Covenant on Economic, Social and Cultural Rights. Again, the Inter-American draft Convention on Human Rights, which deals with civil and political rights, as well as with economic, social and cultural rights, nevertheless provides for different meas-

ures of implementation for the two sets of rights. Generally, these measures are similar to those proposed in the two draft Covenants. The implementation measures for civil and political rights, however, go further than those in the draft Covenant on Civil and Political Rights and are more comparable to those incorporated in the European Convention. A direct reporting system for civil and political rights is not contemplated in either the European Convention or the Inter-American draft Convention, but they both include indirect methods by which reports on such rights may be obtained.

8. The measures of implementation provided for in the Constitution of the ILO govern all conventions of the ILO irrespective of the nature of the rights, and they combine a system of reporting and complaints procedure and the possibility of referring certain matters to the International Court of Justice.

9. The UNESCO Constitution establishes a system of periodic reports on action taken by each Member State upon the recommendations and conventions adopted by the General Conference. In addition, the UNESCO Convention against discrimination in education provides for the submission of periodic reports, and the protocol to the Convention for a complaints procedure. The complaints procedure is very similar to that proposed in the draft Covenant on Civil and Political Rights.

10. According to the provisions of the draft Covenants, the reporting systems in both Covenants are to apply to article 1—on self-determination—of both Covenants, and a separate system of implementation measures is to apply to the article in the draft Covenant on Civil and Political Rights. A provision on self-determination is included also in the Inter-American draft Convention on Human Rights in the part devoted to economic, social and cultural rights which, as indicated earlier, are to be implemented through a reporting system.

IMPLEMENTATION THROUGH A REPORTING SYSTEM

11. It is evident from the preceding paragraphs that some form of reporting system has become a common method for encouraging promotion and observance of human rights. Not only are reporting systems contained in the proposed Covenants and regional instruments; they are also provided for conventions of the specialized agencies. Indeed, members of specialized agencies such as the ILO, UNESCO, FAO and WHO are obliged, under the constitutions of those agencies, to make periodic reports generally and not only on the implementation of conventions to which they may be parties. It should also be recalled that a system of periodic reports from Member States and from States members of the specialized agencies on developments in human rights was instituted by the Economic and Social Council in 1956.

Purpose of the reports

12. The purpose of the reports from States Parties to the Covenant on Economic, Social and Cultural Rights is to ascertain the progress made by them in achieving the observance of the rights recognized therein, and to know from them about any factors or difficulties affecting the degree of fulfilment by them of obligations under the Covenant. The reports asked for by the regional instruments relating to similar rights have the same purpose.

13. The aim of the reports from States Parties to the Covenant on Civil and Political Rights is to ascertain, at any given time, the legislative or other measures, including judicial remedies, which they have adopted and which give effect to the rights recognized therein, and in particular factors and difficulties, if any, affecting the progressive implementation of article 22, paragraph 4, of the Covenant, concerning equality of rights and responsibilities of spouses as to marriage, during marriage and at its dissolution. The first reports are to be submitted within one year of the entry into force of the Covenant for the State concerned. This requirement arises from the difference of opinion which appeared in connexion with the wording of article 2 of the draft Covenant on Civil and Political Rights which, as drafted by the Commission on Human Rights (E/2573, annex I B), allows States, after they have become Parties to the Covenant, to adopt legislative or other measures as may be necessary to give effect to the rights recognized in that Covenant.

14. There are no comparable reporting systems for civil and political rights prescribed by the European Convention or the Inter-American draft Convention. Nevertheless, under the former, reports may be asked for by the Secretary-General of the Council of Europe and, under the latter, reports may be asked for by the commission to be established under that convention. The purpose of these reports is to obtain an explanation of the manner in which the internal law of a State Party ensures the effective implementation of any or all of the provisions of the convention.

15. The purpose of the reports asked for in accordance with the Constitution of the ILO is to ascertain the measures which are taken by States Parties to give effect, both in law and in practice, to the provisions of conventions.

16. The States Parties to the UNESCO Convention against discrimination in education are to give information in their reports on the legislative and administrative provisions which they have adopted and other actions which they have taken for the application of the Convention, including that taken for the formulation and the development of the national policy defined in article 4, as well as the results achieved and the obstacles encountered in the application of that policy.

17. Under the triennial reports requested by Economic and Social Council resolution 624 B (XXII), which is subject to review by the Commission on Human Rights when the Covenants, together with measures of implementation, come into force, States Members of the United Nations and members of the specialized agencies are to report on developments and the progress achieved in the field of human rights, and measures taken to safeguard human liberty, on the basis of the rights enumerated in the Universal Declaration of Human Rights and the right of peoples to self-determination.

Frequency of the reports

18. The reports on economic, social and cultural rights are to be submitted in stages to be determined by the Economic and Social Council after consultation with the States Parties and the specialized agencies concerned. Under the European Social Charter, the reports are to be submitted at two-yearly intervals. The Inter-American draft Convention provides that intervals between reports on economic, social and cultural rights shall not be less than six months or more than one year

as determined by the commission to be established under that Convention.

19. The reports on civil and political rights are to be submitted within one year of entry into force of the Covenant for the State Party concerned and thereafter whenever the Economic and Social Council so requests upon recommendation of the Commission on Human Rights and after consultation with the States Parties. Under the procedure for reporting on civil and political rights contemplated in the regional instruments, the frequency of reports is to be determined by the authority which is empowered to ask for them.

20. The ILO Constitution provides for annual reports on ratified Conventions; however, detailed reports are generally requested only every second year, except where, on account of the importance or long standing of discrepancies, the supervisory bodies request such reports to be made annually. In addition, reports on law and practice with regard to unratified conventions and to recommendations have to be submitted at appropriate intervals as requested by the Governing Body.

21. The UNESCO Constitution, as well as the Convention against discrimination in education, provides for periodic reports in a manner to be determined by the General Conference. According to the rules of procedure governing this matter, adopted in 1950, in addition to general annual reports, member States shall submit to the General Conference special reports on the action they have taken to give effect to conventions adopted by the General Conference. Initial reports relating to any convention adopted shall be transmitted not less than two months prior to the opening of the first ordinary session of the General Conference following that at which such convention was adopted. The General Conference may further request member States to submit, by prescribed dates, additional reports giving such further information as may be necessary.

Action on the reports

22. It is proposed in the draft Covenants that the reports on both sets of rights are to be submitted to the Economic and Social Council, which may transmit them to the Commission on Human Rights for information, study and general recommendations. States Parties and specialized agencies concerned may submit to the Council observations on any general recommendations made by the Commission. In the draft Covenant on Economic, Social and Cultural Rights, it is provided that the Council may, from time to time, submit to the General Assembly reports summarizing information received by it, indicating the progress made in achieving the general observance of those rights. The Council may also bring to the attention of the international organs concerned with technical assistance, or of any other appropriate international organ, any matters arising out of the reports which may assist such organs in deciding, each within its competence, on the advisability of international measures likely to contribute to the progressive implementation of the Covenant. States Parties agree that international action for achieving economic, social and cultural rights include such methods as conventions, recommendations, technical assistance, regional meetings and technical meetings and studies with Governments.

23. The reports called for under the European Social Charter are to be examined in the first place by a committee of experts appointed by the Committee of Min-

isters from a list of independent experts nominated by States Parties. The conclusions of this Committee are to be submitted for examination to a sub-committee of the Governmental Social Committee of the Council of Europe consisting of one representative of each State Party. This sub-committee is to present its conclusions, with the report of the experts committee, to the Committee of Ministers. The conclusions of the committee of experts are to be submitted also to the Consultative Assembly of the Council of Europe, which is to communicate its views on those conclusions to the Committee of Ministers. The Committee of Ministers, by a two-thirds majority, may, on the basis of the report of the sub-committee and after consultation with the Consultative Assembly, make to each State Party any necessary recommendations.

24. The Inter-American draft Convention provides that the commission to be established thereunder may bring to the attention of the appropriate international organizations any question deriving from the reports received from States Parties. It may also give publicity to the measures that it has adopted on the reports or the requests that it has made of other organizations, for the purpose of permitting the formation of national and international public opinion thereon.

25. Reports made under the ILO Constitution by States which have ratified conventions are examined, in the first place, by the Committee of Experts on the Application of Conventions and Recommendations, which consists of independent experts appointed in their personal capacity by the Governing Body of the International Labour Office, on the proposal of the Director-General. This Committee takes into account national legislation, as available from such sources as the reports themselves, official gazettes and collections of laws, as well as information on practical application as provided, for example, in the reports or by employers' or workers' organizations (to which copies of the government reports must be supplied in accordance with the ILO Constitution). The observations of the experts are communicated by the Governing Body to Governments and to the International Labour Conference; the Conference also has before it a summary of the reports of the States Parties. This summary and the report of experts is considered at each general session of the International Labour Conference by the Conference Committee on the Application of Conventions and Recommendations, which is composed of Government, employers' and workers' representatives. In the Committee's deliberations, employers' and workers' representatives may criticize the manner in which conventions are applied in their own countries or elsewhere, and supplement the information given in the reports by information drawn from the experience of the organization which they represent. The representatives of Governments which are alleged to be in default, either in the observations of the committee of experts or in the course of the discussion in the Conference Committee, have an opportunity to explain any discrepancies between their obligations under a convention and their national law and practice in the past and to give assurances regarding the future. The discussion in the Conference Committee is summed up in a report which is submitted by it to the Conference. The reports of the committee of experts and the Conference Committee present a general picture of the progress achieved in the application of conventions. They lay stress upon the character of solemn treaty obligations possessed by the

engagements assumed by the ratification of conventions. They may record views relating to problems of application of a general character which have met with general acceptance in the Conference. In recent years, the Conference Committee has in its report drawn the special attention of the Conference to particularly grave cases of non-compliance with obligations under the ILO Constitution or ratified Conventions. The reports of the Conference Committee contain in an appendix a full record of the information and assurances given to it by government representatives. The Conference has usually adopted the reports of its Committee unanimously after debate of a general character.

26. Under the UNESCO Constitution, periodic reports are submitted to, and considered by, the General Conference. Member States are to submit special reports in connexion with any convention adopted by the General Conference. The General Conference will embody its comments on action taken by member States in pursuance of the convention in one or more general reports, which the Conference will prepare at such times as it may deem appropriate. The reports of the General Conference will be transmitted to member States, to the United Nations, to national commissions and to any other authorities specified by the General Conference.

27. Under the periodic reports system, the Commission on Human Rights transmits to the Economic and Social Council such comments, conclusions and recommendations of an objective and general character, in accordance with the Charter of the United Nations, on the basis of the information and reports, as it deems appropriate.

Role of the specialized agencies

28. Many of the economic, social and cultural rights, and some of the civil and political rights also, fall within the purview of specialized agencies such as the ILO, UNESCO, WHO and FAO. The role of these specialized agencies in achieving the observance of such rights is recognized in the Covenants, particularly in the draft Covenant on Economic, Social and Cultural Rights. The specialized agencies are to receive from States Parties copies of their reports to the Economic and Social Council, or relevant extracts therefrom, in respect of matters falling within the fields of activity of the agencies. These agencies are also to be consulted by the Economic and Social Council, when the Council establishes the programme of reports for economic, social and cultural rights. The Council is also to make arrangements with them in respect of their reporting on the progress made in achieving the observance of rights falling within the scope of their activities, which may include particulars of decisions and recommendations on implementation adopted by their competent organs. Further, the specialized agencies may submit their observations to the Council on any recommendations made by the Commission on Human Rights on reports submitted under either of the Covenants.

29. The European Social Charter provides for a representative of the ILO to participate in the committee of experts in a consultative capacity, and the Inter-American draft Convention provides for the co-operation of "specialized organizations" in the reporting procedure for economic, social and cultural rights.

Role of non-governmental organizations

30. The draft Covenants do not contain any provisions associating non-governmental organizations in

any way with the reporting system. There are certain provisions, however, in the European Social Charter and the Constitution of the ILO which do provide for the association of non-governmental organizations in their reporting systems.

31. Attention may be drawn also to resolution 888 B (XXXIV) of the Economic and Social Council, which invites non-governmental organizations in consultative status to submit comments and observations of an objective character on the situation in the field of human rights, to assist the Commission on Human Rights in its consideration of the summaries of periodic reports.

32. Under the European Social Charter, the sub-committee of the Governmental Social Committee of the Council of Europe is to invite not more than two international organizations of employers and not more than two international trade union organizations to be represented as observers in a consultative capacity at its meetings. The sub-committee may also consult not more than two representatives of international non-governmental organizations having consultative status with the Council of Europe, in respect of questions with which the organizations are particularly qualified to deal, such as social welfare and the economic and social protection of the family. Furthermore, copies of the reports of each State Party are to be communicated to such of its national organizations as are members of the international organizations of employers and trade unions which are to be invited to be represented at meetings of the sub-committee. Comments of these national organizations are to be submitted to the committee of experts through the States Parties concerned if so requested by the organizations.

33. The Constitution of the ILO requires Governments to communicate copies of their reports to the representative organizations of employers and workers. These organizations, in addition to being able to submit written observations concerning the manner in which conventions are applied in their country, are also represented in the Conference Committee on the Application of Conventions and Recommendations. In the Committee's deliberations, as mentioned earlier, employers' and workers' representatives have an opportunity to submit information and to offer their observations on the reports as well as to criticize the manner in which conventions are applied in their own countries or elsewhere.

IMPLEMENTATION OF CIVIL AND POLITICAL RIGHTS

34. The provisions of the Covenant on Civil and Political Rights are intended to become part of the enforceable laws of the countries which become parties to it. States which become parties to the other instruments on similar rights referred to in this paper are also required to give effect to them in their national law. All these instruments provide also for certain procedures for consideration of any allegation of a violation of this or any other obligation undertaken under the instruments by a State Party. Most of these procedures or measures of implementation are of a remedial nature and are included as integral parts of the instruments. Some of the regional instruments incorporate certain of these measures in optional clauses, and the measures concerning consideration of allegations relating to the UNESCO Convention against discrimination in education are incorporated in a protocol to that convention. ILO conventions are governed by the measures of im-

plementation set out in the Constitution of the ILO or instituted by the Governing Body and the Conference.⁸

35. Although it was thought that violations of civil and political rights would give rise to legal questions, settlement of allegations of such violations by a judicial body alone is not contemplated by any of the instruments.⁹ Most of these instruments stress conciliation and persuasion by a permanent organ as the main method of remedying violations. Thus, the draft Covenant on Civil and Political Rights, while reserving the right of States Parties to submit to the International Court of Justice any dispute relating to the interpretation or application of the provisions of the Covenant, proposes that allegations, which can be made by States Parties only, should be submitted first to negotiation between the States concerned and then to a permanent body of good offices and conciliation. If this body fails to reach a solution, any of the States concerned may submit the matter to the International Court of Justice for its determination.

Initiation of allegations

(a) *States Parties*

36. All the instruments provide for allegations by States Parties against each other. Thus it is proposed

⁸ Special attention is drawn to the fact that the Governing Body of the International Labour Office established in 1950 a Fact-Finding and Conciliation Commission on Freedom of Association, consisting of nine independent experts appointed by the Governing Body, to which the latter may refer, for examination, allegations of infringements of trade union rights brought by Governments, employers' organizations or trade union organizations. The Commission is meant to be essentially a fact-finding body but it is authorized to discuss with the Government concerned situations referred to it for investigation, with a view to securing the adjustment of difficulties by agreement (see *International Labour Office, Official Bulletin, Vol. XXXII (1949), No. 5*, "110th Session of the Governing Body of the International Labour Office", pp. 370-371).

In 1951, the Governing Body Committee on Freedom of Association was established, to undertake a preliminary examination of such allegations. This committee of nine members of the Governing Body is not called upon to express any view on the question whether a *prima facie* case had been made out; its responsibilities are essentially: (a) to consider for recommendation to the Governing Body whether cases are worthy of examination by the Governing Body; and (b) where so determined affirmatively by the Governing Body, to attempt to secure the consent of the Governments concerned to the reference of such cases to the Fact-Finding and Conciliation Commission (*ibid.*, *Vol. XXXIV (1951), No. 3*, "117th Session of the Governing Body of the International Labour Office", pp. 207-210. See also the first report of the Governing Body Committee on Freedom of Association, reproduced in the *Sixth Report of the International Labour Organisation to the United Nations*, appendix V, pp. 169-196, and the ninth report of the Committee, reproduced in the *Eighth Report of the International Labour Organisation to the United Nations*, appendix II, pp. 166-173).

⁹ Australia had submitted to the Commission on Human Rights a proposal for the establishment of an international court of human rights, based on the Statute of the International Court of Justice, providing that all signatory States of the Covenant should be *ipso facto* parties to the Statute of the Court and should be under an obligation to comply with the decision of the Court. The Court was to have final jurisdiction in all disputes arising out of the interpretation and application of the Covenant and of articles concerning human rights in any treaty or convention between States, as well as jurisdiction in all matters concerning the observance of human rights referred to it by the Commission on Human Rights. The latter could also obtain advisory opinions from the Court. The proposal provided for initiation of proceedings before the Court by States, individuals, groups of individuals and non-governmental organizations, stressing that in no case should conditions place the parties in a position of inequality before the Court. For the text of the proposal see *Official Records of the Economic and Social Council, Ninth Session, Supplement No. 10 (E/1371)*, annex III.

that allegations may be made against a State Party to the Covenant on Civil and Political Rights which is not giving effect to a provision of the Covenant. The European Convention refers to allegations by States Parties concerning any alleged breach of the Convention. The ILO Constitution mentions complaints by a State Party against another State Party not securing the effective observance of any Convention.

(b) *Individuals, groups of individuals and non-governmental organizations*

37. Both the European Convention and the Inter-American draft Convention provide under certain conditions for petitions from individuals, groups and non-governmental organizations alleging violations by States Parties. The conditions are that the State Party against whom the petition is lodged should have beforehand agreed by declaration to be bound by the petitions procedure, and that the petitions procedure comes into force only when six States Parties have made such declarations.

38. Under the European Convention, any person, non-governmental organization or group of individuals claiming to be the victim of a violation may submit a petition. The Inter-American draft Convention accords the right of petition to any person or group of persons, or association, or corporation legally recognized by the public authorities of the State Party in which a violation is alleged to have been suffered. In addition, those petitions have to conform to certain rules of admissibility which are referred to later (see paras. 58-59 below).

39. The petitions procedure of the European Convention came into force in 1955. By 1962, ten out of the fifteen States Parties to the European Convention had made declarations accepting the petitions provisions of the Convention.

40. Under the ILO Constitution, the same procedure as that applicable in the case of complaints by States Parties may be adopted by the Governing Body of its own motion or on receipt of a complaint from a delegate to the Conference. This provides an opportunity, *inter alia*, for representatives of employers' and workers' organizations, who are Conference delegates, to set the complaints procedure in motion. In addition, the ILO Constitution provides expressly that an industrial association of employers or workers may make representations that any of the members has failed to secure in any respect the effective observance within its jurisdiction of any Convention to which it is a party.

41. Although the General Assembly had requested the Commission on Human Rights to consider and to draft provisions concerning the right of petition, all such proposals made in the Commission, including one for a separate protocol on petitions, were either rejected or withdrawn (see A/2929, pp. 83-84, paras. 74-80).¹⁰ One proposal was to allow petitions only from aggrieved persons directly affected by a violation. Another was to permit petitions from non-governmental organizations or only certain selected non-governmental organizations (with or without the selection being subject to approval of the States Parties) having consultative status with the Economic and Social Council. Still another advocated,

¹⁰ For the text of the draft protocol see *Official Records of the Economic and Social Council, Fourteenth Session, Supplement No. 4 (E/2256)*, annex III A. Attention may be drawn also to the "Suggested regulations on the subject of petitions" (E/CN.4/93), which the Secretary-General was requested to prepare for the Commission on Human Rights, and to the report of the Secretary-General on the right of petition (E/CN.4/419).

on the lines of the League of Nations procedure relating to minorities treaties, that only the right of communicating to the permanent organ of implementation should be recognized, and that action thereafter on any such communication from an individual, group or non-governmental organization should be left to the initiative of the organ or a State Party.

42. The main arguments for and against allowing individuals and non-governmental organizations to petition may be summarized as follows: those opposed argued, *inter alia*, that only States were subjects of international law; that the provisions of the Covenant would be fully safeguarded by a system of State-to-State complaints and that, international responsibility for the promotion of human rights being a relatively recent development, it would be unwise to allow other means of initiating proceedings which might not be acceptable to many countries; and that, specifically, the proposals were imprecise as to the rights to be accorded to the petitioners on the one hand and to the State concerned on the other, and contained no criteria by which the permanent organ of implementation could determine whether a matter was serious enough for it to exercise its conciliatory functions. Those in favour of allowing petitions, on the one hand, argued among other things that international law was not so restrictive as was claimed; that the problem of implementation had to be examined not only from the point of view of the rights of the State but also from that of the individual whose rights were being guaranteed; that a system of State-to-State complaints would, for various reasons, not ensure effective enforcement of the provisions of the Covenant; and that, specifically, the experience of the Trusteeship Council and of the ILO did not bear out the fear that the right of petition would release a flood of malicious and groundless complaints which might overwhelm the permanent organ and paralyse its actions, that safeguards could be provided, such as rules governing admissibility and screening of petitions, and that matters, moreover, could not be brought before the permanent organ of implementation until all possible methods of redress within the State had been exhausted.

(c) *Others*

43. As already noted (see para. 40 above), under the ILO Constitution, the complaints procedure may be initiated by the Governing Body of the International Labour Office either on its own motion or on receipt of a complaint from a delegate to the International Labour Conference.

44. There are no comparable procedures included in the other instruments. The Commission on Human Rights has, however, forwarded to the Assembly a proposal for the appointment of a High Commissioner (Attorney-General) who would receive complaints of violations of the provisions of the Covenant from any source with authority to initiate proceedings before the permanent organ of implementation (see A/2929, pp. 84-85, paras. 84-86).¹¹

¹¹ The proposal for a High Commissioner (Attorney-General) for Human Rights, submitted by Uruguay and transmitted to the General Assembly, is reproduced in *Official Records of the Economic and Social Council, Eighteenth Session, Supplement No. 7 (E/2573)*, annex III. A memorandum entitled "Bases of the proposal to establish a United Nations attorney-general for human rights", previously submitted by Uruguay to the General Assembly, may be found in *Official Records of the General Assembly, Sixth Session, Annexes*, agenda item 29, document A/C.3/564.

45. It was also suggested that the permanent organ of implementation proposed for the Covenant on Civil and Political Rights (Human Rights Committee) should be empowered to supervise the observance of the provisions of the Covenant and for that purpose to collect and receive information, including legislation and judicial decisions, on all matters relevant to the observance and enforcement of these provisions, with power to initiate an inquiry whenever it so decided by a special majority, such as by two thirds of its members, or even unanimously.

Negotiations between States on allegations

46. Negotiations between States Parties concerned to settle an allegation are envisaged in the draft Covenant on Civil and Political Rights, the protocol to UNESCO's Convention against discrimination in education and the Inter-American draft Convention. If a State Party considers that another State Party is not giving effect to a provision of the Covenant, it may by written communication bring the matter to the attention of that State. Within three months after the receipt of the communication, the receiving State shall provide the complaining State with an explanation in writing concerning the matter, which should include, to the extent possible and pertinent, references to domestic procedures and remedies taken, or pending, or available in the matter. If the matter is not adjusted to the satisfaction of both Parties (the UNESCO protocol refers here to "either by bilateral negotiations or by any other procedure open to them") within six months after the receipt of the initial communication by the receiving State, either State may refer the matter to the organ provided for in these instruments.

47. There are no similar provisions for direct negotiations between the parties to a dispute in either the European Convention or the ILO Constitution; nor have such provisions been suggested in connexion with allegations emanating from sources other than States Parties.

Submission of allegations to a permanent organ and the conditions of admissibility thereof

(a) *Composition and election of the permanent organ*

48. The instruments and draft instruments considered all provide for the creation of some body or bodies to which allegations may be submitted. The draft Covenant on Civil and Political Rights provides for the establishment of a fact-finding and good offices committee. The European Human Rights Convention and the Inter-American draft Convention provide for fact-finding and conciliation commissions as well as for Human Rights Courts. The 1962 protocol to UNESCO's Convention against discrimination in education provides for a conciliation and good offices commission. The ILO Constitution makes provision for the appointment of commissions of inquiry.

49. The draft Covenant on Civil and Political Rights provides for a committee of nine members; the UNESCO protocol for a commission of eleven; the Inter-American draft Convention for a commission of seven; and the European Convention for a commission consisting of a number of members equal to the number of parties to that Convention.¹² In all four cases, only

¹² At the time of writing, the Council of Europe had sixteen members, all but one of which were parties to the European Convention for the Protection of Human Rights and Fundamental Freedoms. Switzerland was to become a member of the Council of Europe on 6 May 1963.

one national of any given State may serve on the committee or commission at any given time. All but the European Convention state expressly that members must be nationals of States Parties to the respective instruments. All specify that they serve in their individual capacity (the Inter-American draft adds that they represent, and act in the name of, all the parties to the convention). The Inter-American draft and the UNESCO protocol, like the draft Covenant on Civil and Political Rights, contain qualifications as to character and competence of the members, such as "high moral standing" and "acknowledged impartiality". The draft Covenant provisions call for "recognized competence in the field of human rights" and state that "consideration" is to be given to "the usefulness of the participation of some persons having a judicial or legal experience". Similar clauses appear in the Inter-American draft Convention, while the UNESCO protocol calls for an "endeavour" to include persons of "recognized competence in the field" (of education) and persons having "judicial experience, or legal experience, particularly of an international character". No such provisions are included in the European Convention, as far as the European Commission of Human Rights is concerned. The United Nations draft and the UNESCO protocol provide, moreover, that consideration be given to "equitable geographic distribution of membership and to representation of the different forms of civilization", to which the UNESCO protocol adds "as well as of the principal legal systems".

50. The provisions governing election of the members of these committees or commissions show somewhat greater variation. The modes of election, in particular, differ. Nominations are, in effect, made by the parties to the instruments concerned. The draft Covenant on Civil and Political Rights provides that the members of the Human Rights Committee be elected by the International Court of Justice, nominations being submitted by all States Parties to the Covenant. The members of the European Commission of Human Rights are elected by the Committee of Ministers, which consists of the Foreign Ministers of all States members of the Council of Europe; nominations are submitted by each national group of representatives in the Consultative Assembly of the Council, on which all States members of the Council are represented. The members of the Inter-American Commission for Human Rights, to be established under the Inter-American draft Convention on Human Rights, are to be elected by the Council of the Organization of American States,¹³ but only the representatives of States Parties to the Convention may take part in the voting. Nominations are to be submitted by each State Party to the Convention. Under the provisions of the UNESCO protocol, the members of the commission are elected by the General Conference of UNESCO, on which all members of UNESCO are represented; each State Party to the protocol is to submit nominations after consulting its National Commission for UNESCO. The term of office is five years in the case of the United Nations draft Covenant; six years under the European Convention and the UNESCO protocol; and four years under the Inter-American draft Convention. As for the number and nationality of persons to be nominated by each State Party, the draft Covenant on Civil and Political Rights

provides for a minimum of two and a maximum of four nominations from each Party, who may be nationals of the nominating State or of any other State Party; this latter provision is also included in the Inter-American draft, but the number of nominations required therein is three. The UNESCO protocol calls for "not more than four" nominations, all persons to be nationals of States Parties to the protocol. The European Convention calls for three candidates to be put forward by each national group in the Consultative Assembly, "of whom two at least shall be its nationals"; that is to say, there is no requirement that the third nominee be a national of a State Party. The draft Covenant on Civil and Political Rights and the UNESCO protocol state that members are eligible for re-election if re-nominated. The European Convention and the Inter-American draft state that they "may be re-elected".¹⁴

51. The Constitution of the ILO provides for the appointment, by the Governing Body of the International Labour Office, of commissions of inquiry to consider complaints and report thereon to the Governing Body. In the cases in which such commissions have been established, both the Governing Body and the commissions themselves have insisted on their judicial character, and the members of the commissions have been required to make a solemn declaration, corresponding to that made by judges of the International Court of Justice, to discharge their functions honourably, faithfully, impartially and conscientiously.

(b) *Allegations by States Parties*

52. All the instruments provide for submission of allegations made by a State Party to a permanent body. As noted above, however, the draft Covenant, the protocol to the UNESCO Convention and the Inter-American draft Convention require prior failure of direct negotiations between the States Parties concerned in an allegation as a condition precedent to submission by any of them of the allegations to the permanent body. Moreover, the protocol to the UNESCO Convention reserves the right of States Parties to have recourse, in accordance with general or special international agreements in force between them, to other procedures for settling disputes, including that of referring disputes by mutual consent to the Permanent Court of Arbitration at The Hague. The draft Covenant also proposes that the States Parties shall be free to refer a dispute to the International Court of Justice in a matter within the competence of the Human Rights Committee.

53. Normally, the permanent organ is to deal with an allegation submitted to it only after the exhaustion of domestic remedies. The draft Covenant on Civil and Political Rights, for instance, proposes that the Human Rights Committee shall deal with a matter referred to

¹³ The Council includes one representative of each of the twenty-one members of the Organization of American States.

¹⁴ As for the European Court of Human Rights, its judges are equal in number to the members of the Council of Europe; no two judges may be nationals of the same State. They are elected for nine years by the Consultative Assembly of the Council of Europe, from a list of persons nominated by the members of the Council. Each member nominates three persons, of whom at least two are to be its nationals. Judges should be persons of "high moral character" and should possess "qualifications required for appointment to high judicial office" or be "jurisconsults of recognized competence". The provisions relating to judges of the proposed Inter-American Court of Human Rights are very similar, except that the judges are to be elected by the Council of the Organization of American States, the vote to be restricted to members who are parties to the Convention.

it only if available domestic remedies have been invoked and exhausted in the case. This is not to be the rule, however, where the procedures with a view to obtaining these remedies are unreasonably prolonged.

54. The protocol to the UNESCO Convention against discrimination in education provides that the Commission shall deal with the matter only after it has ascertained that all available domestic remedies have been invoked and exhausted in the case, in conformity with the generally recognized principles of international law. The European Convention stipulates that the Commission may deal with a matter only after all domestic remedies have been exhausted, according to the generally recognized rules of international law, and within a period of six months from the date on which the final decision was taken. The Inter-American draft Convention provides that except for those cases in which justice has been denied the Commission shall take cognizance only of matters submitted to it after all domestic remedies have been applied and exhausted, in accordance with generally recognized principles of international law and within six months of the date of the final decision of the domestic authorities.

55. When a complaint is received by the ILO from a Government, the Governing Body of the International Labour Office may, after previous communication with the Government concerned, if it thinks fit, appoint a Commission of Inquiry to consider the complaint and to report thereon.

56. Only the implementation provisions of the European Convention and the ILO Constitution are in force. Since the European Convention came into force in 1953, three allegations have been submitted by States Parties. Complaints under the ILO Constitution have been filed twice, and were referred to a commission of inquiry.

(c) *Allegations by individuals, groups and non-governmental organizations*

57. As noted earlier, neither the draft Covenant nor the protocol to the UNESCO Convention provide for allegations from other than States Parties.

58. The provisions relating to petitions from individuals, groups and non-governmental organizations contained in the European Convention and the Inter-American draft Convention are similar. They provide in the first place for petitions to be submitted to the permanent organ of implementation. The permanent organ is not to deal with any petition which is anonymous, or which is substantially the same as a matter which has already been examined by it or has already been submitted to another procedure of international investigation or settlement and if it contains no relevant new information.

59. The permanent organ is to consider inadmissible also any petition which it considers incompatible with

the Convention, manifestly ill-founded, or an abuse of the right of petition. Further, it shall reject any petition which is presented before all domestic remedies have been exhausted, under the same conditions as those relating to exhaustion of domestic remedies applying to allegations by States Parties. However, under the Inter-American draft Convention, the permanent organ may accept a petition if it has knowledge that the petitioner was arbitrarily denied access to judicial remedies by the authorities of his country.

60. Since 5 July 1955, when the provisions relating to petitions in the European Convention came into effect, 1,749 petitions had been submitted to the European Commission of Human Rights up to the end of 1962. Out of these, 7 petitions were declared admissible.¹⁵

61. In case of representations made to the ILO by an industrial association of employers and workers, the Governing Body of the International Labour Office decides whether the association from which a representation emanates is in fact an industrial association of employers or workers. Up to the beginning of 1963, eight such representations had been considered, the most recent in 1955. On one other occasion, a workers' delegate to the International Labour Conference made a complaint concerning his Government's non-observance of a convention.¹⁶

(d) *Other allegations*

62. Except as indicated in the preceding paragraph, the ILO procedure whereby the Governing Body of the International Labour Office may decide on its own motion or on receipt of a complaint from a delegate to the International Labour Conference to appoint a Commission of Inquiry to consider an allegation has not been invoked.

63. As noted earlier, the other instruments dealt with in this paper do not incorporate any comparable provisions, though suggestions were made to include in the draft Covenant provisions for action by the Human Rights Committee *proprio motu* (see paras. 41 and 45 above).

Action on allegations by the permanent organ

64. The main function of the Human Rights Committee, as proposed in the draft Covenant on Civil and Political Rights, is to ascertain the facts relating to an allegation before it and to make available its good offices to the States concerned, with a view to a friendly solution of the matter on the basis of respect for human rights as recognized in the Covenant. The European Convention, the Inter-American draft Convention and the UNESCO protocol contain similar provisions.

65. In carrying out these functions, the permanent organ is entitled to call upon the States concerned to supply any relevant information; it may also seek

¹⁵ The details for the various years are as follows:

	1955	1956	1957	1958	1959	1960	1961	1962	Total
Applications filed	138	104	101	96	233	291	344	442	1,749
Decisions taken	84	93	96	47	130	265	222	280	1,217
Applications rejected <i>de plano</i>	84	92	94	43	128	261	216	279	1,197
Applications rejected after communication to the respondent Government	0	1	2	2	1	1	5	1	13
Applications declared admissible	0	0	0	2	1	3	1	0	7
Applications deleted from the list	5	4	6	1	2	7	14	5	44

¹⁶ In this case, the Government gave an undertaking to the Governing Body as to remedial action, and no commission of inquiry was appointed.

advisory opinions on legal questions from the International Court of Justice or the proposed Inter-American Court of Human Rights, as the case may be.¹⁷ In addition, the European Convention and the Inter-American draft Convention empower the permanent organ, if there is need in ascertaining the facts, to undertake an investigation, for the effective conduct of which the States concerned are to furnish all necessary facilities, after an exchange of views with the organ.¹⁸ A similar provision for inclusion in the draft Covenant was not accepted.

66. Representations by industrial associations of employers or of workers made to the ILO are examined in the first instance on behalf of the Governing Body of the International Labour Office by a Committee composed of three members of the Governing Body chosen respectively from the Government, employers' and workers' groups. Thereafter the Governing Body may communicate the representation to the Government against which it is made and invite that Government to make such statement on the subject as it may think fit.

67. Allegations arising out of a complaint by a State Party, or following a decision of the Governing Body to act on its own motion or on complaint of a delegate to the International Labour Conference, may be referred by the Governing Body of the ILO to a Commission of Inquiry for report thereon. The report of the Commission includes its findings on all questions of fact relevant to determining the issue between the parties and contains such recommendations as the Commission may think proper to meet the complaint. Member States of the ILO, whether directly concerned or not, are obliged to place at the disposal of the Commission all the information in their possession which bears on the subject matter of the complaint. In the two cases in which commissions of inquiry were appointed, information was sought from the parties, the Governments of countries neighbouring upon or having important economic relations with the countries to which the allegations related, certain non-governmental organizations, by the hearing of witnesses and, in one case, by on-the-spot visits.

68. Generally, if a solution is reached, the organ to which a complaint or petition was referred is to confine its report to a brief statement of the facts and of the solution reached. Most often, the instruments also provide for the publication of these reports. The ILO Commissions of Inquiry, however, have, in both cases, published substantial reports setting out in detail the procedure followed, the background, the information gathered and the conclusions reached thereon.

Action on an allegation where the permanent organ reports failure to reach a solution

69. The draft Covenant on Civil and Political Rights proposes that, if no solution is reached, the

¹⁷ A protocol to the European Convention—to be signed at Strasbourg on 6 May 1963—provides that the European Court of Human Rights can, at the request of the Committee of Ministers, give advisory opinions on legal questions concerning the interpretation of the Convention and the protocols thereto other than questions relating to the content or scope of the rights or freedoms defined therein or questions which the Commission, the Court or the Committee of Ministers might have to consider in contentious proceedings; the decision of the Committee of Ministers to ask for an advisory opinion will be taken by a two-thirds majority.

¹⁸ The European Commission of Human Rights in fact sent a sub-commission to Cyprus to investigate the situation on the spot in 1958 in connexion with a case brought by Greece against the United Kingdom.

Human Rights Committee is to draw up a report on the facts and state its opinion as to whether the facts found disclose a breach by the State concerned of its obligations under the Covenant. To the report are also to be attached the written and oral submissions made by the parties to the case. This report is to be sent to the States concerned and then communicated to the Secretary-General for publication. There are no other powers bestowed upon the Committee in such cases. For instance, the Committee is not entitled to make its own suggestions or recommendations. The sanction is that of the publicity of the report. However, any State Party concerned is at liberty to bring the case before the International Court of Justice after the Committee has drawn up its report.

70. Under the European Convention, if a solution is not reached, the Commission draws up a report on the facts and states its opinion as to whether the facts found disclose a breach by the State concerned of its obligation under the Convention. The report is transmitted to the Committee of Ministers and to the States concerned; neither of these are at liberty at this stage to publish the report. Unlike the Human Rights Committee, the Commission in transmitting the report to the Committee of Ministers may make such proposals as it thinks fit.

71. After the transmittal of the report of the Commission, the question may be referred to the European Court of Human Rights, if the States concerned have accepted the jurisdiction of the Court as compulsory in all cases or in the particular case. Eight of the States Parties to the Convention have by declarations agreed to accept the Court's jurisdiction as compulsory. A case may be brought before the Court by the Commission or by a State Party whose national is alleged to be a victim or which referred the case to the Commission or against which the complaint was lodged. So far the Court has considered two cases brought before it by the European Commission on Human Rights.

72. If the case is not submitted to the Court, or where the State Party concerned has not agreed to its jurisdiction, the Committee of Ministers must decide by a majority of two-thirds whether there has been a violation. In the affirmative case, the Committee of Ministers prescribes a period during which the State Party concerned must take the measures required by its decision. If the State Party concerned has not taken satisfactory measures within the prescribed period, the Committee of Ministers decides by a two-thirds majority what effect to give to its original decision; at this stage the report of the Commission is published. The States Parties undertake to regard as binding on them any decision which the Committee of Ministers may take. Up to the present the Committee of Ministers has made decisions on two cases, which had not been referred to the Court.

73. The Inter-American draft Convention has similar provisions to the European Convention, including provisions concerning the establishment of, and referral of a matter to, the Inter-American Court of Human Rights. If the matter is not submitted to the Court, the draft Convention prescribes measures which are in some respect also similar to those included in the European Convention though they are not so far-reaching. In the case of the draft Convention, if the matter is not, or cannot be, referred to the Court, it is referred back to the Commission which is to decide by an absolute ma-

majority vote of its members whether the State complained against, or against which a petition has been presented, has violated the obligations contracted under the Convention. In the affirmative case, the Commission is to prescribe a period during which the State Party concerned is to take the measures required by the decision of the Commission, and on failure of the State Party to comply with the decision, the Commission is to decide by an absolute majority vote of its members whether the report should be published.

74. The European Convention and the Inter-American draft Convention provide that the judgements of the European Court of Human Rights or the Inter-American Court of Human Rights, as the case may be, are final and binding upon the parties. They provide also that, if the Court finds that a decision or a measure taken by a legal authority, or any other authority of a State Party, is completely or partially in conflict with the obligations arising from the Convention, and if the internal law of the said State Party allows only partial reparation to be made for the consequences of this decision or measure, the decision of the Court shall, if necessary, afford just satisfaction to the injured party. The Inter-American draft Convention adds that, in case of disagreement as to the meaning or scope of the judgement, the Inter-American Court of Human Rights is to interpret it at the request of any of the parties. The execution of the judgement of the European Court is under the supervision of the Committee of Ministers. Supervision over the execution of the judgement of the proposed Inter-American Court is to be carried out by the Council of the Organization of American States.

75. Under the 1962 protocol to the Convention against discrimination in education, the Commission contemplated therein is to draw up a report on the facts and to indicate its recommendations with a view to conciliation. This report is to be published. At the same time, any State Party concerned may bring the case before the International Court of Justice, provided the States concerned have agreed in advance to accept this procedure at the time of becoming parties to the protocol.

76. Under the provisions of the Constitution of the ILO, the Commission of Inquiry set up by the Governing Body to consider complaints is to include in its report such recommendations as it may think proper on the steps which should be taken to meet the complaint and the period within which they should be taken. The parties are required to inform the Director-General within three months whether or not they accept the recommendations and, if not, whether they propose to refer the complaint to the International Court of Justice. Any Government concerned which does not accept the recommendations of the Commission may refer the complaint to the International Court of Justice, which may affirm, vary or set aside any of the findings or recommendations of the Commission of Inquiry. If a State Party fails to carry out within the time prescribed the recommendations contained in the report of the Commission of Inquiry, or in the decision of the Court, the Governing Body may recommend to the International Labour Conference such action as it may deem wise and expedient to secure compliance therewith.

77. The ILO procedure for representations by industrial associations of employers or of workers provides that, if no statement concerning the representa-

tion is received within a reasonable time from the Government concerned, or if the statement when received is not deemed satisfactory by the Governing Body of the International Labour Office, the latter has the right to publish the representation and the statement, if any, made in reply to it.

Arbitration procedures

78. Only the protocol to the UNESCO Convention against discrimination in education envisages implementation by recourse to arbitration procedures. It provides that the other procedures provided therein shall not affect the rights of States Parties to have recourse, in accordance with general or special international agreements in force between them, to other procedures for settling disputes, including that of referring disputes by mutual consent to the Permanent Court of Arbitration at The Hague.

Judicial recourse

79. Except as regards representations by industrial associations of employers or of workers concerning an ILO convention—where publication of the representation and the statement of the Government concerned, if any, ends the matter—all the other procedures provide for the possibility of judicial recourse in the event of failure by the permanent organ to reach a solution. This recourse is confined to the States Parties to the instruments, and it does not extend to individuals and non-governmental organizations; but the European Convention and the Inter-American draft Convention provide for recourse to the European or Inter-American Court by the permanent organ (for example, the European Commission on Human Rights) which they set up.

80. The European Court of Human Rights and the proposed Inter-American Court of Human Rights may only deal with a case after the permanent organ has acknowledged failure of its efforts to reach a friendly settlement. The International Court of Justice may also be seized of such a case under the provisions of the draft Covenant on Civil and Political Rights, the Constitution of the ILO and the protocol to the UNESCO Convention against discrimination in education. These instruments, however, also provide for the possibility of judicial recourse to the International Court of Justice independently of the other procedures of implementation which they contain. Under the draft Covenant and the Constitution of the ILO, such judicial recourse is open to any State Party to a dispute. Under the UNESCO Convention, the agreement of all States Parties to the dispute is a condition precedent to such a recourse, but under the protocol any State Party may agree in advance, and on the basis of reciprocity, to refer to the International Court any dispute on which no amiable solution has been reached by the Commission. The draft Covenant proposes that nothing therein contained shall prevent the States Parties from submitting to the International Court of Justice any dispute arising out of the interpretation or application of the Covenant in a matter within the competence of the Committee. Therefore, States Parties may independently have recourse to the International Court of Justice, without going through negotiation with each other concerning an allegation or through the procedure of the proposed Human Rights Committee.

IMPLEMENTATION OF THE ARTICLE ON
SELF-DETERMINATION

81. Both draft Covenants contain an identical article on self-determination (article 1), and they also provide that the implementation measures included in the two draft Covenants, as outlined above, should apply to the article. That is to say, the reporting systems of both Covenants are to apply and the provisions concerning the consideration of allegations by States Parties proposed for the Covenant on Civil and Political Rights are to apply also. In addition, article 48 of the draft Covenant on Civil and Political Rights contains the following special measures for the implementation of the article on self-determination in that Covenant:

“Article 48

“1. The States Parties to this Covenant, including those who are responsible for the administration of any Non-Self-Governing Territory, undertake to submit reports annually to the Committee on the measures taken by them to meet the obligations set forth in article 1 of this Covenant.

“2. The States Parties to this Covenant who are responsible for the administration of any Non-Self-Governing Territory undertake through elections, plebiscites or other recognized democratic means, preferably under the auspices of the United Nations, to determine the political status of such territory, should the Committee make a proposal to that effect and such proposal be adopted by the General Assembly. Such decision shall be based on evidence of the desire of the inhabitants of such territory as expressed through their political institutions or parties.

“3. The States Parties to this Covenant shall report to the Committee any violation of the right laid down in paragraph 3 of article 1.”¹⁹

82. The only other instrument which includes an article on the right of self-determination is the Inter-American draft Convention on Human Rights. An article on self-determination is included in that draft Convention under the section relating to economic, social and cultural rights. The article is subject to the same measures of implementation as the economic, social and cultural rights, namely, through a reporting system (see paras. 11-33 above).

DOCUMENT A/5411/ADD.1

Observations from Governments

[Original text: English/Russian]
[21 August 1963]

1. In accordance with General Assembly resolution 1843 B (XVII) of 19 December 1962, the explanatory paper on measures of implementation (A/5411) was transmitted by the Secretary-General to Governments of Member States for their comments. As at 15 August 1963, replies were received from seven Governments.

¹⁹ Article 1, para. 3 of the draft Covenants, as adopted by the Third Committee (A/3077, para. 77), reads as follows:

“3. All the States Parties to the Covenant, including those having responsibility for the administration of Non-Self-Governing and Trust Territories, shall promote the realization of the right of self-determination, and shall respect that right, in conformity with the provisions of the United Nations Charter.”

2. The Governments of Cambodia, Denmark, Nepal and Norway stated that they had no observations to make on the explanatory paper. The observations of the Governments of Austria, of the Union of Soviet Socialist Republics and of the United Kingdom of Great Britain and Northern Ireland are reproduced below.

AUSTRIA

Austria would welcome in principle the adoption of the measures of implementation of the two Covenants on Human Rights basically in the same form as drafted by the Commission on Human Rights.

The Austrian Government is of the opinion that it would be useful to differentiate as far as the provisions of implementation are concerned between the Covenant on Civil and Political Rights and the Covenant on Economic, Social and Cultural Rights, mainly because it is commonly recognized that those measures relating to civil and political rights should differ from those for the implementation for economic, social and cultural rights.

Austria agrees fully with the proposed reporting system and takes this opportunity to stress that she has regularly, on request of the Secretary-General, forwarded for his *Annual Report*, as well as for the *United Nations Yearbook on Human Rights*, information on the situation of human rights in Austria. Nevertheless the Austrian Government would consider a biennial instead of an annual report as appropriate.

The envisaged creation of a permanent organ for supervising observance of the Covenants, to which complaints could be submitted by States, would be appreciated by Austria. But she is of the opinion that all available domestic procedural remedies should be invoked and exhausted before an appeal to the permanent organ takes place.

Austria believes that the concept of the exhaustion of domestic procedural remedies is sufficiently defined in the generally recognized norms of international law to permit the cancellation of the restriction as contained in the second clause of article 41 as well as the word “normally”.

Finally the Austrian Government thinks that the contents of article 46, which eventually provides an appeal to the International Court of Justice, might be defined more precisely. In particular it should be clarified in what form the opponents should submit concrete matters concerning human rights to the International Court of Justice and what provisions could be invoked to prove the competence of the Court.

UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND

Her Majesty's Government do not consider it necessary to comment in detail on this useful document. However, they wish to express their agreement with the distinction made in the draft covenants, and referred to in paragraphs 4 to 6 of the Secretary-General's explanatory paper, between the measures of implementation appropriate to the Covenant on Civil and Political Rights and those appropriate to the Covenant on Economic, Social and Cultural Rights. Her Majesty's Government also take this opportunity to reiterate their support for the proposal, embodied in the draft Covenant on Civil and Political Rights, for the establishment of

a Committee on Human Rights to deal with inter-State complaints of violations of that covenant.

UNION OF SOVIET SOCIALIST REPUBLICS

The Soviet Union takes an active part in the preparation of the draft International Covenants on Human Rights, which after their entry into force will become legally binding on States parties to them and thereby promote respect for the right of peoples and nations to self-determination as well as the maintenance of human rights and fundamental freedoms.

Colonialism, that shameful blot on the conscience of mankind, has still not disappeared from the earth, and even in some highly developed countries people are still deprived of elementary human rights because of their racial origin or the colour of their skin and are subjected to outrageous insults and humiliations, which throw civilization back hundreds of years to the dark ages.

For these reasons the conclusion of the Covenants on Human Rights as quickly as possible is an urgent necessity.

At the present time it is important to ensure that the conclusion of the Covenants is not unduly delayed by the consideration of measures of implementation.

The draft Covenants must therefore contain measures of implementation which correspond to the generally recognized norms of international law and the principles of the United Nations, i.e., which take into account the sovereign rights, the particular economic, social and national characteristics of the various States. The inclusion in the draft Covenants of any measures of implementation that would open the door to interference in the internal affairs of States would be contrary to the Purposes and Principles of the United Nations, would complicate still further the consideration of this urgent question unjustifiably, and would not contribute to ratification of the Covenants by the largest possible number of States.

The measures of implementation should be founded on the obligation of States to adopt appropriate internal legislative, administrative, social and other measures for the maintenance and protection of human rights. That obligation together with the additional obligation of States to inform the United Nations regularly of the measures they are taking in conformity with the Covenants would form a proper basis for achieving the human rights provided for in the Covenants.

DOCUMENT A/5411/ADD.2

Observations from Governments

[Original text: English]
[25 October 1963]

1. In accordance with General Assembly resolution 1843 B (XVII) of 19 December 1962, the explanatory paper on measures of implementation (A/5411) was transmitted by the Secretary-General to Governments of Member States for their comments. Further replies were received from the Governments of Ghana, Nigeria and Somalia.

2. The Government of Ghana stated that it had no observations to make on the explanatory paper. The

observations of the Governments of Nigeria and Somalia are reproduced below.

NIGERIA

It seems that basically there is no opposition to such proposals but the Government of the Federation of Nigeria has the following comments to make.

Rights of individuals, groups and non-governmental organisations to petition (see A/5411, paras. 37-42)

Whether an individual in these cases will be allowed to submit petitions freely will be a matter of policy for the Governments concerned. It is true that the European Convention allows this and that the ILO Constitution provides an opportunity for representatives of Employers' and Workers' organizations to petition, but UNESCO does not allow such form of direct petition from individuals (*ibid.*, para. 57). However, before a decision is taken on this point we suggest that the Government should have an opportunity to study the conditions under which such petitions from individuals could be submitted. In any case, if individuals are allowed to present petitions, it seems to us that before any such petitions could be brought before the Permanent Organ, all local remedy, both judicial and administrative, must have been exhausted. In addition, such petitions should be channelled through the home Government who will be required to attach its comments to the petition.

SOMALIA

With regard to the implementation of the Covenant on Civil and Political Rights, the draft Covenant provides for a system of reports by State Parties, the creation of a Human Rights Committee which is to function mainly as a conciliatory body, and recourse to the International Court of Justice in cases where the Human Rights Committee is unable to reach a friendly solution of any matter referred to it. The draft Covenant on Economic, Social and Cultural Rights would establish a system of reports by State Parties concerning the progress made in achieving the observance of the rights recognized therein. While the above measures may have shortcomings, they appear to provide satisfactory beginning in the right direction.

It is the opinion of this Government that with regard to human rights, besides the phases of implementation machinery contemplated in the draft Covenants, a regional approach may also have to be adopted. So far as human rights are concerned, differences between regions are often more pronounced than differences within regions and it would be much easier for the States within a region to come to an understanding regarding the guarantee of human rights than with all the Members of the United Nations. Regional organizations like the Council of Europe and the Organization of American States have set up their own organs for the purpose of ensuring human rights, thereby contributing greatly towards the implementation of Human Rights programme of the United Nations. This Government considers it desirable that a similar system should be established for Africa, as part of the Organization of African States. Once a complete network of regional systems is established throughout the world, further action might be taken to diminish differences between regional approaches, and finally co-ordination may be achieved through the United Nations.

DOCUMENT A/5462

Note by the Secretary-General

[Original text: English]
[29 July 1963]

1. The General Assembly, in resolution 1843 C (XVII), adopted at its 1198th plenary meeting on 19 December 1962, decided to give priority at its eighteenth session to the consideration of the draft International Covenants on Human Rights. The attention of the Third Committee is also drawn to Economic and Social Council resolution 958 D (XXXVI) of 12 July 1963 concerning further promotion and encouragement of respect for human rights and fundamental freedoms, in which the Council, *inter alia*, has expressed the hope that the Third Committee "will devote, at the eighteenth and subsequent sessions of the Assembly, the maximum possible time to the completion of its work on the draft Covenants".

2. The Third Committee has thus far adopted the preamble and article 1 of each draft Covenant and all the substantive articles of the Covenants proposed by the Commission on Human Rights (articles 6-16 of the draft Covenant on Economic, Social and Cultural Rights; articles 6-26 of the draft Covenant on Civil and Political Rights). It has adopted the general provisions of the draft Covenant on Economic, Social and Cultural Rights (articles 2-5) and two of the general provisions of the draft Covenant on Civil and Political Rights (articles 3 and 5). The articles, as adopted by the Third Committee, are reproduced in the following documents: A/3077, A/3525, A/3764 and Add.1, A/4045, A/4299, A/4625, A/5000 and A/5365.

3. The Third Committee has yet to consider articles 2 and 4 of the draft Covenant on Civil and Political Rights, the proposals for additional substantive articles, the measures of implementation and the final clauses of both draft Covenants.

4. The Third Committee, at the seventeenth session, decided to postpone to the eighteenth session consideration of a proposed article on the right of asylum submitted by the Union of Soviet Socialist Republics for inclusion in the draft Covenant on Civil and Political Rights. The text of the proposed article is to be found in document A/C.3/L.1013.

5. By resolution 1843 A (XVII), the General Assembly referred proposals for an article on the rights of the child to the Commission on Human Rights for study and report. In that resolution the Assembly also requested the Secretary-General to send the proposals, together with the records of the discussion thereon at

the seventeenth session of the General Assembly, to Governments of Member States and to the specialized agencies so that they might submit their comments thereon to the Commission on Human Rights. Twenty-one Governments and two specialized agencies responded to the request and submitted their comments (E/CN.4/850 and Add.1-11, E/CN.4/851 and Add.1). The Commission considered the matter at its eighteenth session. It discussed whether or not it was desirable to include an article on the rights of the child in the draft International Covenants on Human Rights and also the question of the contents of such an article and the legal implications of its inclusion in the draft Covenants. The Commission's report on its deliberations (see E/3743, paras. 157-179), together with the summary records of the discussion of the question in the Commission,²⁰ was transmitted to the eighteenth session of the General Assembly by the Economic and Social Council in resolution 958 G (XXXVI).

6. By resolution 1843 B (XVII), the General Assembly also requested the Secretary-General, with a view to clarifying the main issues involved in the implementation of the International Covenants on Human Rights, to prepare an explanatory paper on measures of implementation for submission to the eighteenth session of the General Assembly. The Secretary-General was further requested to forward the paper to Member Governments so that they might send to him any observations thereon. The explanatory paper prepared by the Secretary-General in accordance with the General Assembly's request is to be found in document A/5411, and the comments received from Member Governments in the addenda to that document (A/5411/Add.1-2).

7. The original text of the draft Covenants and proposals relating thereto are contained in the report of the Commission on Human Rights on its tenth session (E/2573, annexes I-III). The observations of Governments and of specialized agencies on the draft Covenants submitted in response to General Assembly resolution 833 (IX) are contained in documents A/2910 and Add.1-6. An annotation of the text of the draft Covenants, prepared by the Secretary-General, was distributed as document A/2929, and a compilation of amendments and proposed new articles will be found in document A/C.3/L.460.

²⁰ E/CN.4/SR.749-752.

DOCUMENT A/5655

Report of the Third Committee

[Original text: English]
[10 December 1963]

INTRODUCTION

1. At its 1210th plenary meeting, on 20 September 1963, the General Assembly allocated to the Third Committee, for consideration and report, agenda item 48, entitled "Draft International Covenants on Human Rights".

2. The draft Covenant on Economic, Social and Cultural Rights (E/2573, annex I A) and the draft Covenant on Civil and Political Rights (*ibid.*, annex I B) have been under consideration by the General Assembly since its ninth session. Prior to the present session, the Third Committee had adopted the preambles and article 1 of both draft Covenants, articles

2 to 16 of the draft Covenant on Economic, Social and Cultural Rights and articles 3 and 5 to 26 of the draft Covenant on Civil and Political Rights (see A/3077, A/3525, A/3764 and Add.1, A/4045, A/4299, A/4625, A/5000, A/5365).

3. Upon the suggestion of the Chairman, the Third Committee agreed to consider, first, articles 2 and 4 of the draft Covenant on Civil and Political Rights; then proceed to take up any substantive articles that might be proposed; then to go on to the measures of implementation (part IV of the draft Covenant on Economic, Social and Cultural Rights and parts IV and V of the draft Covenant on Civil and Political Rights) and to the final clauses (part V of the draft Covenant on Economic, Social and Cultural Rights and part VI of the draft Covenant on Civil and Political Rights).

4. The Committee discussed the draft Covenants at its 1256th to 1269th and 1273rd to 1279th meetings. It adopted articles 2 and 4 of the draft Covenant on Civil and Political Rights, an article on the right of the child, to be included in that Covenant, and a provision on the right to freedom from hunger, to be added to the combined articles 11 and 12 of the draft Covenant on Economic, Social and Cultural Rights (see annex, below). A proposal for an additional article on the right of asylum (A/C.3/L.1013), which had been submitted by the USSR at the seventeenth session, was withdrawn by its sponsor at the 1256th meeting.

5. The Committee held a general debate on measures of implementation. At the 1279th meeting, it adopted a draft resolution on the implementation of, and future work on, the draft Covenants (see paras. 119-124 below).

GENERAL PROVISIONS: ARTICLES 2 AND 4 OF THE DRAFT COVENANT ON CIVIL AND POLITICAL RIGHTS

ARTICLE 2

6. The text of article 2 of the draft Covenant on Civil and Political Rights proposed by the Commission on Human Rights (E/2573, annex I B) read as follows:

"1. Each State Party hereto undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in this Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

"2. Where not already provided for by existing legislative or other measures, each State undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of this Covenant, to adopt such legislative or other measures as may be necessary to give effect to the rights recognized in this Covenant.

"3. Each State Party hereto undertakes:

"(a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;

"(b) To develop the possibilities of judicial remedy and to ensure that any person claiming such a remedy shall have his right thereto determined by competent authorities, political, administrative or judicial;

"(c) To ensure that the competent authorities shall enforce such remedies when granted."

7. The Committee considered this article at its 1257th to 1259th meetings.

Amendments submitted

8. Amendments were submitted by Japan (A/C.3/L.1166) to paragraphs 1 and 3 (a); and by the United Kingdom of Great Britain and Northern Ireland (A/C.3/L.1167) to paragraphs 2 and 3 (b). Chile and the United Arab Republic submitted a sub-amendment (A/C.3/L.1168) to the United Kingdom amendment (A/C.3/L.1167) to paragraph 3 (b). Saudi Arabia submitted a further sub-amendment (A/C.3/L.1169) to the sub-amendment submitted by Chile and the United Arab Republic (A/C.3/L.1167). And finally (1259th meeting), Chile, Saudi Arabia, Sudan, the United Arab Republic and the United Kingdom jointly submitted an oral proposal for a revised text of paragraph 3 (b).

Amendment to paragraph 1

9. The amendment of Japan (A/C.3/L.1166) called for the replacement of the word "individuals" by the word "persons". This amendment was withdrawn at the 1259th meeting.

Amendment to paragraph 2

10. The amendment of the United Kingdom (A/C.3/L.1167) proposed the deletion of paragraph 2. At the 1258th meeting, the United Kingdom agreed not to press for a vote on this amendment.

Amendments to paragraph 3

11. The amendment of Japan (A/C.3/L.1166) proposed that the text of sub-paragraph (a) should read as follows:

"To ensure that, if any person violates intentionally or negligently the rights or freedoms of others as herein recognized an effective remedy shall be accorded, notwithstanding that the violation has been committed by persons acting in an official capacity."

This amendment was withdrawn at the 1259th meeting.

12. The amendment of the United Kingdom (A/C.3/L.1167) proposed the redrafting of sub-paragraph (b) to read as follows:

"To ensure that any person claiming such a remedy shall have his right thereto determined by a competent judicial or administrative authority, and to develop the possibilities of judicial remedy."

13. The sub-amendment of Chile and the United Arab Republic (A/C.3/L.1168) sought to add, in the United Kingdom amendment, the word "political" before "judicial or administrative authority".

14. The sub-amendment of Saudi Arabia (A/C.3/L.1169) sought to replace, in the sub-amendment of Chile and the United Arab Republic (A/C.3/L.1168), the word "political" by "legislative", and to insert the latter after "administrative". The phrase would then read "judicial, administrative or legislative".

15. The oral amendment submitted at the 1259th meeting by Chile, Saudi Arabia, Sudan, the United Arab Republic and the United Kingdom proposed the rewording of sub-paragraph (b) to read as follows:

"To ensure that any person claiming such a remedy shall have his right thereto determined by com-

petent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy”.

16. In consequence of this joint proposal, the United Kingdom amendment (A/C.3/L.1167) and the sub-amendments thereto submitted by Chile and the United Arab Republic (A/C.3/L.1168) and by Saudi Arabia (A/C.3/L.1169) were withdrawn.

Issues discussed

Paragraph 1

17. In support of the amendment of Japan (A/C.3/L.1166), which called for the replacement of the word “individuals” by “persons”, it was pointed out that the latter term was more appropriate in a legal instrument. Moreover, the use of the term “persons” would stress that certain basic rights were shared by all human beings from birth. On the other hand, the view was expressed that in legal terminology the word “persons” covered not only individuals but also juridical persons such as bodies corporate, with which the Covenant was not concerned. It was also pointed out that the word “individuals” was more appropriate in the context of the article, since the term “person”, legally speaking, denoted one whom the law recognized as possessing rights and obligations. Most members of the Committee, therefore, felt that the word “individuals” should be retained.

18. Some representatives expressed misgivings regarding the words “within its territory and”. Suggestions were made that those words be deleted and that the term “jurisdiction” be qualified to show that the guarantee extended to individuals subject to the territorial and personal jurisdiction of the State. The retention of the words “within its territory” could, it was felt, restrict the exercise of certain rights, such as the right of an individual, regardless of residence, to have free access to the courts of his State of nationality. A separate vote was therefore requested on these words.

19. Some speakers considered that the word “distinction” should be replaced by “discrimination”, in order to bring about conformity with the text of article 2 of the draft Covenant on Economic, Social and Cultural Rights, adopted by the Committee at the seventeenth session of the General Assembly. Several members of the Committee felt, however, that the term “discrimination” had acquired a shade of meaning which rendered it less appropriate in the present context. Moreover, the term “distinction” was used both by the Charter of the United Nations and by the Universal Declaration of Human Rights.

20. It was expressly emphasized by several members of the Committee that special measures for the advancement of any socially and educationally backward sections of society should not be construed as “distinction” within the meaning of article 2. The Committee agreed that that interpretation, to which there was no objection, should be specially mentioned in the report.

Paragraph 2

21. In support of the United Kingdom amendment (A/C.3/L.1167) to delete paragraph 2, it was explained that civil and political rights were capable of precise formulation and, generally speaking, of immediate implementation. Paragraph 2 of the text submitted by the Commission, however, provided a major loop-hole

for any State wishing to become a party without bringing its legislation into line with the provisions of the Covenant, since the obligation to take steps to adopt the necessary measures, being subject to no time limit, was practically meaningless. Moreover, the introduction of the reporting procedure envisaged in article 49 would seem to give further sanction to the notion of progressive implementation. The difficulties which some States might encounter in the speedy adaptation of their legislation to conform with the Covenant should rather be allowed for by a system of controlled reservations.

22. Some representatives, while generally favouring the retention of paragraph 2, felt that States should be explicitly required to adopt the envisaged measures “within a reasonable time”, a phrase deleted from the original draft by the Commission on Human Rights.

23. Several members of the Committee, however, thought that the paragraph should be retained unchanged. It represented a minimum compromise formula, the need for which, particularly in new States building up their body of legislation, seemed manifest. The notion of implementation at the earliest possible moment was implicit in article 2 as a whole. Moreover, the reporting requirement stipulated in article 49 would indeed serve as an effective curb on undue delay.

Paragraph 3

24. The amendment of Japan (A/C.3/L.1166) was designed to clarify sub-paragraph 3 (a) by stressing that a violation could be either intentional or due to negligence and that, in order to afford grounds for redress, it must be an unlawful violation. Several members of the Committee nevertheless found the existing text of sub-paragraph 3 (a) satisfactory and thought that it was not only unnecessary but undesirable to specify the kind of violations intended to be covered.

25. The amendment of the United Kingdom (A/C.3/L.1167) sought to reverse the two clauses of sub-paragraph (b), thereby stressing that the words “such a remedy” referred to the “effective remedy” mentioned in sub-paragraph (a), and to delete the reference to “political” authorities.

26. Those who favoured the deletion of the word “political” from paragraph 3 (b) observed that political authorities should not be empowered to pass judgement in matters concerning human rights and that competence in the matter should be expressly reserved to an independent judiciary and, where applicable, to administrative tribunals. Other speakers, while conceding that judicial remedies were preferable, nevertheless supported the sub-amendment of Chile and the United Arab Republic (A/C.3/L.1168) proposing the reinsertion of the word “political”. They stressed that in some States the rules governing competence might preclude any judicial or administrative recourse against the decisions of certain organs; in such cases, the only possibility of redress open to an aggrieved person was an application or petition to a political authority.

27. The Saudi Arabian sub-amendment (A/C.3/L.1169) would replace “political” by “legislative”. It was pointed out that, of the political organs of the State, the legislative organs had an important role to play in the redress of wrongs suffered by the individual. The executive organs, on the other hand, were in many cases responsible for the most serious violations of human rights and should not be given jurisdiction to determine whether or not the individual

concerned was entitled to obtain any redress. The sub-amendment was, however, unacceptable to the sponsors of the sub-amendment of Chile and the United Arab Republic (A/C.3/L.1168), since they felt that the term "legislative" made no provisions for the possibility of redress by executive action. An oral proposal was accordingly advanced to refer to "competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State,". Such a formula would allow for the possibility of a remedy being granted by the executive, as well as for action by parliamentary commissions and for *ad hoc* legislation designed to remedy a specific wrong; yet it avoided using the word "political" which certain speakers had found objectionable. This proposal, having been accepted by the sponsors of all the earlier amendments and sub-amendments to sub-paragraph 3 (b), became the basis of the joint oral amendment which was put to the vote.

Adoption of article 2

28. At the 1259th meeting, the Committee voted on the text proposed by the Commission on Human Rights and on the amendments thereto.

Paragraph 1

29. At the request of the representatives of China and France, a separate vote was taken on the words "within its territory and" in paragraph 1. The words were adopted by 55 votes to 10, with 19 abstentions.

30. Paragraph 1 was adopted by 87 votes to none, with 2 abstentions.

Paragraph 2

31. Paragraph 2 was adopted by 84 votes to 1, with 3 abstentions.

Paragraph 3

32. Sub-paragraph 3 (a) was adopted by 88 votes to none, with 1 abstention.

33. The oral amendment to sub-paragraph 3 (b) submitted by Chile, Saudi Arabia, Sudan, the United Arab Republic and the United Kingdom (see para. 15 above) was adopted by 87 votes to none, with 1 abstention.

34. Sub-paragraph 3 (c) was adopted unanimously.

35. Paragraph 3 as a whole, as amended, was adopted unanimously.

36. Article 2 as a whole, as amended, was adopted by 88 votes to none, with 2 abstentions. The text of this article as adopted by the Third Committee appears in the annex to the present report.

ARTICLE 4

37. Article 4, as drafted by the Commission on Human Rights (E/2573, annex I B), read as follows:

"1. In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties hereto may take measures derogating from their obligations under this Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.

"2. No derogation from articles 6, 7, 8 (paragraphs 1 and 2), 11, 15, 16 and 18 may be made under this provision.

"3. Any State Party to the Covenant availing itself of the right of derogation shall inform immediately the other States Parties to the Covenant, through the intermediary of the Secretary-General, of the provisions from which it has derogated, the reasons by which it was actuated and the date on which it has terminated such derogation."

38. The Committee considered this article at its 1259th to 1262nd meetings.

Amendments submitted

39. Amendments were submitted as follows: by Mexico, to paragraphs 1, 2 and 3 (A/C.3/L.1170); by Saudi Arabia, to paragraph 2 (A/C.3/L.1171) and paragraph 3 (A/C.3/L.1173); and by Mexico and Saudi Arabia, jointly, to paragraph 3 (A/C.3/L.1176).

40. The amendment of Mexico to paragraph 1 (A/C.3/L.1170, point 1) was to replace "officially proclaimed" by "legally proclaimed".

41. The amendment of Mexico to paragraph 2 (A/C.3/L.1170, point 2) was to add after "18" the clause "(paragraphs 1, 2 and 4)".

42. At the 1261st meeting of the Committee, the representative of Mexico stated that he was not pressing his amendments to paragraphs 1 and 2 to a vote.

43. The amendment of Saudi Arabia to paragraph 2 (A/C.3/L.1171) was to replace the word "and" between "16" and "18" by a comma and to add "and 22" after "18". This was withdrawn at the 1262nd meeting.

44. The amendment of Mexico to paragraph 3 (A/C.3/L.1170, point 3) was to replace that paragraph by the following:

"Any State Party to the Covenant availing itself of the right of derogation shall, through the intermediary of the Secretary-General:

"(a) On availing itself of the right of derogation, inform immediately the other States Parties of the provisions from which it has derogated and of the reasons by which it was actuated;

"(b) On terminating the derogation, inform immediately the other States Parties of the date on which it has terminated the derogation and from which the provisions of the Covenants are again fully in force."

45. The amendments of Saudi Arabia to paragraph 3 (A/C.3/L.1173) read:

"1. Insert the words 'and of' between 'derogated' and 'the reasons';

"2. Delete the phrase 'and the date on which it has terminated such derogation' and to add the sentence 'A further communication shall be made, through the same intermediary, as soon as it has terminated such derogation'.

46. Both the Mexican and the Saudi Arabian amendments to paragraph 3 were withdrawn at the 1261st meeting in favour of the joint Mexican-Saudi Arabian amendment (A/C.3/L.1176), which read:

"1. Insert, between the words 'derogated' and 'the reasons', the words 'and of'.

"2. Delete the phrase 'and the date on which it has terminated such derogation', and add the following sentence: 'A further communication shall be made,

through the same intermediary, on the date on which it terminates such derogation’.”

Issues discussed

47. There was agreement in the Committee that, on the one hand, emergency provisions of the kind foreseen in article 4 were required to enable a State to overcome a serious crisis and that, on the other hand, such provisions should not become an escape clause allowing the imposition of unjustified restrictions on the rights of the individual. There was also agreement on the principle that certain basic rights of the individual should not be subject to derogation even in times of emergency. The principal questions discussed related to the proclamation of the existence of an emergency as foreseen in paragraph 1; proposals to add to or delete from the rights listed in paragraph 2 as not being subject to derogation; and the wording of the requirement that other States Parties to the Covenant be informed of any derogations from provisions of the Covenant by a State Party.

Proclamation of the existence of an emergency

48. There was considerable discussion as to whether article 4 should require that an emergency be “officially” proclaimed or “legally” proclaimed. Those who favoured the word “legally” wished to ensure that the state of emergency would be proclaimed in accordance with the constitutional provisions of the country concerned. Those who opposed it held that such a measure could be “legal” and still not be in accordance with the constitution; that use of this term in article 4 might allow other States to judge the legality of domestic acts; and that in any case, “officially proclaimed”, in the context of article 4, meant proclaimed by an authority competent to do so.

49. It was also pointed out that while the nature of the emergency which could make derogations permissible was specified in paragraph 1—namely, a “public emergency which threatens the life of the nation”—the Government concerned would have to be left to decide for itself when such a situation existed; moreover, since it was in the interest of the public that law and order be preserved, the Government should be allowed a certain latitude in judgement. Reference was made in this connexion to the doctrine of the “margin of appreciation” evolved by the European Commission on Human Rights established under the provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms, signed at Rome on 4 November 1950.

50. There was no objection to the suggestion made during the discussion that the word “proclaimed”, in paragraph 1, should be rendered by “*proclamé*” in the French version.

Provisions not subject to derogation in times of emergency

51. Those who favoured adding article 22 to the provisions not subject to derogation in time of emergency argued that the right to marry enunciated in that article involved matters of a strictly private nature and that the State should not interfere with it. Those who were opposed pointed out, in particular, that in many countries marriage of a national to an alien bestowed on the alien the right to citizenship in the country of his spouse, and that a State might therefore feel obliged, for example, to bar in time of war marriages between its nationals and enemy aliens.

52. It was argued that, whereas the right to freedom of thought, conscience and religion (article 18) should, rightly, not be subject to derogation in time of emergency, Governments in such a situation should be free to derogate from the provisions (article 18, para. 3) which specify the permissible limitations on the freedom to manifest one’s religion or beliefs. On the other hand, it was held that these permissible limitations were already broad enough and that it would be undesirable to give States a blanket authority to restrict the freedom to manifest one’s religion or beliefs.

53. One representative pointed out that, since “public emergency”, as defined in article 4, must be understood to include a state of war, lawful acts of war could not be regarded as being barred even though the article dealing with the right to life (article 6) was not subject to derogation in times of emergency.

Notifications required under paragraph 3

54. It was pointed out that the amendments proposed to paragraph 3 were intended to make it quite clear that two separate notifications were required in respect of derogations from the provisions of the Covenant, one to be sent immediately the State availed itself of its right of derogation under article 4 and the other immediately upon termination of such derogation.

Voting on article 4

55. At its 1262nd meeting, the Committee voted as follows on the text drafted by the Commission on Human Rights and the amendments thereto.

Paragraph 1

The paragraph was adopted unanimously.

Paragraph 2

The paragraph was adopted by 86 votes in favour, none against, with 1 abstention.

Paragraph 3

Points 1 and 2 of the joint Mexican-Saudi Arabian amendment (A/C.3/L.1176) were each adopted unanimously. Paragraph 3, as amended, was adopted unanimously.

56. The article as a whole, as amended, was adopted unanimously. The text of article 4, as adopted by the Third Committee, will be found in the annex to the present report.

PROPOSALS FOR ADDITIONAL SUBSTANTIVE ARTICLES

A. DRAFT COVENANT ON CIVIL AND POLITICAL RIGHTS: ARTICLE DEALING WITH THE RIGHTS OF THE CHILD

57. At the seventeenth session of the General Assembly, the representative of Poland introduced a proposal, subsequently co-sponsored by Yugoslavia, for an article on the rights of the child, to be included in the draft Covenant on Civil and Political Rights following article 22. The proposal read as follows (A/C.3/L.1014):

“1. The child shall be entitled to special protection by society and the State.

“2. Every child, without any exception whatsoever, shall be entitled to equal rights, without distinction or discrimination on account of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status, whether of himself or of his family.

"3. Birth out of wedlock shall not restrict the rights of the child.

"4. The child shall be entitled from his birth to a name and a nationality."

58. The proposal was subsequently revised. Amendments were submitted to both the original and the revised version of the proposed article (see A/5365, paras. 7-18). On the recommendation of the Third Committee, the General Assembly, in resolution 1843 A (XVII), requested the Economic and Social Council to refer to the Commission on Human Rights all the proposals relating to an article on the rights of the child, together with the records of the discussion thereon, for a thorough study, taking into consideration all the legal implications of including such an article in the draft Covenants; requested the Secretary-General to send the above-mentioned documents to the Governments of Member States and to the specialized agencies, so that they might submit their comments to the Commission; and requested the Commission to report on its deliberations, through the Economic and Social Council, to the General Assembly at its eighteenth session. The Economic and Social Council at its resumed thirty-fourth session (1238th meeting) decided to refer the documentation to the Commission.

59. The Commission on Human Rights considered the item at its nineteenth session. It discussed whether or not it was desirable to include an article on the rights of the child in the Covenants and also the question of the content of such an article and the legal implications of its inclusion. Proposals for an article were submitted by Poland and by Chile. Twenty-three Governments (E/CN.4/850 and Add.1-12) and two specialized agencies (E/CN.4/851 and Add.1) responded to the request of the General Assembly and submitted their comments. At the recommendation of the Commission, the Economic and Social Council, in resolution 958 G (XXXVI), transmitted to the General Assembly the report of the Commission's deliberations (see E/3743, paras. 157-179), together with the summary records of the discussion of this item in the Commission.²¹

*Proposal submitted at the eighteenth session
of the General Assembly*

60. At the eighteenth session of the General Assembly the representatives of Afghanistan, Brazil, Iran, Nigeria, Panama, Poland, the United Arab Republic and Yugoslavia introduced a proposal to add a new article after article 22, reading as follows (A/C.3/L.1174):

"1. Every child shall have the right to special protection by his family, society and the State, without any discrimination.

"2. Every child shall have the right from his birth to a name and a nationality."

61. At the 1265th meeting of the Committee, the eight sponsors submitted a revised draft, following consultations in an informal working group, as suggested by the Chairman at the 1263rd meeting of the Committee. The revised eight-power proposal (A/C.3/L.1174/Rev.1) read as follows:

"1. Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as required by his

status, on the part of his family, the society and the State.

"2. Every child shall be registered immediately after birth and shall have a name.

"3. Every child has the right to acquire a nationality."

Amendments submitted

62. Oral amendments to the revised eight-Power proposal (A/C.3/L.1174/Rev.1) were submitted by Austria to paragraph 1; by Colombia to paragraph 3; by Lebanon to paragraphs 1 and 3; and by Peru to paragraph 1 (1265th meeting).

63. The Peruvian amendment was to delete from paragraph 1 the words "as to race, colour, sex, language, religion, national or social origin, property or birth".

64. The Lebanese amendment to paragraph 1 was to add after "status" the words "as a minor".

65. The Austrian amendment was to replace, in paragraph 1, the word "society" by the words "appropriate social institutions".

66. The Colombian amendment was to delete, in paragraph 3, the word "acquire". This was withdrawn at the 1265th meeting.

67. The Lebanese amendment to paragraph 3 was to delete the entire paragraph. This was withdrawn at the 1265th meeting.

Issues discussed

Desirability of including an article on the rights of the child

68. As had been the case during the seventeenth session of the General Assembly (see A/5365, paras. 19-21), there was general agreement that children were entitled to special protection, but opinion was divided as to the desirability of including in the draft Covenant on Civil and Political Rights an article dealing specifically with the rights of the child. Those who favoured the insertion of such an article held, *inter alia*, that the rights and freedoms enunciated in the draft Covenant on Civil and Political Rights could not be fully exercised by children, who therefore stood in need of special measures of protection; that the principles enunciated in the Declaration of the Rights of the Child should be converted into legal obligations; and that the draft Covenant on Civil and Political Rights should contain an article corresponding to article 10, paragraph 3, of the draft Covenant on Economic, Social and Cultural Rights which extended special protection to children and young persons. The importance of allowing the younger generation to develop under conditions of freedom from discrimination was also stressed.

69. Those who opposed the inclusion of an article on the rights of the child in the draft Covenant on Civil and Political Rights pointed out that the Covenant applied to all individuals irrespective of age and status. It was also held that article 2 of the draft Covenant, as adopted by the Committee at its present session, was sufficient to protect the child from discrimination. If the rights of one special group were singled out for mention in a separate article, the same would have to be done for other groups in need of protection, such as the aged and the mentally handicapped.

Content of the article

70. A number of representatives pointed out that the eight-Power proposal (A/C.3/L.1174) was less far-reaching than previous proposals on the subject and

²¹ E/CN.4/SR.749-752.

was in the nature of a compromise. The inclusion of a reference to the family was welcomed. The discussions relating to the text of the proposed article revolved principally around the meaning of "special protection", the precise implications of the non-discrimination provision, and the question of the child's right to a nationality.

Special protection

71. The question was raised as to what was meant by "special protection" of the child. It was pointed out, on the one hand, that children, in view of their weakness and immaturity, stood in need of special protective measures in fields covered by the draft Covenant on Civil and Political Rights and not only in fields covered by the draft Covenant on Economic, Social and Cultural Rights. While primary responsibility for the upbringing of the child rested with his family, legal protection was needed for children who were neglected, ill-treated, abandoned or orphaned. It was also stated that under modern conditions, society and the State assisted the family in providing for the child's development.

72. On the other hand, a number of representatives held that the words "special protection" conveyed no precise legal meaning. Attention was drawn, moreover, to the distinction between social protection and legal protection of the child, the latter relating to such matters as recognition of paternity, guardianship and succession. Some representatives thought that the rights of the child, in particular the protection of the child in civil law, might preferably form the subject of a separate convention. The question was also raised as to the upper age limit intended by the use of the word "child".

73. It was announced on behalf of the eight co-sponsors that their revised draft (A/C.3/L.1174/Rev.1) was intended to clarify the concept of special protection.

Non-discrimination provision

74. Several representatives welcomed the general phrase "without any discrimination", in paragraph 1 of the eight-Power proposal (A/C.3/L.1174), as a compromise, compared to the more specific wording proposed previously, and stated that it was acceptable to them. Others, on the contrary, pointed out that they would be unable to support it. While no child should be subjected to discrimination on grounds of sex, race, colour or religion, many legislations did distinguish, in matters of inheritance, between children born in wedlock and those born out of wedlock. Children born out of wedlock should not be subjected to any discrimination in respect of social protection, but the distinction in matters of inheritance was regarded by many countries as necessary to safeguard the family and the interests of the child born in wedlock.

75. On behalf of the eight co-sponsors it was announced that, in their revised draft (A/C.3/L.1174/Rev.1), the phrase "without any discrimination" had been replaced by an enumeration of the grounds of discrimination. In reply to questions as to the meaning of the words "national origin" and "birth" in the revised proposal, the representative of Poland stated that "national origin" referred not to aliens but to different ethnic groups living within the same country; and that, had the sponsors wished to refer to the distinction between children born in wedlock and those born out of

wedlock, they would have chosen the word "filiation" rather than "birth".

Right to a nationality

76. Several representatives pointed out that they favoured a provision dealing with the child's right to a nationality; that they regretted the absence from the draft Covenant of an article on the right of everyone to a nationality; and that the eight-Power proposal was intended to eliminate statelessness among children as far as possible. Those who opposed a provision on the child's right to a nationality argued that the problems relating to a nationality were not problems peculiar to childhood; that no article on the right to a nationality had been included in the draft Covenant on Civil and Political Rights precisely because of the complexity of the problem; and that a State could not undertake an unqualified obligation to accord its nationality to every child born on its territory regardless of circumstances. With reference to the revised draft, it was also pointed out that naturalization could not be a right of the individual but was accorded by the State at its discretion. Reference was made to the fact that the Convention on the Reduction of Statelessness, signed on 30 August 1961 (A/CONF.9/15), had not as yet received any ratifications.

Vote on the article dealing with the rights of the child

77. At its 1265th meeting, the Committee voted as follows on the revised eight-Power proposal (A/C.3/L.1174/Rev.1) and on the amendments thereto.

Paragraph 1

78. The Lebanese oral amendment, to add after "status" the words "as a minor", was adopted by 38 votes to one, with 38 abstentions.

79. The Austrian oral amendment, to replace "society" by "appropriate social institutions", was rejected by 27 votes to 22, with 23 abstentions.

80. The Peruvian oral amendment, to delete the words "as to race, colour, sex, language, religion, national or social origin, property or birth", was rejected by 38 votes to one, with 34 abstentions.

81. At the request of the representative of France, separate votes were taken on the words "national or" and "birth". The words "national or" were adopted by 33 votes to 6 with 32 abstentions. The word "birth" was adopted by 32 votes to 13, with 22 abstentions.

82. Paragraph 1, as amended, was adopted by 60 votes to one, with 14 abstentions.

Paragraph 2

83. Paragraph 2 was adopted by 62 votes to none, with 9 abstentions.

Paragraph 3

84. Paragraph 3 was adopted by 51 votes to 4, with 16 abstentions.

85. The new article on the rights of the child, as a whole, as amended, was adopted by 57 votes to one, with 14 abstentions. The text of the article, as adopted by the Third Committee, will be found in the annex to the present report.

B. DRAFT COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS: PROVISION ON THE RIGHT TO FREEDOM FROM HUNGER

86. During the discussion by the Committee of the report of the Economic and Social Council (A/5503),

the Director-General of FAO made a statement (1232nd meeting) drawing the Committee's attention to the gravity of the problem created in many areas of the world by hunger and malnutrition. He pointed out that the marked strengthening of civil and political rights, which had followed the adoption of the Universal Declaration of Human Rights, had not been accompanied by parallel gains in the matter of economic and social rights; and that one of the causes of the slower progress in the latter field might be the absence of an urgent call to mankind, through the Universal Declaration, to regard freedom from hunger as one of man's first rights. He also recalled that a wide range of world leaders and several international instruments, including the declaration of the World Food Congress issued in June 1963, had recently stressed the absolute incompatibility of hunger and malnutrition with human dignity. In conclusion, the Director-General suggested that the right to freedom from hunger might be explicitly enunciated in the draft Covenant on Economic, Social and Cultural Rights. The mention of the right to adequate food, already contained in combined articles 11 and 12 of that draft Covenant, seemed to him insufficient, particularly since the text gave no enumeration of the measures which should be taken to ensure enjoyment of the right.

Proposals submitted

87. Proposed texts of a provision on the right to freedom from hunger were submitted by Saudi Arabia (A/C.3/L.1172); by Chile, Colombia, Ecuador, Guatemala and Uganda (A/C.3/L.1175 and Add.1); by Afghanistan, Chile, Colombia, Ecuador, Guatemala, Nigeria, Philippines, Saudi Arabia, Sudan, Uganda and the United Arab Republic (A/C.3/L.1177).

88. The proposal of Saudi Arabia (A/C.3/L.1172), which embodied the text suggested by the Director-General of FAO, sought to add in the draft Covenant on Economic, Social and Cultural Rights, after the combined articles 11 and 12, an article reading as follows:

"1. The States Parties to the present Covenant recognize the right of everyone to be free from hunger. They undertake, individually and through international co-operation, to develop programmes aimed at achieving freedom from hunger within the shortest possible time.

"2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right, national and international action should be geared to the realization of this right by paying particular attention to:

"(a) Policies to ensure that world food supplies are shared on a rational and equitable basis;

"(b) Economic, technical and other measures to increase the production of food;

"(c) The adaptation of existing institutions, including systems of land tenure and land use, to the requirements of economic and social progress; and

"(d) The promotion and full utilization of scientific and technical knowledge and a massive education of the population in order to improve methods of production, conservation and distribution of food."

89. Chile, Colombia, Ecuador, Guatemala and Uganda presented an alternative proposal (A/C.3/L.1175 and Add.1) to add to combined articles 11 and 12 a second paragraph worded as follows:

"2. The steps to be taken by the States Parties, individually and through international co-operation, to draw up and execute programmes aimed at achieving freedom from hunger shall include those needed:

"(a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, disseminating guiding principles of nutrition, and adapting or reforming existing systems of land tenure and land use and systems for the exploitation of natural resources; and

"(b) To help ensure that the world's food supplies are shared on a rational and equitable basis."

90. After the texts of the Saudi-Arabian (A/C.3/L.1172) and five-Power (A/C.3/L.1175 and Add.1) proposals had been referred to an informal working group, Afghanistan, Chile, Colombia, Ecuador, Guatemala, Nigeria, Philippines, Saudi Arabia, Sudan, Uganda and the United Arab Republic submitted a new joint proposal (A/C.3/L.1177), which superseded both of the earlier proposals (A/C.3/L.1172 and A/C.3/L.1175 and Add.1) and took into account some suggestions made in the discussion on the subject in the Third Committee at the 1264th meeting. The new proposal sought to add to combined articles 11 and 12 a second paragraph reading as follows:

"2. The States Parties to the present Covenant, recognizing the fundamental importance of the right of everyone to be free from hunger, shall take measures, individually and through international co-operation, including specific programmes which are needed:

"(a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources; and

"(b) Taking into account the problems of both food importing and exporting countries, to ensure an equitable distribution of world food supplies in relation to need."

91. In the light of further discussions in the Committee, the sponsors of the eleven-Power proposal (A/C.3/L.1177), joined by Syria, submitted a revised text (A/C.3/L.1177/Rev.1), which read as follows:

"2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed:

"(a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;

"(b) Taking into account the problems of both food importing and exporting countries, to ensure an equitable distribution of world food supplies in relation to need."

Amendments submitted

92. Two amendments to the eleven-Power proposal (A/C.3/L.1177) were submitted orally by Greece

(1268th meeting). The first proposed the replacement, at the end of the introductory sub-paragraph, of the words "which are needed" by "if and where needed"; the second called for the insertion, in sub-paragraph (a), of the words "if necessary", between commas, after "of nutrition and". These amendments were withdrawn at the 1269th meeting.

93. The various proposals and amendments relating to the right to freedom from hunger were discussed at the 1264th, 1267th, 1268th and 1269th meetings.

Issues discussed

Desirability of an additional provision on the right to freedom from hunger

94. There was general agreement that the grave problem brought to the Committee's attention by the Director-General of FAO called for urgent remedial action. Opinion was somewhat divided, however, regarding the desirability of including a special provision on the right to freedom from hunger in the draft Covenant on Economic, Social and Cultural Rights.

95. Many representatives felt that, notwithstanding the mention of food in combined articles 11 and 12, an additional article or paragraph dealing with the right to freedom from hunger was indispensable, as a means of stressing that lack of adequate nutrition precluded the effective enjoyment of any human rights whatever. They emphasized that, although the ultimate solution of the problem was essentially a matter for economic and technical organs, Governments should be reminded of the human rights aspect of the question; and that, however uncertain might be the practical effects of such a provision, its adoption was at least bound to offer some hope to the hungry of the world.

96. Some representatives, however, doubted the need to add to the lucid and succinct statement contained in combined articles 11 and 12, which already covered the right to freedom from hunger. The text of those combined articles could perhaps be slightly modified, but any hastily drafted elaboration thereof, or a new provision, might detract from the clarity which should characterize a statement of principle in an international convention.

Content of the additional provision

97. Many representatives endorsed the view of the Director-General of FAO that the new provision should, in addition to stating the right to freedom from hunger, give some broad indication of the measures required to make that right a reality. Such an enumeration had, they recalled, been included in articles relating to several other rights and was, in their opinion, more likely to focus attention on the problem of hunger than a mere affirmation of principle.

98. Some members of the Committee thought that, although a listing of the essential necessary measures was desirable, a clear distinction should be maintained between the principle and the modalities. They pointed out that the steps which had to be taken to solve the problem of hunger were a matter for further study by, *inter alia*, the Economic and Social Council and FAO: that the question of food distribution was one of the problems to be considered by the forthcoming United Nations Conference on Trade and Development; and that it might therefore be premature to take an immediate decision in the matter.

99. In one representative's opinion, a list of measures required an explicit proviso that those measures would always be viewed within the context of national programmes for economic and social development.

100. Several other representatives felt that the draft Covenants should be restricted to the clear enunciation of fundamental human rights and of the underlying principles, and should not indicate the specific measures which States should take in order to promote and protect such rights. It was pointed out that measures to ensure freedom from hunger were bound to form part of general development plans reflecting the needs of individual States, which varied to a degree rendering uniform directives often inapplicable. Furthermore, questions such as increasing food production and ensuring its equitable distribution, or reforming agrarian systems, were within the competence of national authorities or of international organs other than the Third Committee.

101. One representative considered that the reference to sharing the world's food supplies on a rational and equitable basis, which was common to the two original proposals (A/C.3/L.1172 and A/C.3/L.1175 and Add.1), should be clarified by a clause safeguarding the interests of both food producers and consumers. This suggestion was adopted by the sponsors of the eleven-Power proposal (A/C.3/L.1177), which enjoined States Parties to take into account the problems of both food importing and exporting countries. It was pointed out, on behalf of the sponsors, that the word "problems" seemed preferable to "interests", as the latter might be misconstrued to imply that economic interests should prevail over humanitarian and social considerations.

102. A widely welcomed feature of the eleven-Power proposal (A/C.3/L.1177) was its implicit denunciation of paternalism. It was stressed that freedom from hunger had to be assured with full respect for the liberty of the developing peoples: they should be given not only enough to eat but also, and above all, the possibility to provide for their needs through their own efforts.

103. The sponsors of the eleven-Power proposal (A/C.3/L.1177) stressed that the call to States to develop or reform their "agrarian systems" clearly implied improved production measures as well as legal measures designed to adjust unproductive or inequitable systems of agricultural holding. This stipulation, as interpreted by its sponsors, was endorsed by many other members of the Committee.

104. One representative thought that the eleven-Power proposal (A/C.3/L.1177) tended to place the emphasis on technical, scientific and educational measures which, albeit necessary, were of secondary importance. This defect could, in his view, be remedied by reversing the order of two subsidiary parts of sub-paragraph (a), beginning with the words "by making full use..." and "by developing or reforming..." respectively. No formal amendment, however, was submitted on this point.

105. A suggestion was put forward that some adjustment be made in the introductory part of paragraph 2 as drafted in the eleven-Power proposal (A/C.3/L.1177), in order to emphasize that what the States Parties formally recognized was, not merely the importance of the right under discussion, but the right itself. This suggestion was accepted by the sponsors and incorporated into the final revised proposal

submitted by Afghanistan, Chile, Colombia, Ecuador, Guatemala, Nigeria, Philippines, Saudi Arabia, Sudan, Syria, Uganda and the United Arab Republic (A/C.3/L.1177/Rev.1).

106. The Greek oral amendments (1268th meeting), which proposed the replacement of the words "which are needed", at the end of the introductory sub-paragraph, by "if and where needed" and the insertion, in sub-paragraph (a), of the words "if necessary" after "of nutrition and", were unacceptable to the sponsors of the eleven-Power proposal (A/C.3/L.1177). They felt that the first amendment would weaken the text by implying that the need for measures was, as a general rule, not absolute but hypothetical; and the second amendment seemed to them superfluous, since the text already gave States the alternative either to develop new agrarian systems or to reform existing systems. In the light of these explanations and after certain punctuation changes had been introduced in the final revised proposal (A/C.3/L.1177/Rev.1), the Greek amendments were withdrawn (1269th meeting).

Adoption of the paragraph

107. At the request of the representative of Chile, a roll-call vote was taken on the revised joint proposal (A/C.3/L.1177/Rev.1) to add a new paragraph to combined articles 11 and 12. The proposal was adopted by 88 votes to none with 1 abstention. The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Canada, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Ecuador, El Salvador, Ethiopia, Finland, France, Ghana, Greece, Guatemala, Guinea, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kuwait, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Peru, Philippines, Poland, Portugal, Romania, Saudi Arabia, Senegal, Sierra Leone, Spain, Sweden, Syria, Tanganyika, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Venezuela, Yugoslavia.

Against: None.

Abstaining: Pakistan.

108. The text of the new paragraph as adopted by the Third Committee appears in the annex to the present report.

MEASURES OF IMPLEMENTATION

109. A general debate on the measures of implementation of the draft international Covenants took place at the 1267th to 1269th and 1273rd to 1276th meetings. There was a consensus, among those who spoke, as to the importance of the question of implementation and the necessity, particularly in view of the increased membership of the United Nations, to give ample opportunity to the new Members to express their views on the question.

110. From the discussion it was apparent that there was general agreement, in principle at least, regarding the system of implementation proposed for the draft Covenant on Economic, Social and Cultural Rights. Divergent views, however, were expressed concerning the measures of implementation to be adopted with respect to the draft Covenant on Civil and Political Rights.

111. Several delegations held the view that the two draft Covenants called for different measures of implementation, since the nature of the rights and obligations set forth in each Covenant was distinct. The draft Covenant on Economic, Social and Cultural Rights envisaged progressive realization of the rights enunciated therein. Consequently, the system of implementation most suitable for that Covenant would be that under which States Parties undertook to report progress to the international community and in particular to the other States Parties. In the case of civil and political rights, which were to be of immediate application, a different system of implementation was called for. The establishment of an international machinery, such as that proposed by the Commission on Human Rights, was more appropriate and would provide a more effective guarantee that States Parties honoured their obligations under the Covenant. The setting up and acceptance of such a machinery would imply a willingness among States Parties to subject their actions to a modicum of international scrutiny. States relying solely on a national system of implementation denied their people the additional safeguards provided by an international guarantee.

112. The establishment of such an organ as that envisaged in the draft Covenant on Civil and Political Rights would not conflict with the United Nations Charter or with general international law. The principle of non-intervention in matters of "domestic jurisdiction", as set forth in Article 2 (7), of the Charter, was not applicable where human rights were concerned. The protection of human rights had become a matter of international concern. Moreover, by accepting the Covenants, States Parties could hardly claim that the provisions of the Covenants were matters of exclusively domestic jurisdiction.

113. The implementation machinery proposed for the draft Covenant on Civil and Political Rights did not constitute an innovation in international law. Similar measures had been embodied in the European Convention on Human Rights and Fundamental Freedoms, 1950,²² and in the Inter-American draft Convention on Human Rights.²³ The measures of implementation provided for in the Constitution of the ILO combined a system of reporting and complaints procedure and the possibility of referring certain matters to the International Court of Justice. Recently, the General Conference of UNESCO had adopted a protocol to the Convention against discrimination in education, which provided for a complaints procedure very similar to that proposed in the draft Covenant on Civil and Political Rights. It was also pointed out that an implementation system providing for the right of individual petition had been established in the case of the Declaration on

²² See United Nations, *Treaty Series*, vol. 213 (1955), No. 1, 2889.

²³ See *Organization of American States, Inter-American Council of Jurists, Fourth Meeting, Santiago, Chile, August-September 1959*, document 101.

the granting of independence to colonial countries and peoples.²⁴

114. Other delegations felt that there should be uniform or at least very similar measures of implementation for both Covenants. The rights envisaged in the two draft Covenants were closely interrelated and the full implementation of one set of rights was inconceivable without the full implementation of the other. It was held that the international measures of implementation appropriate for both Covenants were those which provided a means of appreciating existing conditions within the contracting parties through the submission of reports, as envisaged in article 17 of the draft Covenant on Economic, Social and Cultural Rights and article 49 of the draft Covenant on Civil and Political Rights.

115. It was stressed by some speakers that the implementation of the rights set forth in the draft Covenants rested primarily on the States Parties themselves, which were expected, in accordance with the principle of *pacta sunt servanda*, to carry out the obligations they had contracted. International measures of implementation could, of course, be useful and should not be disregarded, but their importance should not be exaggerated. What was of prime importance was the speedy adoption of the Covenants and their universal acceptance. These objectives might be jeopardized if measures of implementation such as those envisaged in the draft Covenant on Civil and Political Rights, which called for the establishment of a supra-national body to supervise its implementation, were to be included.

116. The implementation machinery proposed for the draft Covenant on Civil and Political Rights was, in the view of several members, unrealistic and contravened the provisions of the United Nations Charter as well as the principles of international law. The establishment of a supra-national organ would require States Parties to relinquish their sovereignty and would authorize intervention by others in matters within their exclusive domestic jurisdiction. There was also danger that such a supra-national organ might be used for political ends by powerful States to justify intervention in the affairs of weaker nations.

117. It was pointed out that the proposed implementation measures required re-examination and adaptation to contemporary conditions and needs. During the period which had elapsed since the Covenants were drafted by the Commission on Human Rights, conditions had changed materially and new experience had been gained. It was essential that, if universal acceptance of the Covenants was to be achieved, the system of implementation adopted must not impose too stringent obligations and must take into account the variety of conditions in individual countries. The measures of implementation should not provide an instrument for intervention, pressure and fomentation of the cold war, but should provide a means for determining, studying and removing obstacles to the realization of the rights set forth in the draft Covenants and for extending international aid, where needed, in order to further friendly relations and international co-operation among nations.

²⁴ A Special Committee to examine the situation with regard to the implementation of the Declaration was established by the General Assembly (see resolutions 1654 (XVI) and 1810 (XVII)).

118. At the close of the general debate, a brief discussion on the measures of implementation (part IV, articles 17 to 25) of the draft Covenant on Economic, Social and Cultural Rights took place (1277th meeting). Views on specific articles relating to the measures of implementation of both draft Covenants were also expressed by several representatives in the course of the general debate (1267th to 1269th and 1273rd to 1276th meetings). Amendments to article 21 of the draft Covenant on Economic, Social and Cultural Rights were submitted by the United Kingdom (A/C.3/L.1180).

DRAFT RESOLUTION CONCERNING MEASURES OF IMPLEMENTATION AND FUTURE CONSIDERATION OF THE DRAFT INTERNATIONAL COVENANTS ON HUMAN RIGHTS

119. Hungary, Iraq, Italy, Madagascar, Mexico, Panama, Peru, Saudi Arabia, Venezuela and Yugoslavia submitted a draft resolution concerning measures of implementation and future consideration of the draft Covenants (A/C.3/L.1182).

120. The Committee considered the draft resolution at its 1277th to 1279th meetings. The draft resolution was revised twice by the sponsors in the light of the discussion.

121. In the second revision, the draft resolution (A/C.3/L.1182/Rev.2) read as follows:

"The General Assembly,

"Recalling its resolutions 1843 B and C (XVII) of 19 December 1962,

"Having devoted attention, once again, to the draft International Covenants on Human Rights and, in particular, to the problem of measures of implementation, the solution of which is a vital factor for the adoption of the Covenants,

"Having regard to the presence of many new States which have not had an opportunity to express their views on measures of implementation, owing in particular to the date on which the Commission on Human Rights approved the draft International Covenants on Human Rights,

"Considering also the many different views expressed in the debate on measures of implementation,

"1. Reaffirms its belief that final adoption of the draft International Covenants on Human Rights is urgent and essential for the universal protection and promotion of human rights;

"2. Requests the Secretary-General to transmit to Member States the text of the articles of the draft International Covenants on Human Rights, which were adopted at the tenth to eighteenth sessions of the General Assembly, together with the records of the debates which took place in the Third Committee on measures of implementation of the said drafts, the explanatory paper prepared by the Secretary-General and the observations sent by Governments (A/5411 and Add.1-2);

"3. Invites Member States to consider the text of the articles of the draft International Covenants on Human Rights which have already been adopted by the Third Committee and the measures of implementation and the final clauses relating to the said Covenants elaborated by the Commission on Human Rights, in order that they may be in a posi-

tion to decide on the measures of implementation and on the final clauses of the Covenants;

"4. *Requests* the Secretary-General, if observations are sent by Member States before the opening of the nineteenth session of the General Assembly, to transmit them to the other Member States as soon as possible;

"5. *Decides* to make a special effort to complete, at the nineteenth session, the adoption of the entire text of the draft International Covenants on Human Rights."

122. Israel submitted an amendment (A/C.3/L.1184) to paragraph 2 of the preamble of the revised draft resolution (A/C.3/L.1182/Rev.2) which would replace the words "problem of measures of implementation, the solution of which is a vital factor for the adoption of the Covenants" by the following text: "issues connected with the measures of implementation, which are vital for the adoption and effectiveness of the Covenants,".

123. The Committee voted on the draft resolution (A/C.3/L.1182/Rev.2) and the Israel amendment (A/C.3/L.1184) at its 1279th meeting, as follows:

(a) The amendment of Israel (A/C.3/L.1184) was adopted by 40 votes to 35 with 8 abstentions;

(b) Paragraph 2 of the preamble of the draft resolution (A/C.3/L.1182/Rev.2), as thus amended, was adopted by 49 votes to 8, with 26 abstentions;

(c) The draft resolution (A/C.3/L.1182/Rev.2), as a whole, as amended, was unanimously adopted.

Recommendation of the Third Committee

124. The Third Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

ANNEX

Text of the articles of the draft International Covenants on Human Rights adopted by the Third Committee at the eighteenth session of the General Assembly

ARTICLES 2 AND 4 OF THE DRAFT COVENANT ON CIVIL AND POLITICAL RIGHTS

Article 2

1. Each State Party hereto undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in this Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

2. Where not already provided for by existing legislative or other measures, each State undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of this Covenant, to adopt such legislative or other measures as may be necessary to give effect to the rights recognized in this Covenant.

3. Each State Party hereto undertakes:

(a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;

(b) To ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;

(c) To ensure that the competent authorities shall enforce such remedies when granted.

Article 4

1. In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties hereto may take measures derogating from their obligations under this Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.

2. No derogation from articles 6, 7, 8 (paragraphs 1 and 2), 11, 15, 16 and 18 may be made under this provision.

3. Any State Party to the Covenant availing itself of the right of derogation shall inform immediately the other States Parties to the Covenant, through the intermediary of the Secretary-General, of the provisions from which it has derogated and of the reasons by which it was actuated. A further communication shall be made, through the same intermediary, on the date on which it terminates such derogation.

NEW ARTICLE ON THE RIGHTS OF THE CHILD, TO BE INSERTED FOLLOWING ARTICLE 22 OF THE DRAFT COVENANT ON CIVIL AND POLITICAL RIGHTS

1. Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as required by his status as a minor, on the part of his family, the society and the State.

2. Every child shall be registered immediately after birth and shall have a name.

3. Every child has the right to acquire a nationality.

PROVISION ON THE RIGHT TO FREEDOM FROM HUNGER TO BE ADDED AS PARAGRAPH 2 OF THE COMBINED ARTICLES 11 AND 12 OF THE DRAFT COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed:

(a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources; and

(b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1279th plenary meeting, on 12 December 1963, the General Assembly adopted the draft resolution submitted by the Third Committee (A/5655, para. 124). For the final text, see resolution 1960 (XVIII) below.

Resolution adopted by the General Assembly

1960 (XVIII). DRAFT INTERNATIONAL COVENANTS ON HUMAN RIGHTS

The General Assembly,

Recalling its resolutions 1843 B and C (XVII) of 19 December 1962,

Having devoted its attention once again to the draft International Covenants on Human Rights and, in particular, to the issues connected with the measures of implementation, which are vital for the adoption and effectiveness of the Covenants,

Having regard to the presence of many new Member States, which have not had an opportunity to express their views on measures of implementation owing, in particular, to the date on which the Commission on Human Rights approved the draft International Covenants on Human Rights,

Considering also the many different views expressed in the debate on measures of implementation,

1. *Reaffirms its belief* that final adoption of the draft International Covenants on Human Rights is urgent and essential for the universal protection and promotion of human rights;

2. *Requests* the Secretary-General to transmit to Member States the text of the articles of the draft

International Covenants on Human Rights which were adopted at the tenth to eighteenth sessions of the General Assembly, together with the records of the debates which took place in the Third Committee on measures of implementation of the said drafts, the explanatory paper prepared by the Secretary-General and the observations received from Governments (A/5411 and Add.1-2);

3. *Invites* Member States to consider the text of the articles of the draft International Covenants on Human Rights which have already been adopted by the Third Committee and the measures of implementation and the final clauses relating to the said Covenants elaborated by the Commission on Human Rights, in order that they may be in a position to decide on the measures of implementation and on the final clauses of the Covenants;

4. *Requests* the Secretary-General, if observations are sent by Member States before the opening of the nineteenth session of the General Assembly, to transmit them to the other Member States as soon as possible;

5. *Decides* to make a special effort to complete, at its nineteenth session, the adoption of the entire text of the draft International Covenants on Human Rights.

*1279th plenary meeting,
12 December 1963.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 48 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/2907 and Add.1-2	Memorandum by the Secretary-General	<i>Official Records of the General Assembly, Tenth Session, Annexes, agenda item 28 (part I)</i>
A/2910 and Add.1-6	Observations by Governments	<i>Ibid.</i>
A/2929	Annotations on the text of the draft International Covenants on Human Rights (E/2573, annex I)	<i>Ibid.</i> , agenda item 28 (part II)
A/3077	Report of the Third Committee	<i>Ibid.</i> , agenda item 28 (part I)
A/3525	Report of the Third Committee	<i>Ibid.</i> , <i>Eleventh Session, Annexes</i> , agenda item 31
A/3764 and Add.1	Report of the Third Committee	<i>Ibid.</i> , <i>Twelfth Session, Annexes</i> , agenda item 33
A/4045	Report of the Third Committee	<i>Ibid.</i> , <i>Thirteenth Session, Annexes</i> , agenda item 32
A/4299	Report of the Third Committee	<i>Ibid.</i> , <i>Fourteenth Session, Annexes</i> , agenda item 34
A/4625	Report of the Third Committee	<i>Ibid.</i> , <i>Fifteenth Session, Annexes</i> , agenda item 34
A/5000	Report of the Third Committee	<i>Ibid.</i> , <i>Sixteenth Session, Annexes</i> , agenda item 35
A/5365	Report of the Third Committee	<i>Ibid.</i> , <i>Seventeenth Session, Annexes</i> , agenda item 43
A/5423	Report of the <i>Ad Hoc</i> Committee on the Improvement of the Methods of Work of the General Assembly	<i>Ibid.</i> , <i>Eighteenth Session, Annexes</i> , agenda item 25
A/5503	Report of the Economic and Social Council (4 August 1962-2 August 1963)	<i>Ibid.</i> , <i>Eighteenth Session, Supplement No. 3</i>
A/C.2/L.747 and Add.1-2	World campaign against hunger, disease and ignorance—Argentina, Austria, Canada, Ceylon, Chile, Ghana, Iran, Ireland, Liberia, Nepal, Netherlands and United Kingdom of Great Britain and Northern Ireland: draft resolution	<i>Ibid.</i> , <i>Eighteenth Session, Annexes</i> , agenda items 12, 33, 34, 35, 36, 37, 39 and 76
A/C.3/L.460	Working paper prepared by the Secretary-General	<i>Ibid.</i> , <i>Tenth Session, Annexes</i> , agenda item 28 (part I)
A/C.3/L.1013	Union of Soviet Socialist Republics: proposal to add a new substantive article to the draft Covenant on Civil and Political Rights (E/2573, annex I, B)	<i>See</i> A/5365, para. 31
A/C.3/L.1014	Poland: proposal to add a new substantive article after article 22 of the draft Covenant on Civil and Political Rights (E/2573, annex I, B)	<i>Ibid.</i> , para. 5

Document No.	Title	Observations and references
A/C.3/L.1014/Rev.1	Poland and Yugoslavia: revised proposal to add a new substantive article after article 22 of the draft Covenant on Civil and Political Rights (E/2573, annex I, B)	<i>Ibid.</i> , para. 13
A/C.3/L.1015	Existing procedures for periodic reporting to specialized agencies: note by the Secretary-General	<i>Official Records of the General Assembly, Seventeenth Session, Annexes, agenda item 43</i>
A/C.3/L.1019	Chile: amendment to document A/C.3/L.1014	See A/5365, para. 8
A/C.3/L.1062	Text of articles adopted by the Third Committee at the tenth to seventeenth sessions of the General Assembly: note by the Secretary-General	Mimeographed
A/C.3/L.1166	Japan: amendments to article 2 of the draft Covenant on Civil and Political Rights (E/2573, annex I, B)	See A/5655, paras. 8, 9, 11, 17, 24 and 32
A/C.3/L.1167	United Kingdom of Great Britain and Northern Ireland: amendments to article 2 of the draft Covenant on Civil and Political Rights (E/2573, annex I, B)	<i>Ibid.</i> , paras. 8, 10, 12, 16, 21, 25, 31 and 33
A/C.3/L.1168	Chile and United Arab Republic: amendment to document A/C.3/L.1167	<i>Ibid.</i> , paras. 8, 13, 16, 26 and 27
A/C.3/L.1169	Saudi Arabia: amendment to document A/C.3/L.1168	<i>Ibid.</i> , paras. 8, 14, 16 and 27
A/C.3/L.1170	Mexico: amendments to article 4 of the draft Covenant on Civil and Political Rights (E/2573, annex I, B)	<i>Ibid.</i> , paras. 39, 40, 41, 42, 44 and 46
A/C.3/L.1171	Saudi Arabia: amendment to article 4 of the draft Covenant on Civil and Political Rights (E/2573, annex I, B)	<i>Ibid.</i> , paras. 39 and 43
A/C.3/L.1172	Saudi Arabia: proposal to add a new substantive article to the draft Covenant on Economic, Social and Cultural Rights (E/2573, annex I, A)	<i>Ibid.</i> , paras. 87, 88 and 90
A/C.3/L.1173	Saudi Arabia: amendments to article 4 of the draft Covenant on Civil and Political Rights (E/2573, annex I, B)	<i>Ibid.</i> , paras. 39, 45 and 46
A/C.3/L.1174	Afghanistan, Brazil, Iran, Nigeria, Panama, United Arab Republic and Yugoslavia: proposal to add a new substantive article to the draft Covenant on Civil and Political Rights (E/2573, annex I, B)	<i>Ibid.</i> , paras. 60 and 61
A/C.3/L.1174/Rev.1	Afghanistan, Brazil, Iran, Nigeria, Panama, Poland, United Arab Republic and Yugoslavia: revised proposal to add a new substantive article to the draft Covenant on Civil and Political Rights (E/2573, annex I, B)	<i>Ibid.</i> , paras. 61, 73, 75, 77, 78, 79, 80, 81, 82, 83, 84 and 85
A/C.3/L.1175 and Add.1	Chile, Colombia, Ecuador, Guatemala and Uganda: proposal to add a second paragraph to combined articles 11 and 12 of the draft Covenant on Economic, Social and Cultural Rights (E/2573, annex I, A)	<i>Ibid.</i> , paras. 87, 89 and 90
A/C.3/L.1176	Mexico and Saudi Arabia: amendments to article 4 of the draft Covenant on Civil and Political Rights (E/2573, annex I, B)	<i>Ibid.</i> , paras. 39, 46 and 55
A/C.3/L.1177	Afghanistan, Chile, Colombia, Ecuador, Guatemala, Nigeria, Philippines, Saudi Arabia, Sudan, Uganda and United Arab Republic: proposal to add a second paragraph to combined articles 11 and 12 of the draft Covenant on Economic, Social and Cultural Rights (E/2573, annex I, A)	<i>Ibid.</i> , paras. 90 and 91
A/C.3/L.1177/Rev.1	Afghanistan, Chile, Colombia, Ecuador, Guatemala, Nigeria, Philippines, Saudi Arabia, Sudan, Syria, Uganda and United Arab Republic: revised proposal to add a second paragraph to combined articles 11 and 12 of the draft Covenant on Economic, Social and Cultural Rights (E/2573, annex I, A)	<i>Ibid.</i> , paras. 91, 105, 106, 107 and 108
A/C.3/L.1180	United Kingdom of Great Britain and Northern Ireland: amendments to article 21 of the draft Covenant on Economic, Social and Cultural Rights (E/2573, annex I, A)	<i>Ibid.</i> , para. 118
A/C.3/L.1182	Hungary, Iraq, Italy, Madagascar, Mexico, Panama, Peru, Saudi Arabia, Venezuela and Yugoslavia: draft resolution	Replaced by A/C.3/L.1182/Rev.1
A/C.3/L.1182/Rev.1	Hungary, Iraq, Italy, Madagascar, Mexico, Panama, Peru, Saudi Arabia, Venezuela and Yugoslavia: revised draft resolution	Replaced by A/C.3/L.1182/Rev.2
A/C.3/L.1182/Rev.2	Hungary, Iraq, Italy, Madagascar, Mexico, Panama, Peru, Saudi Arabia, Venezuela and Yugoslavia: revised draft resolution	See A/5655, paras. 121 and 123
A/C.3/L.1184	Israel: amendment to document A/C.3/L.1182/Rev.2	<i>Ibid.</i> , paras. 122 and 123
A/CONF.9/15	Convention on the Reduction of Statelessness	Mimeographed
E/2573-E/CN.4/705	Report of the Commission on Human Rights on its tenth session (23 February-16 April 1954)	<i>Official Records of the Economic and Social Council, Eighteenth Session, Supplement No. 7</i>
E/3743-E/CN.4/857	Report of the Commission on Human Rights on its nineteenth session (11 March-5 April 1963)	<i>Ibid.</i> , <i>Thirty-sixth Session, Supplement No. 8</i>
E/CN.4/850 and Add.1-12	Note by the Secretary-General and comments of Governments on the draft International Covenants on Human Rights: proposals relating to an article on the rights of the child	Mimeographed
E/CN.4/851 and Add.1	Note by the Secretary-General and comments of the specialized agencies on the draft International Covenants on Human Rights: proposals relating to an article on the rights of the child	Mimeographed



Agenda item 49: Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations: reports of the Secretary-General and the Committee on Information from Non-Self-Governing Territories:*

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

Agenda item 50: Dissemination and information in the Non-Self-Governing Territories on the Declaration on the granting of independence to colonial countries and peoples: report of the Secretary-General**

Agenda item 51: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories: report of the Secretary-General**

Agenda item 52: Question of the continuation of the Committee on Information from Non-Self-Governing Territories***

Agenda item 53: Election, if required, to fill vacancies in the membership of the Committee on Information from Non-Self-Governing Territories**

Agenda item 54: Special training programme for Territories under Portuguese administration: report of the Secretary-General**

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** *Idem, Fourth Committee, 1506th, 1509th to 1512th and 1515th meetings; Fifth Committee, 1057th and 1060th meetings; and Plenary Meetings, 1281st meeting.*

*** *Idem, Fourth Committee, 1496th, 1501st, 1506th, 1509th to 1512th and 1515th meetings; Fifth Committee, 1057th and 1060th meetings; and Plenary Meetings, 1281st meeting.*

DOCUMENT A/5523

Dissemination of information in the Non-Self-Governing Territories on the Declaration on the granting of independence to colonial countries and peoples

Report of the Secretary-General

[Original text: English]
[18 September 1963]

1. The present report is submitted in compliance with the request of the General Assembly that the Secretary-General report to it at its eighteenth session on the implementation of resolution 1848 (XVII) of 19 December 1962.

2. In this resolution, the General Assembly, recalling the Declaration on the granting of independence to colonial countries and peoples contained in resolution 1514 (XV), and resolution 1695 (XVI) on the large-scale dissemination of the Declaration, reiterated

the view that it was "essential that the peoples of the Non-Self-Governing Territories should be widely acquainted with the Declaration". After noting with satisfaction the information contained in the Secretary-General's report to the seventh session (A/5244 and Add.1) to the effect that a number of leaflets, wall-sheets and radio talks on the Declaration had already been disseminated in many local languages of the Non-Self-Governing Territories as well as in the languages of the Administering Members, the resolution expressed appreciation for the co-operation of certain Administering Members, commented on the lack of such co-operation on the part of the Government of Portugal, and invited it to co-operate in the dissemination of the Declaration. Finally, the resolution requested the Secretary-General "to continue his efforts towards large-scale circulation and dissemination of the Declaration through all the appropriate media of mass communication in all the Non-Self-Governing Territories".

3. In compliance with resolutions 1695 (XVI) and 1848 (XVII), measures were taken to obtain the translation of the Declaration into the principle local languages of the Non-Self-Governing Territories, as well as the languages of the Administering Members, and the printing of these texts in the form of leaflets and wallsheets. Special radio talks on the Declaration were also prepared in as many of the languages as possible.

4. Active assistance was requested from all Administering Members in the dissemination of the material produced. *Notes verbales* were addressed in February 1962 to the Permanent Missions of Australia, France, the Netherlands, New Zealand, Portugal, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America, inviting their assistance in the dissemination of the printed

and radio materials. By 19 September 1962 the Permanent Missions of Australia, the Netherlands, New Zealand, Spain, the United Kingdom and the United States of America, in response to the *notes verbales*, had either undertaken the direct distribution of the publicity material through official channels in the Territories concerned, or had provided the Secretary-General with the addresses of newspapers, broadcasting stations and educational and other institutions for the distribution of the material either from Headquarters or from appropriate United Nations information centres.

5. Reminder notes were sent in June 1962 and March 1963 to the Permanent Missions of France and Portugal, together with printed texts of the Declaration in leaflet and wallsheet forms and recordings of a talk on the Declaration suitable for broadcasting. The material was sent in the appropriate language with an indication that additional quantities were available and that the Secretary-General would welcome an indication of the number of copies required by the Government concerned, and a request for the Government's assistance in securing the addresses of newspapers, broadcasting stations, education institutions, non-governmental organizations and other outlets to which the material should be sent in the Territories concerned. A reply was received from France, in August 1963, stating that the Declaration was being given the desirable publicity in the Territory under French administration.

6. Annexes I and II to this report summarize the progress made in the production and dissemination of publicity material relating to the Declaration, in the form of leaflets and wallsheets as well as radio broadcasts.

ANNEX I

Status of dissemination of leaflets and wallsheets on the Declaration on the granting of independence to colonial countries and peoples in Non-Self-Governing Territories

Language	Status	Quantities	Territories	Observations
Arabic	Printed	Leaflets: 15,000 Wallsheets: 1,500	Aden, Spanish Sahara, Zanzibar	5,000 leaflets and 50 wallsheets provided to Permanent Mission of Spain to the United Nations, for Spanish Sahara 5,000 leaflets sent to the United Nations Information Centre (UNIC), Dar es Salaam, for Aden and Zanzibar for distribution to the addresses supplied by Permanent Mission of the United Kingdom to the United Nations
Bemba	Printed	Leaflets: 5,000 Wallsheets: 500	Northern Rhodesia	Distributed by UNIC, Dar es Salaam
Chamorro	Printed	Leaflets: 3,000 Wallsheets: 500	Guam	Supplied to Permanent Mission of the United States of America to the United Nations
Chinese	Printed	Leaflets: 25,000 Wallsheets: 2,500	Brunei, Hong Kong, North Borneo, Sarawak, Singapore	Addresses supplied by Permanent Mission of the United Kingdom to the United Nations
Chokwe	Translation requested from Administering Member	Leaflets: 3,000* Wallsheets: 500*	Angola	Addresses requested from Permanent Mission of Portugal to the United Nations

ANNEX I (continued)

Language	Status	Quantities	Territories	Observations																					
Creole	Printed	Leaflets : 3,000 Wallsheets : 500	Portuguese Guinea	Addresses requested from Permanent Mission of Portugal to the United Nations																					
English	Printed	Leaflets : 100,000 (includes stocks for distribution in Trust Territories) Wallsheets : 10,000	Territories under the administration of Australia, New Zealand, the United Kingdom and the United States	Material distributed to United Nations Information Centres as follows : <table border="1"> <thead> <tr> <th></th> <th>Leaflets</th> <th>Wallsheets</th> </tr> </thead> <tbody> <tr> <td>Accra</td> <td>8,750</td> <td>100</td> </tr> <tr> <td>Bangkok</td> <td>7,100</td> <td></td> </tr> <tr> <td>Dar es Salaam</td> <td>9,000</td> <td>500</td> </tr> <tr> <td>London</td> <td>15,000</td> <td>5,000</td> </tr> <tr> <td>Port Moresby</td> <td>500</td> <td>200</td> </tr> <tr> <td>Port of Spain</td> <td>3,000</td> <td>250</td> </tr> </tbody> </table>		Leaflets	Wallsheets	Accra	8,750	100	Bangkok	7,100		Dar es Salaam	9,000	500	London	15,000	5,000	Port Moresby	500	200	Port of Spain	3,000	250
	Leaflets	Wallsheets																							
Accra	8,750	100																							
Bangkok	7,100																								
Dar es Salaam	9,000	500																							
London	15,000	5,000																							
Port Moresby	500	200																							
Port of Spain	3,000	250																							
Fijian	Printed	Leaflets : 3,000 Wallsheets : 500	Fiji	Addresses supplied by the Permanent Mission of the United Kingdom to the United Nations																					
French	Printed	Leaflets : 3,000 Wallsheets : 500	New Hebrides Mauritius	See paragraph 5 of this report 100 leaflets and 250 wallsheets dispatched to Mauritius																					
Hindi	Printed	Leaflets : 10,000 Wallsheets : 500	Fiji and Mauritius	Addresses supplied by the Permanent Mission of the United Kingdom to the United Nations																					
Kikongo	Printed	Leaflets : 3,000 Wallsheets : 500	Angola	Addresses requested from Permanent Mission of Portugal to the United Nations																					
Kimbundu	Printed	Leaflets : 5,000 Wallsheets : 500	Angola	Addresses requested from Permanent Mission of Portugal to the United Nations																					
Malay	Printed	Leaflets : 10,000 Wallsheets : 1,500	Brunei, North Borneo, Sarawak, Singapore	Addresses supplied by the Permanent Mission of the United Kingdom to the United Nations																					
Maori	Translation awaited from Administering Member	Leaflets : 3,000* Wallsheets : 500*	Cook Islands and Tokelau Islands	Addresses received from Permanent Mission of New Zealand to the United Nations																					
Mbundu	Printed	Leaflets : 3,000 Wallsheets : 500	Angola	Addresses requested from Permanent Mission of Portugal to the United Nations																					
Niuean	Printed	Leaflets : 3,000 Wallsheets : 500	Niue Island	Supplied to Permanent Mission of New Zealand to the United Nations																					
Nyanja	Printed	Leaflets : 5,000 Wallsheets : 500	Nyasaland	Distributed by UNIC, Dar es Salaam																					
Portuguese	Printed	Leaflets : 15,000 Wallsheets : 500	Territories under Portuguese administration	Addresses requested from Permanent Mission of Portugal to the United Nations																					
Samoan	Printed	Leaflets : 3,000 Wallsheets : 500	American Samoa	Supplied to Permanent Mission of the United States of America to the United Nations																					
Silozi	Printed	Leaflets : 3,000 Wallsheets : 500	Northern Rhodesia	Distributed by UNIC, Dar es Salaam																					
Spanish	Printed	Leaflets : 15,000 Wallsheets : 1,500	British Honduras, Fernando Póo, Ifni, Río Muni	10,000 leaflets and 200 wallsheets supplied to the Permanent Mission of Spain to the United Nations 1,000 leaflets and 100 wallsheets sent to UNIC, Port of Spain, for British Honduras																					

ANNEX I (continued)

<i>Language</i>	<i>Status</i>	<i>Quantities</i>	<i>Territories</i>	<i>Observations</i>
Swahili	Printed	Leaflets: 25,000 Wallsheets: 5,000	Kenya	Distributed by UNIC, Dar es Salaam
Thonga	Printed	Leaflets: 3,000 Wallsheets: 500	Mozambique	Addresses requested from Permanent Mission of Portugal to the United Nations
Tokelauan	Printed	Leaflets: 1,000 Wallsheets: 500	Tokelau Islands	Supplied to Permanent Mission of New Zealand to the United Nations
Tonga	Printed	Leaflets: 3,000 Wallsheets: 500	Northern Rhodesia	Distributed by UNIC, Dar es Salaam
Zulu	Printed	Leaflets: 5,000 Wallsheets: 500	Swaziland	Addresses supplied by the Permanent Mission of the United Kingdom to the United Nations

* Projected number of copies to be printed.

ANNEX II

Status of dissemination of the radio talk on the Declaration on the granting of independence to colonial countries and peoples

1. The debates of the General Assembly and its committees on matters connected with the Declaration on the granting of independence to colonial countries and peoples are broadcast by shortwave to North, West and Central Africa, Europe and Latin America in English, French and Spanish. Daily and weekly news reports of these debates, covering the provisions of the Declaration, are included in United Nations radio broadcasts in some thirty languages which reach many of the Non-Self-Governing Territories.

2. A special radio talk has been prepared on the Declaration on the granting of independence to colonial countries and peoples, for use in Non-Self-Governing Territories.

3. The talk has been produced in the following languages:

Arabic (both classic Arabic and with Moroccan accent)

Bemba (produced at Dar es Salaam)

Chinese

English (both American and British voices)

French

Hindi

Kimbundu

Maori (produced in New Zealand)

Malay (produced in Bangkok)

Mbundu

Niuean (produced in New Zealand)

Nyanja (produced at Dar es Salaam)

Portuguese

Spanish (both Castilian and Latin American versions)

Swahili (produced at Dar es Salaam)

Thonga

Tokelauan (produced in New Zealand)

Zulu (produced at Dar es Salaam)

Efforts are still being made to produce the talk in Chokwe, Silozi and Tonga.

4. The talk has been distributed as follows (direct to radio stations unless stated otherwise), with a request for assistance in securing translations for broadcasting in local languages:

<i>Territory</i>	<i>Language</i>	<i>Distribution</i>
AUSTRALIA		
Cocos (Keeling) Islands	English	Via United Nations Information Centre (UNIC), Sydney
Papua	English	Via UNIC, Port Moresby
FRANCE		
New Hebrides	French	
NEW ZEALAND		
Cook Islands	English, Maori	
Niue	Niuean	
Tokelau Islands	Tokelauan	
PORTUGAL		
Portuguese Guinea	Portuguese	
Cape Verde Islands	Portuguese	To two radio stations
São Tomé	Portuguese	
Angola and Cabinda	Portuguese, Kimbundu, Mbundu	To four radio stations
Mozambique	Portuguese, Thonga	Via UNIC, Dar es Salaam
SPAIN		
Information regarding distribution not available . .	Arabic, Spanish	Five copies in Arabic and ten in Spanish supplied to Permanent Mission of Spain to the United Nations

ANNEX II (continued)

Territory	Language	Distribution
UNITED KINGDOM		
Aden	Arabic	
Bahamas	English	
Bechuanaland	English, Swahili	Via UNIC, Dar es Salaam
Bermuda	English	
British Guiana	English	
British Honduras	English, Spanish	
Brunei	Chinese, English, Malay	
Caribbean area	English, Spanish	Via UNIC, Port of Spain: English (10 copies); Spanish (2 copies)
Falkland Islands	English	
Fiji	English, Hindi	
Gibraltar	English	
Gilbert and Ellice Islands	English	
Hong Kong	Chinese, English	
Kenya	English, Swahili	Via UNIC, Dar es Salaam
Malta	English	
Mauritius	English, French, Hindi	
New Hebrides	English	
North Borneo	Chinese, English, Malay	
Northern Rhodesia	Bemba, English, Swahili	Via UNIC, Dar es Salaam
Nyasaland	Nyanja, Swahili	Via UNIC, Dar es Salaam
Sarawak	Chinese, English, Malay	
Seychelles	English, French	
Singapore	Chinese, English, Malay	
Solomon Islands	English	
Zanzibar	English, Swahili	Via UNIC, Dar es Salaam
UNITED STATES OF AMERICA		
American Samoa	English	
Guam	English	
United States Virgin Islands	English	

DOCUMENT A/5524

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

[Original text: English]
[18 September 1963]

1. In resolution 1698 (XVI) of 19 December 1961, the General Assembly, recalling the Declaration on the granting of independence to colonial countries and peoples, resolutely condemned the policy and practice of racial discrimination and segregation in Non-Self-Governing Territories and urged Administering Members to take steps to rescind or revoke immediately all laws which tended to encourage or sanction discriminatory policies; to adopt legislative measures making racial discrimination and segregation punishable by law; and to extend immediately the full exercise of basic political rights to all inhabitants of Non-Self-Governing Territories. In addition, the Secretary-General was requested to take measures for the immediate and large-scale dissemination in the Non-Self-Governing Territories of the text of the resolution "through all the appropriate media of mass communication, in the principle local languages as well as in the languages of the Administering Members".

2. In compliance with the above resolution, and with the co-operation of the Governments of Australia,

France, the Netherlands, New Zealand, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America, whose assistance was requested by *notes verbales* in April 1962, measures were taken to obtain translations of the text of the resolution into the appropriate languages, to print these texts in the form of leaflets and wallsheets and to distribute this material throughout the Non-Self-Governing Territories.

3. In pursuance of the same procedure, a *note verbale* similar to that dispatched to the aforementioned Administering Members was sent on 5 April 1962 to the Permanent Mission of Portugal to the United Nations, and another note of reminder was dispatched on 16 July 1962.

4. Resolution 1698 (XVI) further requested the Secretary-General "to prepare . . . a report on the implementation of the present resolution for the consideration of the General Assembly and any other body which the Assembly may appoint to assist it in the implementation of resolution 1514 (XV)". A re-

port (A/5249 and Add.1) was accordingly submitted to the General Assembly at its seventeenth session. The Assembly took note of the report in resolution 1850 (XVII) and referred it to the attention of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

5. Annexes I and II of the report submitted at the seventeenth session showed the current status of dissemination in the Non-Self-Governing Territories of leaflets and wallsheets containing the text of resolution 1698 (XVI) and of a special radio talk on the resolution. This information, brought up to date with some additional material subsequently obtained, is summarized below.

6. Leaflets and wallsheets containing the text of resolution 1698 (XVI) have been printed in the following languages and sent out for distribution in the following Territories:

Arabic: Aden, Spanish Sahara, Zanzibar;
 Bemba: Northern Rhodesia;
 Chamorro: Guam;
 Chinese: Brunei, Hong Kong, North Borneo, Sarawak, Singapore;
 English: Territories under the administration of Australia, New Zealand, the United Kingdom and the United States;
 Fijian: Fiji;
 French: Mauritius, New Hebrides;
 Hindi: Fiji, Mauritius;
 Malay: Brunei, North Borneo, Sarawak, Singapore;
 Maori: Cook Islands, Tokelau Islands;
 Niuean: Niue;
 Nyanja: Nyasaland;
 Samoan: American Samoa;
 Silozi: Northern Rhodesia;
 Spanish: British Honduras, Fernando Póo, Ifni, Río Muni;
 Swahili: Kenya;
 Tonga: Northern Rhodesia;
 Zulu: Swaziland.

7. Leaflets and wallsheets of the text of the resolution in Kikongo, Kimbundu and Mbundu (intended

for Angola) and in Thonga (intended for Mozambique), as well as in Portuguese, have been printed, and addresses for their distribution are awaited from the Portuguese Government. Efforts to secure translation of the resolution into Chokwe (for Angola) and Creole (for Portuguese Guinea) have not yet proved successful.

8. A special radio talk on the resolutions on racial discrimination in Non-Self-Governing Territories has been produced in the following languages and sent out to the appropriate radio stations:

Arabic: Aden;
 Bemba: Northern Rhodesia;
 Chinese: Brunei, Hong Kong, North Borneo, Sarawak, Singapore;
 English: American Samoa, Bahamas, Bechuanaland, Bermuda, British Guiana, British Honduras, Brunei, Caribbean Area, Cocos (Keeling) Islands, Cook Islands, Falkland Islands, Fiji, Gibraltar, Gibert and Ellice Islands, Guam, Hong Kong, Kenya, Malta, Mauritius, New Hebrides, North Borneo, Northern Rhodesia, Papua, Sarawak, Seychelles, Singapore, Solomon Islands, United States Virgin Islands, Zanzibar;
 French: Mauritius, New Hebrides, Seychelles;
 Hindi: Fiji;
 Kimbundu: Angola and Cabinda;
 Malay: Brunei, North Borneo, Sarawak, Singapore;
 Maori: Cook Islands and Tokelau Islands;
 Mbundu: Angola and Cabinda;
 Niuean: Niue;
 Nyanja: Nyasaland;
 Portuguese: Angola and Cabinda, Cape Verde Islands, Mozambique, Portuguese Guinea, São Tomé;
 Spanish: British Honduras, Caribbean Area;
 Swahili: Bechuanaland, Kenya, Northern Rhodesia, Nyasaland, Zanzibar;
 Thonga: Mozambique;
 Zulu: Area of UNIC, Dar es Salaam.

9. Efforts are still being made to produce the talk in Chokwe (for Angola), and Silozi and Tonga (for Northern Rhodesia).

DOCUMENTS A/5531/REV.1 AND ADD.1 AND 2

Special training programme for Territories under Portuguese administration

Report of the Secretary-General

DOCUMENT A/5531/REV.1

[Original text: English]
 [30 October 1963]

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LIST OF ABBREVIATIONS

FAO	Food and Agriculture Organization of the United Nations
ILO	International Labour Organisation
TAB	Technical Assistance Board
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEF	United Nations Children's Fund
WHO	World Health Organization
WMO	World Meteorological Organization

Introduction

1. In its resolution 1808 (XVII) of 14 December 1962, the General Assembly recognized that a special intensive type of fellowship programme should immediately be organized to train the largest possible number of indigenous inhabitants of the Territories under Portuguese administration in the functions and techniques of administration, in the fields of economics, law, health, sanitation and in such other fields as might be necessary, and that Member States should be invited to make available scholarships for study abroad to students from Territories under Portuguese administration.

2. The General Assembly therefore decided: (a) to establish a special training programme for Territories under Portuguese administration, including technical education, education for leadership and teacher training; (b) to request the Secretary-General to make the fullest possible use of existing United Nations programmes of technical co-operation, notably the Expanded Programme of Technical Assistance and the Special Fund, so as to minimize the charge on the regular budget; and particularly to make available to those indigenous inhabitants of the Territories who were or who might be temporarily residing in various countries and territories outside the Territories under Portuguese administration the benefits of such programmes, with the consent and co-operation of the host Governments; (c) to invite the specialized agencies to co-operate in the establishment and implementation of the programme; (d) to invite Member States to make available, directly or through voluntary agencies, all-expense scholarships both for the completion of secondary education and for various forms of higher education; (e) to invite Member States whose universities enjoyed administrative autonomy to permit direct communication between the Secretary-General and the heads of those universities with a view to the granting of scholarships envisaged in the resolution; (f) to request the Secretary-General to report on the question to the General Assembly at its eighteenth session; and (g) to request the Government of Portugal to co-operate in the implementation of the resolution.

3. A letter dated 5 February 1963 was addressed to the Permanent Representative of Portugal drawing the particular attention of his Government to operative paragraph 10 of the resolution, containing the General Assembly's request to the Portuguese Government to co-operate in the implementation of resolution 1808 (XVII). As of this date no reply has been received to the letter.

4. In letters dated 28 February addressed to all other Member States,¹ the Secretary-General drew the Members' special attention to operative paragraphs 4, 5 and 6 of the resolution and particularly to those passages by which Members were invited to make available all-expense scholarships to the indigenous inhabitants of Territories under Portuguese administration for the completion of secondary education, as this type of scholarship seems to be in greatest demand.

5. The attention of the Member States was also drawn to operative paragraph 2 of the resolution, in which strong emphasis was laid on the benefits that can be derived from such a programme, with the consent and co-operation of the host Governments concerned, by potential candidates residing outside the Territories under Portuguese administration.

6. In the light of the aforementioned paragraph 2, inter-secretariat consultations were held in connexion with the scope of the assistance to be given by the Expanded Programme and the Special Fund.

7. Without prejudice to the consultations held by the Executive Chairman of TAB with the specialized agencies as TAB members, letters were also dispatched, on 18 February 1963, to those agencies which it was felt could, as stated in the resolution, "co-operate in the establishment and implementation of the special training programme... by offering every possible assistance and such facilities and resources as they may be able to provide". Accordingly, letters were sent to the ILO, FAO, UNESCO, WHO and WMO. On 4 April 1963 a letter was also sent to UNICEF and to the United Nations High Commissioner for Refugees. The latter note was prompted by a report on the problem of Angolan refugees in the Congo (Leopoldville) (A/AC.96/189).

8. To summarize the problem briefly, the full implementation of resolution 1808 (XVII) has to take into account two distinct aspects which the present report attempts to cover.

9. One aspect concerns scholarships. Operative paragraphs 4 to 8 of the resolution recommending to Members that they offer scholarships to candidates from these Territories and provide facilities for their utilization, also determine the nature of the educational needs of the potential candidates by underlining the need for scholarships for the completion of secondary education, and define the terms under which the scholarships offered could be accessible to applicants. In general, the onus of the implementation of this part of the resolution is placed on the generosity of those Members who have made or will make suitable offers. The role of the Secretary-General is confined, in this context, to processing the offers, applications and awards, publicizing the offers, and reporting to the General Assembly on the question.

10. The second aspect of the resolution concerns the actual establishment by the Secretary-General of the special training programme with the participation of United Nations programmes of technical co-operation, notably the Expanded Programme and the Special Fund. The resolution refers, in paragraphs 2 and 10, to the consent and co-operation of host Governments of those countries where refugees from Territories under Portuguese administration reside, and requests the co-operation of the Portuguese Government. A

¹ The letter to the Permanent Representative of Kuwait was dispatched on 12 June 1963.

possible release of funds for the implementation of the special training programme therefore appears to be dependent on the degree of co-operation which the Member States concerned may be in a position to give through TAB and the Special Fund, both of which, within their respective terms of reference, could assist in the establishment of such a programme.

11. Without minimizing the advantages that individuals may derive from awards of scholarships, there is good reason to believe that great additional advantages could be derived from over-all projects which would provide for the establishment of technical and educational centres in areas where they are needed most and would service larger groups of persons.

12. The question of the implementation of operative paragraph 2 of the resolution, which stipulates that the charge on the regular budget of the United Nations should be minimized remains unresolved at this stage, as the provision of funds from sources other than those available under the United Nations programmes of technical co-operation hinges on the results of the action that TAB and the Special Fund can take.

13. A more detailed analysis of these two aspects and a survey of the events which have taken place since the adoption of resolution 1808 (XVII) are offered below.

I. Scholarships

A. OFFERS²

14. By the end of October 1963, twenty Member States had offered scholarships in response to resolution 1808 (XVII). Of this number, seven States have informed the Secretary-General that they will give favourable consideration to any applications they may receive, and eleven have formulated their offers in more specific terms. Detailed summaries of the communications containing offers are presented below. Those portions of the communications referring to matters which are not *sensu stricto* offers are reported upon in other sections of the report under the relevant headings.

15. A list of the scholarships offered is annexed to the present report.

Bulgaria

16. In a note dated 2 August 1963, the Permanent Mission of the People's Republic of Bulgaria to the United Nations stated its Government was prepared to accept ten students from Territories under Portuguese administration for study at its universities.

17. Candidates for university scholarships are required to have completed their secondary education, fulfilling the entrance requirements of the universities of the countries of study. All applicants must have a medical certificate.

18. Each student will receive one year's language training prior to his regular course of study. The courses begin on 1 October.

19. Studies at the universities are conducted in accordance with the general curricula and programmes which apply to Bulgarian students. The duration of study is from four to five years.

20. University students receive 80 leva per month. All students receive free lodgings in hostels, and medical care is free for all foreign students. Expenses for

travel of foreign students from their country to Bulgaria, as well as the travel expenses for their return at the completion of their studies are covered by the Bulgarian Government.

Byelorussian Soviet Socialist Republic

21. In a note dated 6 August 1963, the Permanent Mission of the Byelorussian Soviet Socialist Republic to the United Nations stated that in accordance with the information received, its Government would give favourable consideration to all applications for scholarships from inhabitants of Territories under Portuguese administration to study at educational establishments of the Byelorussian Soviet Socialist Republic.

Congo (Brazzaville)³

22. In a note dated 20 July 1963, the Ministry of Foreign Affairs of the Congo (Brazzaville) informed the Secretary-General that its Government would continue to provide scholarships for eligible candidates for secondary and higher education at its *lycées* and at the Centre d'études supérieures at Brazzaville.

Cyprus

23. In a note dated 17 July 1963, the Permanent Representative of Cyprus to the United Nations stated that the Council of Ministers of Cyprus had decided to approve the grant of one scholarship of two years' duration at the Forestry College of Cyprus to an inhabitant of a Territory under Portuguese administration, with the proviso that such scholarship shall not include the student's travelling expenses to and from Cyprus.

Ghana

24. In a letter dated 8 August 1963, the Permanent Mission of Ghana to the United Nations stated that its Government's scholarship schemes providing 100 scholarships in the academic year 1963-1964 for secondary schools and universities to nationals of African countries and Territories were also available to eligible candidates from Territories under Portuguese administration.

25. In order to give practical effect to resolution 1808 (XVII), the Government of Ghana may make special provision in its scholarship schemes within the context of the United Nations special training programme for Territories under Portuguese administration. To this end, the Government proposes to formulate a scheme setting out the details of such offers. The Government will make suitable arrangements to overcome the language barrier for those candidates who cannot speak English. It will also take steps to facilitate the travel of students from Territories under Portuguese administration who are awarded scholarships.

Iran

26. In a note dated 25 June 1963, the Permanent Representative of Iran to the United Nations stated that the National University of Iran was offering one scholarship to an indigenous inhabitant of a Territory under Portuguese administration in the field of architecture or medicine. Since the academic year starts in Iran in mid-September, a candidacy for this scholarship should be presented as soon as possible.

² See also A/5531/Rev.1/Add.1, paras. 1-4.

³ See also para. 59 below.

*Israel*⁴

27. In a note dated 13 August 1963, the Permanent Mission of Israel to the United Nations stated that its Government had authorized the implementation of the following programme for inhabitants from Territories under Portuguese administration:

(a) Special courses scheduled to be held in 1963-1964 for which fifty scholarships are offered. These courses will be in the following subjects:

- (i) Various agricultural techniques;
- (ii) Agricultural and general co-operation;
- (iii) Various aspects of community development;
- (iv) Public health.

(b) A second course (to be held in Portuguese) for medical personnel, for which scholarships are offered for twenty to thirty participants.

Italy

28. In a note dated 22 August 1963, the Permanent Mission of Italy to the United Nations stated that its Government had established wide-ranging plans for technical assistance and professional training of inhabitants of economically under-developed countries. Within the framework of these plans and in compliance with the provisions of resolution 1808 (XVII), which was adopted with the concurring vote of the Italian delegation, the Italian Government will give its most careful consideration to applications for scholarships submitted on behalf of students from Territories under Portuguese administration by specialized cultural institutions or by host countries which already have a programme of cultural co-operation with Italy.

Mexico

29. In a note dated 22 May 1963, the Permanent Representative of Mexico to the United Nations stated that his Government was favourably disposed towards the implementation of the special training programme for the inhabitants of Territories under Portuguese administration and that it would examine concrete cases of applications submitted by Mexico so that the most adequate facilities for this purpose could be duly determined.

Netherlands

30. In a note dated 14 June 1963, the Permanent Representative of the Netherlands to the United Nations stated that applications for fellowships or scholarships made by persons from Territories under Portuguese administration, after having been passed on by the appropriate authorities, would be considered with benevolence and judged on their merits and would be dealt with in accordance with the rules which are generally applicable in the Netherlands in matters connected with the granting of fellowships.

*Niger*⁵

31. In a letter dated 24 April 1963, the Permanent Representative of Niger to the United Nations informed the Secretary-General that his Government was prepared to offer one scholarship at the Lycée nationale de Niamey for an indigenous inhabitant of one of the Territories administered by Portugal.

*Pakistan*⁶

32. In a note dated 12 July 1963, the Permanent Representative of Pakistan to the United Nations stated that his Government was offering one scholarship/fellowship to an inhabitant of a Territory under Portuguese administration during the academic year 1963-1964, or five scholarships, one each year, beginning from 1963-1964.

33. The rate of fellowship which is meant for research students is 400 rupees per month plus an equipment allowance of 250 rupees per annum and a study tour allowance of 200 rupees per annum. The rate of scholarship is 250 rupees per month plus an equipment allowance of 150 rupees per annum and a study tour allowance of 200 rupees per annum. The grant of a scholarship or a fellowship depends on the level of studies of the student nominated by a foreign Government.

Philippines

34. By a note dated 16 August 1963, the *Chargé d'affaires* of the Philippines Mission advised the Secretary-General that the University of the Philippines was willing to make available one all-expense scholarship, excluding travel costs, to indigenous inhabitants of Territories under Portuguese administration, in each of the following academic units of the University: Graduate College of Education; Graduate School of Public Administration; and Institute of Hygiene. These scholarships will lead to a bachelor's degree; the instruction will be conducted in the English language; and participants must maintain at least a passing grade average for all subjects taken.

*Poland*⁷

35. By a note dated 14 October 1963, the Permanent Representative of Poland to the United Nations stated that the total number of scholarships offered by Poland to students from Non-Self-Governing Territories in Africa, including those under Portuguese administration, amounted to twenty-five (fifteen placed at the disposal of the Polish Embassy in Cairo and ten offered through the Polish Embassy at Dar es Salaam). These scholarships are granted for higher education in Poland. The candidates must have completed secondary school and know either English or French. The grants include travelling expenses on board Polish merchant ships from Port Said or Dar es Salaam to Poland.

*Sudan*⁸

36. In a note dated 19 June 1963, the Permanent Representative of the Sudan to the United Nations stated that his Government was willing to make available a number of all-expense scholarships to students from Territories under Portuguese administration who are capable of following a course of tuition in English at secondary schools, teacher-training institutes or at universities. The number of scholarships to be made available will depend on the number of applications received.

Sweden

37. In a note dated 6 June 1963, the Permanent Representative of Sweden to the United Nations stated that the Swedish authorities had strongly underlined

⁴ See also para. 62 below.

⁵ See also para. 58 below.

⁶ See also para. 43 below.

⁷ See also para. 63 below.

⁸ See also para. 44 below.

the importance of establishing a training programme such as the one envisaged in General Assembly resolution 1808 (XVII). The Swedish Government considers that from all points of view it must be regarded as entirely justified that the indigenous population under Portuguese administration should be given fair educational possibilities. The Government is ready to offer a limited number of scholarships to indigenous inhabitants of these Territories for advanced studies in Sweden. The note states: "For obvious, practical reasons no scholarships are available in Sweden for secondary school education".

Union of Soviet Socialist Republics

38. In a note dated 23 April 1963, the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations stated that applications for scholarships from inhabitants from Territories under Portuguese administration to study in educational establishments of the Soviet Union would be given favourable consideration.

United Arab Republic

39. By a note dated 22 October 1963, the Permanent Representative of the United Arab Republic informed the Secretary-General that his Government's Ministry of Higher Education had decided to make available all-expense scholarships to students from Territories under Portuguese administration both in general and university education. The number of these scholarships and the field of study will be communicated to the Secretary-General in due course.

United Kingdom of Great Britain and Northern Ireland⁹

40. In a note dated 16 August 1963, the Permanent Representative of the United Kingdom stated that consonant with its vote in favour of General Assembly resolution 1808 (XVII), Her Majesty's Government would give due consideration to any applications for assistance in the field of education for inhabitants of Territories under Portuguese administration.

Yugoslavia

41. In a note dated 12 June 1963, the Permanent Representative of the Socialist Federal Republic of Yugoslavia to the United Nations stated that his Government had approved three to five scholarships for study at the university level for students from Territories under Portuguese administration. These scholarships are from the quota placed at the disposal of the United Nations by the Yugoslav Government last year.

B. DIRECT COMMUNICATION BETWEEN THE SECRETARY-GENERAL AND THE HEADS OF UNIVERSITIES¹⁰

42. In operative paragraph 5 of resolution 1808 (XVII), the General Assembly invited Member States whose universities enjoyed administrative autonomy to permit direct communication between the Secretary-General and the heads of those universities with a view to the granting of scholarships envisaged in that resolution.

Responses from Governments

43. In the offer extended by his Government, the Permanent Representative of Pakistan explained, in

⁹ See also para. 45 below.

¹⁰ See also A/5531/Rev.1/Add.1, para. 5; and A/5531/Rev.1/Add.2, para. 1.

his letter of 12 July 1963, that universities in Pakistan did not award scholarships to foreign students and consequently the question of direct communication did not arise. He added that students who were awarded scholarships or fellowships, or who wanted to come to Pakistan for studies at their own expense would be provided with the necessary facilities.

44. The Permanent Representative of the Sudan stated, in his letter of 19 June 1963, that although the University of Khartoum enjoyed complete administrative autonomy, the Sudan Ministry of Education would undertake the necessary contacts on behalf of the Secretary-General.

45. In his note of 16 August 1963, the Permanent Representative of the United Kingdom stated that, with reference to paragraph 5 of resolution 1808 (XVII), the universities of the United Kingdom were at liberty at any time to communicate with whomsoever they wished.

46. The Permanent Representative of Australia stated, in his note of 12 August 1963, that the Australian Government, in response to operative paragraph 5 of resolution 1808 (XVII), was fully agreeable to permitting direct communication between the Secretary-General and the heads of Australian universities with a view to the granting of scholarships envisaged in the resolution.

47. By a note dated 11 September 1963, the Foreign Ministry of Uganda informed the Secretary-General that the Uganda Government was agreeable to any communication between the Secretary-General and the University of East Africa and in particular the University of East Africa, Makerere.

Communications by the Secretary-General

48. In the light of the foregoing, the Secretary-General sent a communication dated 27 August 1963 to the heads of several universities in Australia, drawing their attention to operative paragraph 5 of resolution 1808 (XVII) and inquiring about the extent to which such universities might be in a position to grant scholarships to qualified inhabitants from Territories under Portuguese administration.

49. On 23 August 1963 the Secretary-General addressed a letter to the Director-General of The British Council in London, England, and asked for advice on the approach that would be most effective in securing possible offers from universities in the United Kingdom.

50. On 24 September 1963, the Secretary-General addressed a letter to the Principal of Makerere University College of East Africa, inquiring whether the College might be in a position to grant scholarships to qualified inhabitants from Territories under Portuguese administration.

Replies from universities

51. By a letter dated 30 October 1963, the Registrar of the University of Sydney informed the Secretary-General that there was a very limited number of post-graduate scholarships available for overseas students. While it was not possible to reserve any of those scholarships for students from Territories under Portuguese administration, such students could enter the open competition along with other overseas students. Applicants must be university graduates and the awards are made for post-graduate study and research in any field approved by the University. The candidates are

expected to have a first-class honours degree. Most of these awards are for one year, but are renewable, so as to enable the student to complete his research. The amount of the stipend varies but at all times is adequate to support the candidate.

C. PUBLICITY

52. Soon after the receipt of a number of offers from Member States, the Secretary-General took steps to bring these to the notice of potential candidates so that applications could be submitted without delay. Press releases were issued and widely distributed in those countries where it was known that inhabitants from Territories under Portuguese administration were residing. The press releases contained information on the type and nature of the scholarships offered and instructions on the method of applying of sending inquiries. According to reports received from the various information centres, press releases were distributed to newspapers in the areas covered by the centres, to the leaders of the groups directly concerned, to the information officers of the host Governments, to educational institutions, and to certain non-governmental organizations. In some instances, the text of the information was broadcast over the radio. Among the countries and Territories where such information has been made available are: the Congo (Leopoldville), Ghana, Guinea, Nigeria, Northern Rhodesia, Nyasaland, Sierra Leone, Tanganyika, and the United Arab Republic. The United Nations information centres are continuing their endeavours further to disseminate the information on the offers of scholarships received.

53. In a letter dated 9 April 1963 UNESCO informed the United Nations Secretariat that it would give publicity to the offers extended under resolution 1808 (XVII) in the forthcoming volumes of its publication *Study Abroad*.

D. APPLICATIONS

54. Inquiries about scholarships under the special training programme began reaching the Secretariat in July 1963. About 1,000 letters have been received to date, and the flow of letters is continuous. The inquiries received thus far have all come from candidates residing outside the Territories under Portuguese administration, namely, in Congo (Leopoldville), Congo (Brazzaville), Ghana, Southern Rhodesia and Tanganyika.

55. Candidates who sent inquiries were forwarded application forms prepared for this purpose and were requested to state their qualifications and other necessary data. Six letters from candidates which appeared to contain sufficient data were transmitted directly as applications to the offering Member States concerned for their consideration. In all cases, details of offers as they were conveyed by the offering Members were communicated to the candidates.

56. In so far as could be ascertained from the correspondence received to date, well over 90 per cent of the applicants for scholarships have not completed their secondary education, and some have had no secondary education. In a very few cases, the inquiries or applications list qualifications indicating that the students are eligible for higher education. The ages of the candidates vary; most of them are 20 years old or over and several are over 30. If the programme estab-

lished under resolution 1808 (XVII) is to meet the needs of the indigenous inhabitants from Territories under Portuguese administration, these special problems will have to be taken into account.

E. AWARDS¹¹

57. Some Governments have also made available to the indigenous inhabitants from Territories under Portuguese administration scholarships offered under General Assembly resolution 845 (IX) and/or under their national schemes. It is too early at this stage to make a comprehensive report on awards of scholarships under resolution 1808 (XVII), since, as may be gathered from the preceding paragraphs, there has been too little time for the offering Members to reach any conclusions on the applications they have received.

58. In a letter dated 16 August 1963, however, the Minister for Foreign Affairs of Niger stated that his Government was prepared to award a scholarship under resolution 1808 (XVII) to an inhabitant from Angola to study at the Lycée national de Niamey. The candidate would be required to commence his studies not later than 1 October 1963. In a letter dated 29 October 1963, the Permanent Representative of Ghana stated that his Government had awarded scholarships to three Angolans to attend secondary school.

59. In its communication of 20 July 1963, the Ministry for Foreign Affairs of the Congo (Brazzaville) stated that 391 pupils from Cabinda were pursuing their studies in several primary schools in the Congo. It noted that, according to the census of August 1962, there were in the Congo (Brazzaville) 2,748 refugees from Cabinda over fifteen years of age and about 1,000 children.

60. In a letter dated 29 July 1963, the Permanent Representative of the Czechoslovak Socialist Republic stated that for the school year 1963-1964 the Czechoslovak Government had awarded three scholarships to students from Portuguese Guinea and one to a student from Mozambique.

61. In a letter dated 10 September 1963, the Permanent Representative of Guinea to the United Nations stated that a great number of refugees from Portuguese Guinea daily sought asylum in Guinea so that his Government, in according to these refugees the same rights as those applicable to the citizens of Guinea, had in fact awarded a great number of scholarships to school-age refugees. It was the intention of the Government of Guinea to continue such efforts in accordance with its policy to promote the emancipation of all dependent peoples.

62. In a note dated 13 August 1963, the Permanent Mission of Israel stated that its Government had opened its training facilities to inhabitants from Territories under Portuguese administration even before the adoption of resolution 1808 (XVII). Altogether twenty-seven Angolans and two inhabitants from Portuguese Guinea residing in Senegal participated in courses or seminars in Israel. These seminars and courses, which were conducted in French and in Portuguese, had as subjects of study irrigation in sub-tropical regions, the role of students in developing countries, co-operation and trade unionism, and youth leadership. In February 1963 a three months' course was organized

¹¹ See also A/5531/Rev.1/Add.1, paras. 6-8; and A/5531/Rev.1/Add.2, para. 2.

in Israel for twenty medical assistants from Angola. The course was conducted in Portuguese.

63. In a note dated 21 August 1963, the Permanent Mission of the Polish People's Republic stated that its Government was taking an active part in the training programme for the indigenous inhabitants of Territories under Portuguese administration. Four students from Angola have obtained scholarships and are studying in Poland and a few others attend various professional courses.

64. In a letter dated 15 July 1963, the Permanent Representative of the United Arab Republic stated that the Ministry of Higher Education of his country had awarded scholarships to two students from Mozambique, which had been used, and one scholarship each to students from Angola and Portuguese Guinea, which had not been used.

II. United Nations programmes for technical co-operation

A. TECHNICAL ASSISTANCE BOARD AND SPECIAL FUND

65. Operative paragraph 2 of resolution 1808 (XVII) calls upon the Secretary-General, in establishing the special training programme for Territories under Portuguese administration, to make the fullest possible use of existing United Nations programmes of technical co-operation, notably the Expanded Programme of Technical Assistance and the Special Fund, so as to minimize the charge on the regular budget. The Secretary-General has to report that, owing to consultations which brought forth a number of fairly complex problems, it has not yet been possible to implement this part of the mandate of the General Assembly.

66. The resolution also requests that the benefits of this programme should in particular be made available, with the consent and co-operation of the host Governments concerned, to those indigenous inhabitants of the Territories residing in various countries and territories outside the Territories under Portuguese administration.

67. As matters stand now, the full implementation of the programme would appear to depend largely on the funds made available for this purpose by TAB and the Special Fund, the more so as no special sum was set aside by the General Assembly for the implementation of the resolution.

68. In his note (A/C.4/593) concerning the financial implications of the original draft (A/C.4/L.760 and Add.1) of the text later adopted as resolution 1808 (XVII), the Secretary-General expressed the belief that an amount of \$50,000 might be envisaged for 1963 to meet the initial expenditures for that year related to the special training programme called for under the draft resolution. At that time the draft resolution did not contain the reference to TAB and the Special Fund.

69. At its 1419th meeting the Fourth Committee adopted the draft resolution after the sponsors had agreed to amend operative paragraph 2 to include the phrase "... notably the Expanded Programme of Technical Assistance and the Special Fund so as to minimize the charge on the United Nations budget...".

70. The Secretary-General therefore presented to the Fifth Committee a note (A/C.5/964) on the finan-

cial implications of the amended draft resolution as approved by the Fourth Committee. In paragraphs 3 and 4 of his note he stated:

"3. In assessing the financial implications of the draft resolution in question, the Secretary-General feels that he might best be guided by operational experience obtained during 1962 in the implementation of a comparable programme provided for under General Assembly resolution 1705 (XVI), which established a similar special education and training programme for South West Africans. The General Assembly approved in this latter regard an appropriation of \$50,000 for the year 1962 . . .

"4. However, in view of the request contained in operative paragraph 2 of the draft resolution, the Secretary-General would intend to consult with the Executive Chairman of the Technical Assistance Board and the Managing Director of the Special Fund to determine the possibilities of partial financing under these two programmes. To the extent that funds might be required for this programme from the regular budget, the Secretary-General would seek the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions to meet such commitments under the terms of paragraph 1 of the resolution relating to unforeseen and extraordinary expenses for the financial year 1963."

71. In accordance with the above-cited paragraph 4, inter-secretariat consultations took place with a view to determining the nature and the scope of the assistance to be rendered under the Expanded Programme and by the Special Fund in the implementation of the resolution. The two agencies, basing themselves on the terms of reference within which they were operating, explained, *inter alia*, their position with regard to the intended meaning of the clause in operative paragraph 2 of resolution 1808 (XVII). This clause provides that the benefits of the programme to be derived by the indigenous inhabitants from Territories under Portuguese administration residing outside these Territories should be made available to them "with the consent and co-operation of the host Governments". Reference was also made to the implication of operative paragraph 10 of the resolution.

72. At its 58th session held in New York from 14 to 18 October 1963 the Technical Assistance Board arrived at a decision the record of which (TAB/SR.58, paras. 7-9) is as follows:

"7. The Board had before it a note submitted by the TAB secretariat (TAB/Working Paper/4 (58) and Add.1) summarizing the written comments received from Participating Organizations on the question of implementing General Assembly resolution 1808 (XVII) concerning a special training programme for the indigenous inhabitants of Territories under Portuguese administration. This resolution requested the Secretary-General to make use, *inter alia*, as fully possible of the existing UN programmes of technical co-operation, notably the Expanded Programme and the Special Fund.

"8. It was recalled that, at its 57th session (TAB/SR/57, paras. 34 and 35), the Board had a preliminary exchange of views on the basis of the Executive Chairman's correspondence with the United Nations Under-Secretary for Trusteeship and Non-Self-Governing Territories and with the United

Nations Office of Legal Affairs on this subject. It had been agreed that the Board would revert to this matter at the present session, after the Organizations had had an opportunity to study the text of the Executive Chairman's correspondence with the United Nations.

"9. Various members of the Board commented on the legal and policy aspects of the matter. On the legal position it was noted that the legal departments of Participating Organizations generally concurred in the interpretation that General Assembly resolution 1808 (XVII) should be considered as making possible, for the purposes of the resolution, a deviation from existing EPTA rules which required assistance to be given only at the request of Governments. On the policy question, however, the *consensus* of the Board was that any request for EPTA financing of training under this resolution should be formally submitted and supported by a Government, which normally would be that of the country in which the applicant resided, and it was the general view that some assurance should be obtained that use would be made of the training acquired. Any assurance which the host Government felt able to give in this respect would be taken into account. The Board noted that these conditions for using EPTA funds were in line with the General Assembly's desire expressed in operative paragraph 2 of its resolution, that the benefits of such programmes should be made available to the persons concerned 'with the consent and co-operation of the host Governments', these being considered by the Board to be the Governments of countries in which the indigenous inhabitants of Territories under Portuguese administration were temporarily residing."

73. The Managing Director of the Special Fund has informed the Secretary-General that he considered that it was the intention of resolution 1808 (XVII) that projects financed by the Special Fund should, under resolution 1240 B (XIII) of 14 October 1958, provide assistance for the training and education for refugees from Territories under Portuguese administration. He referred, *inter alia*, to paragraph 31 of the latter resolution which provides: "Projects [established by the Special Fund] shall be undertaken only at the request of a Government or group of Governments eligible to participate in the Special Fund". In connecting this provision with the reference made in resolution 1808 (XVII) to the "consent and co-operation of the host Governments", the Managing Director wished it to be known that the Special Fund would, within the terms of resolution 1240 (XIII), consider sympathetically the provision of assistance for the training of refugees from Territories under Portuguese administration if the host Governments of countries where such refugees reside were to take the initiative of applying for the establishment of such projects. He recalled that those Governments could in any case, with no additional official action by the Special Fund, make available to such refugees the benefits of training projects assisted by the Special Fund which were already under way in their countries.

74. So far no approach has been made to the Advisory Committee on Administrative and Budgetary Questions.¹² It was felt that the advisability of such an

approach could be considered after the views of the General Assembly had been ascertained on the overall possibilities of the use to be made of existing United Nations programmes of technical co-operation.

B. SPECIALIZED AND OTHER INTERNATIONAL AGENCIES

75. As has been mentioned above, the specialized agencies have been consulted as to the extent of their participation in the training programme in their capacity as members of TAB. Some of the specialized and other international agencies have independently expressed their interest in the programme in their response to the Secretariat's letters on the subject. A summary of the replies received is given in the following paragraphs.

76. In a letter dated 30 April 1963 from the secretariat of FAO, the view was expressed that training by FAO of indigenous inhabitants residing in Territories under Portuguese administration would be subject to the submission of a request by the Government of Portugal. With regard to the training of such inhabitants residing outside the Portuguese Territories "it could be reasonably argued" that the request or approval of Portuguese authorities would not be required. This was stated to be a matter on which the advice of the United Nations Legal Office should be obtained before any action was taken.

77. In a letter dated 9 April 1963, from the secretariat of UNESCO, it was stated that the UNESCO Executive Council would be informed of resolution 1808 (XVII) at its 65th session and that any comments on the resolution would be communicated to the United Nations Secretariat.

78. In letters dated 25 February, 29 March and 26 April 1963, the Director General of WHO informed the Secretary-General that WHO had, through its regional office for Africa, inquired of the Portuguese Government whether assistance was desired for the "education of medical and para-medical personnel in the universities recently established in Angola and Mozambique". In reference to the WHO survey carried out in Angola, Mozambique and Portuguese Guinea at the request of the Portuguese Government, it was also stated that no request for assistance to the special training programme had been received by the end of April 1963, but that the situation was open to further action by the Portuguese Government.

79. In a communication dated 12 March 1963, the Secretary-General of WMO referred to the difficulties encountered in many developing areas in finding persons with adequate basic training to derive benefit from specialized professional education in meteorology. He expressed the belief that after the Fourth Congress of WMO, useful information should be available regarding the extent and nature of WMO assistance in the implementation of resolution 1808 (XVII).

80. The High Commissioner for Refugees stated in a letter dated 29 April 1963 that, owing to the magnitude of the problem of refugees from Angola, his Office's action had to be concentrated on the most vital and immediate needs of the refugees. This action did not include projects of the type envisaged in resolution 1808 (XVII).¹³

¹³ See also *Official Records of the General Assembly, Eighteenth Session, Supplement No. 11 (A/5511/Rev.1)*, paras. 88-94.

¹² See A/C.5/964, para. 4.

III. Concluding note

81. Much of the necessary initial preparatory work has now been completed and the scholarship section of the special training programme established under resolution 1808 (XVII) has come into operation. However, as the 1963-1964 school term has already begun, it is uncertain whether any applicants will be able to take up scholarships this year. Governments which have already received applications may, within the limits of their national educational systems, wish to give every consideration to the applicants so as to enable them to take up the offers at the earliest possible date.

82. Apart from the question of timing, it appears from the correspondence received so far that the indigenous inhabitants of Territories under Portuguese administration have special needs. There remains the problem of further adjustment of the offers to the educational needs of the indigenous inhabitants of the Territories under Portuguese administration whose qualifications seem to render most of them eligible for post-primary and secondary education rather than higher education. The question of the candidate's age often exceeding that of the "normal" secondary school

pupil also merits consideration. From the experience gained in the processing of offers and applications under resolution 845 (IX), it appears that offers which do not include allowances for travel expenses are seldom utilized. The reference in operative paragraph 4 to "all-expense scholarships" was no doubt included in resolution 1808 (XVII) as a result of this experience.

83. The problem of financing the establishment of long-term projects such as training centres for the indigenous inhabitants of Portuguese Territories residing in various countries and territories still remains open. TAB, the Special Fund and the specialized and other international agencies have not yet communicated decisions that would help to realize such projects in the immediate future. The policies laid down by TAB and the Special Fund, as reflected in the present report, imply that within the provisions of resolution 1808 (XVII), the co-operation of the Board and the Fund can become fully effective if it is enhanced by the effort of those Governments directly concerned with problems of refugees from Territories under Portuguese administration. The question of obtaining funds for the full implementation of the resolution must, therefore, await further developments.

ANNEX

Brief survey of offers from Member States under resolution 1808 (XVII)

Member State	Number of places offered	Description of offer	
		Level and field of study	Travel facilities
Bulgaria	10	University studies with an extra year for language training	Yes
Byelorussian Soviet Socialist Republic	...	Not determined	...
Congo (Brazzaville)	All eligible candidates	Secondary and higher education at Lycées and at the Centre d'études supérieures, Brazzaville	...
Cyprus	1	Forestry College	No
Ghana	100 scholarships available in 1963/1964 to nationals of African countries and territories	Secondary school and universities	...
Iran	1	University: studies in either architecture or medicine	...
Israel	(a) 50 scholarships for 1963/1964 (b) 20-30 scholarships	(a) Agricultural techniques, co-operatives, community development and public health (b) For medical personnel (conducted in Portuguese)	...
Italy	...	Professional training	...
Mexico	...	Not determined	...
Netherlands	...	Post-graduate	...
Niger	1	Lycée national, Niamey	Yes
Pakistan	1 fellowship or 5 scholarships: one scholarship each year for five years beginning 1963/1964	Fellowship for research student Scholarship depending on the level of studies of candidate	...
Philippines	1 scholarship each	Graduate College of Education Graduate School of Public Administration Institute of Hygiene	No

ANNEX (continued)

Member State	Number of places offered	Description of offer	
		Level and field of study	Travel facilities
Poland	Up to 25 scholarships	University level	Yes
Sudan	Depending on number of applications received	Secondary, teacher-training or university	Yes
Sweden	Limited number	Advanced studies	..
Union of Soviet Socialist Republics	111	Not determined	...
United Arab Republic.....	...	General and university education	Yes
United Kingdom of Great Britain and Northern Ireland.....	...	Not determined	...
Yugoslavia	3-5	University level	Yes

DOCUMENT A/5531/REV.1/ADD.1

[Original text: English]
[27 November 1963]

1. In a note dated 21 November 1963, the Permanent Representative of Denmark to the United Nations stated that the Danish Board of Technical Co-operation for Developing Countries was prepared to receive applications for fellowships from inhabitants of Territories under Portuguese administration. Such applications would be considered within the general framework of the Danish programme for bilateral assistance to developing countries which, however, would not allow for allocation in advance of a certain number of fellowships to a particular country or Territory. It would not be possible to arrange studies in Denmark at the secondary school level.

2. The Danish Ministry of Education would also welcome applications from young people from the Territories under Portuguese administration and give them favourable consideration, provided they could reasonably be fitted into the Ministry's over-all fellowship programme for students from developing countries.

3. In a note dated 4 November 1963, the Permanent Representative of the State of Kuwait to the United Nations informed the Secretary-General that the Government of the State of Kuwait had decided to grant all-expense scholarships for ten students from Territories under Portuguese administration to study in Technical colleges and secondary schools in Kuwait. All teaching in the schools of Kuwait is conducted in the Arabic language.

4. In a note dated 12 November 1963, the Permanent Representative of the United States of America to the United Nations stated that arrangements were currently being studied which offered the possibility of additional training opportunities¹⁴ called for by resolution 1808 (XVII).

5. In a letter dated 24 October 1963, the Registrar of Makerere University College informed the Secretary-General that at present there were no scholarships available for students from Territories under Portuguese administration; however, the College would be

willing to participate in the administration of scholarships if funds for such awards were forthcoming.

6. In a note dated 29 October 1963, the Permanent Representative of Ghana to the United Nations informed the Secretary-General that the Government of Ghana has awarded scholarships for secondary education to three Angolans.

7. In a note dated 12 November 1963, the Permanent Representative of the United States of America to the United Nations stated that the United States Government has provided thirty-four scholarships to indigenous inhabitants from Territories under Portuguese administration for the academic years 1961-1962 and 1962-1963.

8. Under a second project financed by the United States Government, the Regional Education Grants Program, funds have been made available to six African universities and colleges for scholarships. Inhabitants of the Territories under Portuguese administration are among those eligible to apply under this programme.

DOCUMENT A/5531/REV.1/ADD.2

[Original text: English]
[3 December 1963]

1. In a note dated 5 November 1963, the Permanent Representative of the Congo (Leopoldville) stated that the Congolese Government was agreeable to permitting direct communication between the Secretary-General and the Rectors of the University of the Congo at Elisabethville and of Lovanium University at Leopoldville. Other institutes of higher education, as well as technical, polytechnic or pedagogical institutes might also be able to place scholarship students. As before, the Congolese Government will continue to provide travel facilities to Angolese recipients of scholarship awards.

2. In the same note, the Permanent Representative of the Congo (Leopoldville) stated that a number of Angolan students had already been attending Congolese secondary schools and the University of Leopoldville before the mass exodus of 1961. By now, the University of Leopoldville has provided Angolans with complete education and diplomas in most of its faculties. The majority of these students have benefited from scholarship programmes offered by the Government or the University.

¹⁴ See paras. 7 and 8 below.

DOCUMENTS A/5548 AND ADD.1

Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories

Report of the Secretary-General

DOCUMENT A/5548

[Original text: English]
[24 September 1963]

INTRODUCTION

1. In resolution 845 (IX) of 22 November 1954, the General Assembly invited Member States to extend generously to the inhabitants of Non-Self-Governing Territories their offers of facilities not only for study and training of university standard but, in the first place, for study at the post-primary level as well as technical and vocational training of immediate practical value. The Secretary-General was requested to establish a simple procedure for bringing to the attention of the Administering Members offers and applications made through the United Nations and the specialized agencies and for transmitting the applications to the offering States concerned. Further, the Administering Members were requested to give appropriate publicity in Territories under their administration to offers of study and training facilities and to take such other measures as would ensure that the greatest possible advantage was taken of the offers.

2. Since the adoption of resolution 845 (IX), the General Assembly has adopted a number of resolutions relating to the subject of scholarships.¹⁵ By resolution 1696 (XVI) of 19 December 1961 the General Assembly revised the procedures established in resolution 845 (IX) and requested that applications for scholarships received from inhabitants of Non-Self-Governing Territories should be transmitted simultaneously to the offering States for consideration and to the Administering Members concerned for information. Resolution 1849 (XVII) reaffirmed resolution 1696 (XVI) and (a) requested Member States offering scholarships to take into account the necessity of furnishing complete information about the scholarships offered and, whenever possible, the need to provide travel funds to prospective students; (b) invited the Administering Members to take all necessary measures to ensure that all scholarships and training facilities offered by Member States were utilized by the inhabitants of the Non-Self-Governing Territories and to render effective assistance to persons who had applied for, or had been granted, scholarships or fellowships, particularly with regard to facilitating their travel formalities; (c) requested the Secretary-General to report to the General Assembly at its eighteenth session on the implementation of this resolution.

3. The Secretary-General therefore submits the present report, which supplements the information supplied to the General Assembly at its previous session (A/5242 and Add.1). The report considers the problems connected with the actual use of scholarships offered by Member States under resolution 845 (IX) and reviews the progress achieved in the implementation

¹⁵ Resolutions 931 (X) of 8 November 1955, 1154 (XII) of 26 November 1957, 1331 (XIII) of 12 December 1958, 1471 (XIV) of 12 December 1959, 1540 (XV) of 15 December 1960, 1696 (XVI) of 19 December 1961 and 1849 (XVII) of 19 December 1962.

of the resolutions subsequently adopted by the General Assembly on the same subject.

4. As in previous years, the report also provides information on offers and awards of scholarships made to students from Non-Self-Governing Territories under national and regional schemes.

I. OFFERS

5. A detailed description of the scholarships offered by twenty Member States up to 18 October 1962 was presented to the General Assembly at its seventeenth session (A/5242 and Add.1).

6. In notes dated 3 January, 29 January and 8 March 1963, the Permanent Representative of Ceylon stated that his Government had decided to offer three new scholarships and that applications should reach Ceylon before 15 June 1963. The types of scholarships offered have been expanded to include a junior technical officer's course, a course for commercial certificate for bookkeepers and one for shorthand typists, as well as courses for the higher commercial certificates in these two subjects.

7. In a note dated 29 July 1963, the Permanent Representative of Czechoslovakia stated that his Government had offered thirty scholarships to students from Non-Self-Governing Territories, as follows: Kenya, ten; Southern Rhodesia, seven; Zanzibar, five; British Guiana, three; Portuguese Guinea, three; Mozambique, one; and Nyasaland, one.

8. In a note dated 2 April 1963, the Permanent Representative of Greece stated that for the academic year 1963-1964 his Government was again offering two scholarships on the same terms and conditions as in previous years.

9. In a note dated 15 July 1963, the Permanent Representative of Hungary stated that the Hungarian Government was ready to offer five additional scholarships for the academic year 1963-1964. This offer will also be available for the subsequent academic years.

10. In a note dated 31 July 1963, the Permanent Representative of India stated that his Government would continue to offer scholarships to students and teachers from Non-Self-Governing Territories. The number of scholarships offered for the academic year 1963-1964 was 106 for students and teachers from Territories under United Kingdom administration and forty for students and teachers from other Non-Self-Governing Territories.

11. In a note dated 21 June 1963, the Permanent Representative of Italy stated that for the academic year 1963-1964 twenty-two scholarships had been offered by his Government to students from Non-Self-Governing Territories as follows: Rhodesia, seven; Hong Kong, five; Kenya, five; Malta, three; and Singapore, two.

12. In a note dated 21 August 1963, the Permanent Mission of Poland stated that in the course of the present year the Polish Government had offered twenty scholarships to candidates from Non-Self-Governing Territories.

13. In a note dated 10 September 1963, the Permanent Mission of Romania stated that its Government had offered another twenty scholarships to students from Non-Self-Governing Territories for the academic year 1963-1964.

14. In a note dated 8 January 1963, the Permanent Representative of the United Arab Republic stated that his Government would make available ten scholarships to students from Non-Self-Governing Territories. Five of these are to be for university study and five for general and technical education. According to a later note dated 15 July 1963, the United Arab Republic authorities have received direct applications from students from Non-Self-Governing Territories and a total of forty-two scholarships have been offered for the academic year 1962-1963 to students from Non-Self-Governing Territories.

15. In a letter dated 15 August 1963, the Permanent Representative of the United States of America transmitted detailed information on the scholarship programme administered by the United States.

16. Further details concerning the requirements and conditions accompanying the offers described above are to be found in the table annexed to the present report.

II. AWARDS OF SCHOLARSHIPS AND USE MADE OF THE AWARDS

17. In a note dated 2 April 1963, the Permanent Representative of Greece stated that three of the scholarships offered by his Government were at present being used. One of these was awarded in 1959 to a student from Nigeria and two were awarded in 1961 to Messrs. Kutsua and Omoto, both of Kenya, who are both studying agriculture. The recipients of three scholarships awarded for 1962, which have been postponed until October 1963, are Messrs. Odumo and Nyamwea of Kenya and Mr. Nkata of Nyasaland, all of whom are planning to study mechanics. For 1963, two scholarships were awarded to Messrs. Bwome and Achieng of Kenya for the study of agriculture and mechanics respectively. In a later note dated 6 May 1963, it was stated that forty-three students had been notified that they would not receive any award in 1963 but they could re-apply the following year. Forty-six other students were informed by the appropriate Greek authorities that they had not qualified.

18. In a note dated 15 July 1963, the Permanent Representative of Hungary stated that at present twelve scholarship-holders from Non-Self-Governing and Trust Territories were studying in Hungary.

19. In a note dated 31 July 1963, the Permanent Representative of India stated that his Government had awarded forty-three scholarships to students and teachers from Non-Self-Governing Territories for the academic year 1961-1962 and forty-one scholarships for the academic year 1962-1963. Students and teachers from Territories under United Kingdom administration had been awarded sixty-three scholarships for 1961-1962 and eighty-eight for 1962-1963.

20. In a note dated 21 June 1963, the Permanent Representative of Italy stated that his Government had granted twenty-four scholarships for 1962-1963, sixteen of which were long-term scholarships, to students from Non-Self-Governing Territories. Ten of the award winners are from Kenya, six from Hong Kong, three each from Malta and Rhodesia and two from Singapore. The subjects being studied are as follows:

engineering (six students); medicine and agriculture (three students each); international law, political science, economics, music and painting (two students each); and pharmacy (one student).

21. In a note dated 11 July 1963, the Permanent Representative of Poland stated that, of the ten scholarships offered by his Government, eight were currently being used by students from Non-Self-Governing and Trust Territories, one of whom was from Northern Rhodesia. The two remaining scholarships have been granted to candidates from Kenya, whose arrival in Poland was expected in September 1963. Six of the award winners are attending the Medical Academy and two are students at the Warsaw Polytechnic Institute.

22. In a note dated 10 September 1963, the Permanent Mission of Romania stated that thirty-four students from Non-Self-Governing Territories¹⁰ are now studying in Romania.

23. In a note dated 23 May 1963, the Permanent Representative of Turkey stated that only one of the ten students who had been offered scholarships, namely Mr. James Koine Mwandre, had arrived before the end of March 1963. Consequently, the other nine scholarships were still available from Trust and Non-Self-Governing Territories.

24. According to a note dated 15 July 1963 from the Permanent Representative of the United Arab Republic, of forty-two scholarships offered to students from Non-Self-Governing Territories for the academic year 1962-1963, thirteen had been utilized, as follows: French Somaliland, seven; Zanzibar, seven; Northern Rhodesia, two; Mozambique, two; and Gambia, two. Of the scholarships not utilized, nineteen have been assigned to students from Nyasaland, two to students from Southern Rhodesia and one each to students from Angola, Basutoland and Portuguese Guinea.

25. In a note dated 15 August 1963, the Permanent Representative of the United States of America informed the Secretary-General that during the academic year 1962-1963 his Government had awarded 101 scholarships to students from Non-Self-Governing Territories, forty-two of which were for the purpose of university study, seventeen for teaching or teaching development, twenty-two for practical experience and training and seventeen for observation and consultation. He further stated that during the academic year 1962-1963 a total of 3,678 students from Non-Self-Governing Territories had attended institutions of higher learning in the United States under private, governmental and other auspices, compared with 4,273 during 1961-1962 and 2,007 during 1960-1961. Of the total number, 1,089 students came from Africa, 637 from the Western Atlantic Territories, 1,885 from Hong Kong, Singapore and North Borneo, 27 from Macau, 40 from Fiji, and 4 each from Aden and Mauritius.

III. PROCEDURE, APPLICATIONS AND PUBLICITY

26. During the period under review, offers of facilities for study and training have been handled according to established procedure. Offers extended under General Assembly resolution 845 (IX) were communicated to the Administering Members concerned for their information, as provided by resolution 1696 (XVI), and also to enable them to give appropriate publicity in

¹⁰ This number includes students from South West Africa and the former Trust Territory of Ruanda-Urundi.

the Territories under their administration and to UNESCO for publication in *Study Abroad*.

27. Scholarships have been publicized from the outset in the majority of the Territories under United Kingdom administration. This is evident from the large number of inquiries and applications received from many such Non-Self-Governing Territories in Africa.

28. During the period under review, 745 students from Non-Self-Governing Territories sent inquiries to the United Nations Secretariat and asked for application forms (compared with 1,078 during the previous period received and 1,707 during the period before that); application forms or instructions on how to apply directly were sent to these students; 330 forms were duly completed and returned to the Secretariat.

29. Two hundred and forty applications (223 in 1962 and 295 in 1961) were forwarded to the offering States in accordance with established procedures. Of the applicants, 116 requested scholarships offered by Greece, thirty-two those offered by Turkey, twenty-two those offered by Burma, nine wished to study in the Philippines, nine in the United Arab Republic, five in Hungary, four in Czechoslovakia and three each in Ceylon and Poland. Since applicants are requested to apply directly to the Governments concerned if they desire to study in Ghana, the Union of Soviet Socialist Republics or the United States of America, only occasional applications for study in these countries are received by the Secretariat. As mentioned previously, a number of other offering States also receive applications direct from applicants in Non-Self-Governing Territories.

30. As in previous years, the majority of inquiries and applications came from Kenya. Others received from Africa came from the following Territories: Northern Rhodesia, thirty-four; Nyasaland, twenty-five; Bechuanaland, twenty-two; Zanzibar, five; Angola, five; Basutoland, two; Southern Rhodesia, one; and Mauritius, one. From among the Caribbean and Western Atlantic Territories, four applications were received from British Guiana, four from St. Vincent and one from St. Kitts. In addition, one application was received from Hong Kong and one from Singapore.

31. According to information received from offering States during the period under review, 169 scholarship students pursued courses at the educational institutions of Member States during the academic year 1962-1963. For the academic year 1963-1964, seventy-six scholarships are to be awarded. Since some of the offering States do not give separate figures for scholarships awarded to students from Non-Self-Governing

Territories and those awarded to students from other countries, the figures are incomplete.

IV. INFORMATION CONCERNING SCHOLARSHIPS MADE AVAILABLE TO INHABITANTS OF NON-SELF-GOVERNING TERRITORIES UNDER NATIONAL AND REGIONAL ARRANGEMENTS

*Scholarship-holders from Territories under New Zealand administration*¹⁷

32. Since 1946 the New Zealand Government has provided scholarships to selected Cook Island students for secondary, technical or university education or other training in New Zealand. Since 1957 scholarships have also been offered to Cook Islanders to study at the Avele Agricultural College in Western Samoa. By March 1962 twenty-eight scholarship-holders had obtained the New Zealand School Certificate, sixteen the New Zealand University Entrance, two the Diploma of Horticultural Science and one each the following degrees: Doctor of Medicine and Surgery, Master of Arts and Bachelor of Laws; in addition, four Cook Island scholarship pupils are being trained as teachers in New Zealand.

33. In 1962 seven Niuean girls and ten boys attended New Zealand secondary schools on scholarships and one girl attended a New Zealand teachers' training college, while six boys attended the Avele Agricultural College in Western Samoa. One girl from Tokelau attended secondary school in Western Samoa, one girl and one boy attended the Teachers Training College in Western Samoa, six boys were at the Avele Agricultural College and another four boys attended the Central Medical School at Fiji, all on scholarships.

*Trainees from Non-Self-Governing Territories under the Colombo Plan Technical Co-operation Scheme*¹⁸

34. The number of new trainees in 1961-1962 and the total for 1950-1962 were as follows:

Territory	1961-1962	Total 1950-1962
Brunei	1	23
North Borneo	69	295
Sarawak	82	326
Singapore	58	338

¹⁷ New Zealand, Department of Island Territories, *Reports on the Cook, Niue and Tokelau Islands* (Wellington, Government Printer, 1962), pp. 49, 50, 91 and 106.

¹⁸ United Kingdom, Department of Technical Co-operation, *Technical Co-operation under the Colombo Plan, Report for 1961-62 of the Council for Technical Co-operation in South and South-East Asia* (London, Her Majesty's Stationery Office, 1962), p. 71.

Annex to document A/5548 appears overleaf

Scholarships offered to students from Non-Self-Gov

<i>Offering State</i>	<i>Date of offer</i>	<i>Academic year for which scholarships were offered</i>	<i>Number of scholarships offered</i>	<i>Field of study offered</i>
Brazil	16 January 1958	1958/1959	2	Tropical medicine or art ture
	27 August 1960	1961/1962	1	University level
Burma	17 October 1955	—	4	University, technical or a tural subjects
Ceylon	19 August 1957	—	3	(a) Secondary education
	15 May 1961	1961/1962	3	(b) Surveying and level
	3 January 1963	1963/1964	3	(c) Junior technical (civil, mechanical, cal or chemical engine (d) Draughtsmanship (e) Commercial Certifica (i) bookkeepers, (ii) hand-typists (f) Higher Commercial cate: (i) bookkeeper shorthand typists
Czechoslovakia	21 January 1957	—		University subjects
	9 December 1957	1959/1960	50 ^a	
	29 April 1961	1960/1961	20 ^a	
	10 August 1961	1960/1961	30 ^a	
	6 June 1962	1961/1962	30 ^a	
	29 July 1963	1963/1964	30	
Ghana ^a	3 December 1958	1959/1960	3 each academic year	(a) At University Colle Ghana: B.A. (Ge B.A. (Honours), B.Sc. (General), B.Sc. nomics), B.Sc. (Soci B.Sc. (Agriculture) (b) At Kumasi Colle Technology: engin (degree), architecture planning, building t ogy, pharmacy, agri (diploma) accountanc C.A.), secretaryship administration
		1960/1961		
		1961/1962		
Greece	7 November 1956	—	2	Agriculture, marine sp weaving, mechanics, mechanics, electricity
	22 July 1959	1959/1960	2	
	22 July 1960	1960/1961	2	
		1961/1962	2	
	9 May 1962	1962/1963	2	
	2 April 1963	1963/1964	2	
Hungary	24 September 1958	1958/1959	5 ^a	(a) Arts and crafts an arts; (b) Technical sciences: chanical, metallurgica road engineering, c try, electricity, minin tile; economic sc agriculture; agronom terinary surgery; t training; (c) Medical sciences
	26 April 1960	1959/1960	10 ^a	
	15 July 1963	1960/1961	5	

atories under General Assembly resolution 845 (IX)

<i>Duration</i>	<i>Qualifications required</i>	<i>Transportation</i>	<i>Maintenance and/or allowances provided</i>
12 months	University or post-graduate level	Paid	\$US 80 per month for a maximum period of 9 months
10 months	University graduate	Paid	\$US 850 for 10 months
1 year for graduates; 2 years for others	University graduation or sufficient knowledge of English with secondary school graduation	Round trip paid	250 kyats per month; books: 200 kyats per year
1 year	(a) Cambridge Junior Certificate not older than 16 years of age;	Round-trip, local transportation	Board and lodging; medical care; subsistence: Rs 150 per month; clothing: Rs 300 (single allowance); books: Rs 200 per year
1 year	(b) General Certificate of Education 0.1 with mathematics;		
1 year	(c) General Certificate of Education 0.1 in 6 subjects including English, pure mathematics and physics;		
1 year	(d) General Certificate of Education 0.1 in 6 subjects including elementary mathematics;		
1 year	(e) General Certificate of Education 0.1 in 6 subjects including 2 languages and elementary mathematics;		
1 year	(f) General Certificate of Education and General Commercial Certificate		
1 year	University entrance standard	Round trip paid	Board, lodging, supplies, medical care, hospitalization; sum for personal expenses
Generally 3 years, subject to satisfactory progress and good conduct	Passes in 5 subjects at the General Certificate of Education examination (or its equivalent) with at least two at advanced level. Passes must include certain subjects relevant to the course desired. For courses in accountancy, secretaryship and administration, pass at the preliminary examination of the Association of Certified and Corporate Accountants or the Chartered Institute of Secretaries is required in addition to passes in 5 subjects at G.C.E. examination	Passage to and from Ghana provided	Board and lodging at colleges; medical care; all essential expenses covered, including clothing replacement and holiday allowance
1 year plus 1 year to learn Greek	Completion of elementary education	Not paid	Board and lodging: 16,800 drachmas per year
1 year for (a), 5 years for (b), 6 years for (c), preceded by one year of preliminary training in cases where necessary	Certificates of maturity examinations given by secondary schools in Latin educational system or by other equivalent high schools, and one year's language training in Hungary required for admission to universities	Round trip paid	1,250 forints per month, including the vacation period; of this sum, 238 forints to be paid for board and 50 forints for lodging in student colleges; exemption from fees; medical and hospital care and medical supplies; clothing: 3,500 forints on arrival and 2,000 forints every 2 years; books: 300-500 forints per year

Scholarships offered to students from Non-Self-Gove

<i>Offering State</i>	<i>Date of offer</i>	<i>Academic year for which scholarships were offered</i>	<i>Number of scholarships offered</i>	<i>Field of study offered</i>
India ^c (scholarships offered under the Government of India Cultural Scholarship Scheme)		1955/1956	49	Arts and humanities, sci agriculture, medicine, tec ogy, education, law, merce, forestry, veter science, engineering, etc
		1956/1957	53	
		1957/1958	52	
		1958/1959	58	
		1959/1960	53	
		1960/1961	54	
		1961/1962	106	
		1962/1963 1963/1964	129 126	
Iran	19 July 1956	—	2	Iranian history and literat
	14 August 1961	—	2	
Israel	23 April 1958	—	3	Post-graduate studies
Italy	4 March 1959	1959/1960	10 ^a	Courses offered in all 1 universities and instituti higher education
	15 March 1960	1960/1961	10 ^a	
	9 August 1961	1961/1962	8 ^a	
	21 May 1962	1962/1963	34 ^a	
	21 June 1963	1963/1964	22	
Mexico	23 October 1956	—	13 ^a	Agriculture, teacher-tra secondary education
	26 March 1960	—		
Philippines	12 September 1955	For 10 years	5 3	Engineering High School course
Poland	19 May 1956	—	10 ^a	All available fields of stud
	21 August 1963	—	20 ^d	
Romania	31 October 1956	—	2 ^a	Medicine and architecture Mathematics, petroleum Agronomy, chemistry, ec ics, Romanian philology
	6 August 1959	—	Increased to 5 ^a	
	10 September 1963	—	Increased to 20 ^a 20	
Tunisia	10 December 1956	1957/1958	10 ^a	(a) Secondary education (b) Agriculture (c) University subjects
	7 March 1960	—		
Turkey	12 September 1955	—	2 ^a	(a) University studies
	20 August 1960	—	Increased to 5 ^a	
	1960	—	5 ^a	(b) Technical and voca training
Union of Soviet Socialist Republics ^e ...	24 May 1955	—	10 ^a	Agriculture, medicine, tec and university subjects

atories under General Assembly resolution 845 (IX) (continued)

<i>Duration</i>	<i>Qualifications required</i>	<i>Transportation</i>	<i>Maintenance and/or allowances provided</i>
if necessary to acquire degree, diploma or certificate	Standard equivalent to Senior Cambridge or London Matriculation, good command of English, working knowledge of Hindi advantageous	Part of passage paid only in exceptional cases	Rs 250 per month; tuition and examination fees; medical expenses certified by medical officer or head of institution; books: Rs 200; study tours; trip to holiday or youth welfare camp approved by Government; coaching fee for learning Hindi: Rs 30 per month
years	Fair knowledge of Persian language. Preparatory course to acquire such knowledge will be provided	Round trip paid	Board and lodging; medical care
months' stay in Israel: months study at the Hebrew University in Jerusalem, the Haifa Institute of Technology or Weizmann Institute of Science, plus 5 months' stay in Hebrew	Post-graduate level	The Government of Israel prepared to consider favourably cases where a contribution to applicant's travel expenses would be required	225 Israel pounds per month
academic year from 1 September to 30 June, available when academic performance of the candidate so justifies. Special 2 months' preparatory course in the Italian language is provided by Universities of Pisa and Florence or the Dante Alighieri Society of Rome prior to beginning of the academic year	Not specified, but presumably university entrance standard	The Italian Government reimburses travel expenses from country of origin to Italy and pays travel expenses from Italy to the country of origin	60,000 lira per month for duration of academic year and for a three months' preparatory course in Italian; assistance in obtaining board and lodging; University fees and taxes
year with possible extension	Knowledge of Spanish	Not paid	Board and lodging
years	Not specified	Not paid	Not provided
years	University entrance standard; sufficient knowledge of one European language	2 round trips paid	1,000 zlotys per month; lodging in students' quarters; tuition; medical care (single allowance); clothing (single allowance); books, supplies
years	Not specified	Round trip and annual travel to vacation resorts paid	1,000 lei per month (of this sum 270-300 lei to be paid for board and 50 lei for lodging); medical care; clothing: 2,000 lei (single allowance)
year; extended automatically for satisfactory academic performance	Secondary entrance for (a); baccalaureate for (b) and (c). Knowledge of French or Arabic for (a), (b) and (c)	Round trip from Tunisian border paid	Board and lodging 25,000 francs per month to university students
year's language training duration of course	University entrance standard (college education)	Not paid	250 Turkish liras per month for living expenses; clothing: 300 Turkish liras a year plus 50 liras every two years for purchase of overcoat; books: 50 Turkish liras a year
year's language training 2-5 years	Primary or secondary education	Not paid	Board and lodging; free enrolment; clothing: 50 Turkish liras per month
years plus 1 year for 7 of the Russian language	Completion of secondary education	Round trip and travel to rest home or sanatorium during holidays	Sum sufficient to cover cost of board, material and cultural needs; lodging in student dormitory; medical care; lump sum for equipment; grant for books and supplies

Scholarships offered to students from Non-Self-Gove

<i>Offering State</i>	<i>Date of offer</i>	<i>Academic year for which scholarships were offered</i>	<i>Number of scholarships offered</i>	<i>Field of study offered</i>
	21 May 1960 (At Friendship University of Moscow)	—		Engineering, agriculture, cine, natural sciences, hi philology, economics
United Arab Republics.....	5 March 1963 15 July 1963	1963/1964 1962/1963	10 42	(a) University (b) General and technical
United States of America ^a	18 December 1956 31 May 1959 31 May 1960 9 July 1962 15 August 1963	1957/1958 1959/1960 1960/1961 1961/1962 1962/1963	91 194 Approx. 200 112 101	(a) (i) Any undergraduate graduate academic programme exclusive of graduate medical study; University lecturing at advanced research in academic fields; (iii) (for teacher advancement elementary, secondary educational and scientific education and other special fields pertaining to (b) Technical training required and agreed upon the International Commission Administration and Government concerned
	21 March 1958	For a 3-year period from 19 June 1957	Approx. 150-200 grants annually to inhabitants of Territories in the Caribbean area and approx. 30 such grants for Near East and African areas	
Venezuela	14 October 1960 20 March 1961	1960/1961 1961/1962	3 4	(a) Petroleum engineering (b) Post-graduate course the study of malarial related diseases
Yugoslavia	15 July 1955 15 July 1955 19 May 1959 21 April 1960 10 January 1961 2 April 1962	— — 1959/1960 — — 1962/1963	5 5 10 15 25	University subjects Vocational and technical University subjects University subjects University subjects

^a Scholarships offered to students from Trust and Non-Self-Governing Territories.

^b Candidates should apply in their own handwriting to the Permanent Secretary, Ministry of Education, P.O. Box M.45, Accra, Ghana, West Africa, giving the following details: name, address, sex, date of birth, tribe and Territory, religious

denomination (if any), whether married, number of children (if any), details of examination passed, index number, subjects with grading, past employment (if any), present employment, course desired. They should attach copies of certificates and testimonials.

^c Candidates are advised that information and the application forms for the scholarships offered by the Government

ories under General Assembly resolution 845 (IX) (continued)

<i>Duration</i>	<i>Qualifications required</i>	<i>Transportation</i>	<i>Maintenance and/or allowances provided</i>
1 year's language training; 2 years' university	Complete secondary education under 35 years of age	One round trip paid to Moscow	Complete maintenance; allowances provided
renewable to course of study	Not specified	Return trip from United Arab Republic to student's country only	(a) £ Egyptian 10 for installation plus £ Egyptian 12 monthly allowance; books: £ Egyptian 10-20, depending on field of study
renewable to course of study	Not specified	Return trip from United Arab Republic to student's country only	(b) £ Egyptian 10 for installation plus £ Egyptian 10 monthly allowance; books
Grants are for initial period of one year with possibility of renewal on a competitive basis; (ii) grants are for a period of 3 months to one year with possibility of extension; (iii) 6-month shorter-term projects	(a) All grants require some knowledge of English; (i) satisfactory completion of course equivalent to that offered by United States secondary schools, e.g., Cambridge School Certificate (First Division); (ii) Ph.D. or equivalent experience; (iii) licensed school teachers with 3 years experience, school administrators and officials of ministries of education	(a) (i, ii) Grants pay round-trip transportation; (iii) round-trip paid and some travel in the United States as authorized for purpose of grant	(a) (i) Majority of grants pay for tuition, fees, room and board, with allowances for books and other expenses (ii) Private support usually required, although maintenance allowance occasionally available for periods up to ten months; allowance for books (iii) Tuition and book allowance as appropriate; per diem allowance for room and board
from one to 18 months	(b) Dependent upon country's needs	(b) Dependent on terms of agreement	(b) Sufficient to pay usual living expenses; varies from one location to another
15 months (starting early 1962)	(a) Certificate of completion of secondary education. Knowledge of Spanish desirable (b) Graduate physicians, sanitary engineers with university degrees or other public health personnel who are in possession of a university degree. Knowledge of Spanish desirable. Applicant to be not older than 35 years	Round trip paid	Cost of lodging; no allowance specified
Not specified	University entrance standard	Round trip paid	Lodging provided 25,000 to 35,000 dinars per month; books: 5,000 dinars per year
Not specified	Not specified	As above	
Not specified	Not specified	Not specified	
Not specified	Not specified	Round trip paid	
Not specified	Not specified	Round trip paid	

may be obtained from the Indian representative in, or to the Territory of the candidate. Candidates are to apply direct to the Polish Embassy at United Arab Republic and/or at Dar es Salaam, Nyika. Application for admission to Friendship University are to be sent to: Admissions Committee, Patrice Lumumba Friend-

ship University, Friendship House, 5 Donskoy proezd, No. 7, Moscow, B-302, USSR. The application should include: (a) autobiography and two photographs, (b) medical certificate of health, (c) certificate of education.

‡ Candidates are to apply direct to the nearest United States consulate.

DOCUMENT A/5548/ADD.1

[Original text: English]
[27 November 1963]

1. By a note dated 14 October 1963, the Permanent Representative of Poland to the United Nations stated that the total number of scholarships offered by Poland to students from Non-Self-Governing Territories in Africa, including those under Portuguese administration, amounted to twenty-five, of which fifteen were placed at the disposal of the Polish Embassy in Cairo and ten were offered through the Polish Embassy at Dar es Salaam.

2. These scholarships are granted for higher education in Poland. The candidates must have completed secondary school and know either English or French. The grants include travelling expenses on board Polish merchant ships from Port Said or Dar es Salaam to Poland.

3. So far eight applications have been received by the Polish authorities from candidates in Kenya and five from candidates in Basutoland.

4. By a note dated 18 October 1963, the Permanent Mission of the Union of Soviet Socialist Republics informed the Secretary-General that at present there were 263 students from Non-Self-Governing Territories studying in the USSR on Soviet Government grants.

5. By a note dated 22 October 1963, the Permanent Mission of the Philippines informed the Secretary-General that the University of the Philippines was prepared to extend to Mr. Nahason Muriithi of Kenya a scholarship with exemption from all university and college fees, available in August 1964, in the fields of education or arts and sciences. The scholarship, does not, however, include international travel and subsistence allowance.

DOCUMENT A/5673**Report of the Fourth Committee**

[Original text: English]
[14 December 1963]

1. At its 1210th meeting, on 20 September 1963, the General Assembly decided to refer to the Fourth Committee the following items on its agenda:

“49. Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations: reports of the Secretary-General¹⁹ and of the Committee on Information from Non-Self-Governing Territories;²⁰

“(a) Political and constitutional information;

“(b) Information on educational, economic and social advancement;

“(c) General questions relating to the transmission and examination of information.

“50. Dissemination of information in the Non-Self-Governing Territories on the Declaration on the granting of independence to colonial countries and peoples: report of the Secretary-General.²¹

“51. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories: report of the Secretary-General.²²

“52. Question of the continuation of the Committee on Information from Non-Self-Governing Territories.

“53. Election, if required, to fill vacancies in the membership of the Committee on Information from Non-Self-Governing Territories.

“54. Special training programme for Territories under Portuguese administration: report of the Secretary-General.”²³

2. On 27 September 1963, at its 1433rd meeting, the Fourth Committee decided to discuss item 54 together with the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (agenda item 23) relating to Territories under Portuguese administration. It also decided to discuss items 49, 52 and 53 together, and to discuss items 50 and 51 together.

3. At its 1469th meeting, on the suggestion of the representative of Liberia, made at the 1468th meeting, the Committee decided to discuss item 54 together with items 50 and 51.

4. At the 1496th meeting, held on 2 December 1963, the representative of Ceylon requested the Secretary-General for his views on whether, in his opinion and from his point of view, there was any duplication of work and overlapping of responsibility in the activities of the Committee on Information from Non-Self-Governing Territories and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. At the 1501st meeting, the Under-Secretary for Trusteeship and Information from Non-Self-Governing Territories made a statement on behalf of the Secretary-General on this question (A/C.4/630).

5. At the 1506th meeting, the Committee decided that in order to save time the general debate would include all the items on Non-Self-Governing Territories listed on its agenda. Statements in the general debate on these items were made at the 1506th, 1507th and 1509th to 1512th meetings inclusive.

6. At its 1506th meeting, in connexion with the transmission of information under Article 73 e of the Charter, the representative of Argentina recalled the statement made by his delegation on 29 November 1963, at the 1267th plenary meeting of the General Assembly, and reserved the position of his Government

¹⁹ A/5401 and Add.1-2, A/5402 and Add.1-5, A/5403 and Add.1-11, A/5404 and Add.1-4, A/5524.

²⁰ A/5514.

²¹ A/5523.

²² A/5548 and Add.1.

²³ A/5531/Rev.1 and Add.1 and 2.

with regard to sovereignty over, and the transmission of information by the United Kingdom of Great Britain and Northern Ireland on, the Islas Malvinas (Falkland Islands), the South Sandwich Islands and the South Georgia Islands. The representative of the United Kingdom stated that his Government had no doubts concerning its sovereignty over the Falkland Islands (Islas Malvinas) and the Falkland Islands Dependents on this matter.

7. At the same meeting, the representative of Guatemala and the United Kingdom reserved the position of their respective Governments with regard to British Honduras (Belize). The representative of Mexico recalled the position of his Government, as stated at the 1267th plenary meeting, of the General Assembly, on 29 November 1963, reiterating that in the event of changes in the international status of Belize (British Honduras) the historic and juridical rights of Mexico over that Territory should not be ignored. The representative of Guatemala reiterated the reply his Government had made to the representative of Mexico at the same meeting of the General Assembly.

8. The representatives of Spain and the United Kingdom reserved the positions of their respective Governments with regard to Gibraltar. The representatives of Mauritania and Morocco stated the positions of their Governments regarding Río de Oro, known as Spanish Sahara. The representative of Spain affirmed the position of his Government as to its sovereignty over this Territory.

9. The representative of the Philippines reserved the position of his Government regarding North Borneo (Sabah). He said that in accordance with the Joint Statement of 5 August 1963 made by the President of Indonesia, the Prime Minister of the Federation of Malaya and the President of the Philippines, inclusion of Sabah in the Federation of Malaysia did not prejudice either the claim or any right thereunder. The representative of Malaysia stated that Sabah, formerly known as North Borneo, had achieved independence and joined the Federation of Malaysia. He recalled the statement made by his delegation at the 1237th plenary meeting of the General Assembly, on 10 October 1963. The representative of Indonesia stated the position of his Government on the Federation of Malaysia, and referred to his delegation's statement at the 1206th plenary meeting of the General Assembly, on 17 September 1963. The representative of Malaysia exercised his right of reply.

10. At the 1509th meeting the representative of Yemen recalled the statement made by his delegation at the 1266th plenary meeting of the General Assembly, on 28 November 1963, and reserved the position of his Government regarding Aden, which was an integral part of Yemen. The representative of the United Kingdom stated that his Government had no doubts as to its sovereignty over Aden.

AGENDA ITEM 49: INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

AGENDA ITEM 52: QUESTION OF THE CONTINUATION OF THE COMMITTEE ON INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

AGENDA ITEM 53: ELECTION, IF REQUIRED, TO FILL VACANCIES IN THE MEMBERSHIP OF THE COMMITTEE

ON INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

11. In connexion with these items, the Committee had before it, in addition to other documentation, a statement of the Under-Secretary for Trusteeship and Information from Non-Self-Governing Territories (A/C.4/630) made at the 1501st meeting in response to a request previously made by the representative of Ceylon; and a supplementary statement (A/C.4/633) made by the Under-Secretary at the 1510th meeting in response to a request by the representative of Pakistan at the 1506th meeting. It also had as a Committee document (A/C.4/632) a statement by the representative of Liberia at the 1509th meeting.

12. At the 1509th meeting the representative of Ghana introduced a draft resolution (A/C.4/L.786) jointly sponsored by Ceylon, Chad, Congo (Brazzaville), Congo (Leopoldville), Dahomey, Ghana, Guinea, India, Ivory Coast, Malaysia, Mali, Nigeria, Togo, Uganda and Yugoslavia. Subsequently Cambodia and Niger joined as sponsors (A/C.4/L.786/Add.1).

13. At the 1511th meeting, the Fourth Committee adopted draft resolution A/C.4/L.786 and Add.1 by a roll-call vote of 53 to none, with 28 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Ceylon, Chad, Colombia, Congo (Brazzaville), Cuba, Cyprus, Czechoslovakia, Dahomey, Ethiopia, Ghana, Guatemala, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Ivory Coast, Jamaica, Kuwait, Malaysia, Mali, Mexico, Mongolia, Morocco, Niger, Nigeria, Norway, Panama, Philippines, Poland, Romania, Senegal, Syria, Tanganyika, Thailand, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia.

Against: None.

Abstaining: Argentina, Australia, Austria, Belgium, Chile, China, Costa Rica, Denmark, Ecuador, Finland, France, Greece, Honduras, Japan, Liberia, Mauritania, Netherlands, New Zealand, Pakistan, Peru, Spain, Sudan, Sweden, Turkey, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Yemen.

The text of the draft resolution is set out in paragraph 28 below as draft resolution I.

14. The representative of Upper Volta stated that had he been present at the voting he would have abstained. The representative of Cambodia stated that as a co-sponsor he would have voted in favour of the draft resolution had he been present during the vote.

15. At the 1512th meeting, the Committee adopted unanimously the draft resolution recommended by the Committee on Information from Non-Self-Governing Territories and contained in annex II of its report (A/5514). The text of the draft resolution is set out in paragraph 28 below as draft resolution II.

16. At the same meeting the Committee took note of the report of the Secretary-General contained in document A/5524.

17. In connexion with item 49, at the 1450th meeting, the Committee received and granted a request for hearing by the Peoples Socialist Party and Aden Trades Union Congress (A/C.4/612). At the 1515th meeting, the Committee heard the petitioner, who drew

attention to the emergency situation in Aden and Aden Protectorate as a result of recent developments.

18. Subsequently, at that meeting, Afghanistan, Algeria, Indonesia, Iraq, Kuwait, Libya, Morocco, Sudan, Syria, the United Arab Republic and Yugoslavia submitted a draft resolution (A/C.4/792) on the situation in Aden. Under rule 121 of the rules of procedure, the Committee decided by a vote of 48 to 20, with 28 abstentions, to consider the draft resolution immediately because of the little time left before the end of the session.

19. The Committee voted on draft resolution A/C.4/L.792 at the 1515th meeting and adopted it by a roll-call vote of 42 to 20, with 28 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Bulgaria, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Chad, Congo (Brazzaville), Czechoslovakia, Dahomey, Ghana, Guinea, Hungary, India, Indonesia, Iraq, Ivory Coast, Kuwait, Lebanon, Liberia, Libya, Mali, Mauritania, Mongolia, Morocco, Niger, Nigeria, Philippines, Poland, Romania, Senegal, Somalia, Sudan, Syria, Tanganyika, Tunisia, Ukrainian Soviet Socialist Republics, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Yemen, Yugoslavia.

Against: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Greece, Iceland, Ireland, Israel, Italy, Netherlands, New Zealand, Norway, South Africa, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Brazil, Ceylon, Chile, China, Colombia, Cyprus, Ecuador, Guatemala, Haiti, Honduras, Iran, Jamaica, Japan, Madagascar, Malaysia, Mexico, Pakistan, Panama, Peru, Portugal, Sierra Leone, Spain, Thailand, Togo, Trinidad and Tobago, Uruguay, Venezuela.

The text of the draft resolution is set out in paragraph 28 below as draft resolution III.

AGENDA ITEM 50: DISSEMINATION OF INFORMATION IN THE NON-SELF-GOVERNING TERRITORIES ON THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

AGENDA ITEM 51: OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES

AGENDA ITEM 54: SPECIAL TRAINING PROGRAMME FOR TERRITORIES UNDER PORTUGUESE ADMINISTRATION

20. At its 1510th meeting, the Committee decided to circulate as a document the statement on agenda item 54 made at the meeting by the representative of Ghana (A/C.4/634).

21. At the 1511th meeting the Committee received two draft resolutions: (a) an eleven-Power draft resolution (A/C.4/L.787) jointly sponsored by Ceylon, Dahomey, Ghana, Guinea, India, Indonesia, Ivory Coast, Mali, Nigeria, Tanganyika and Uganda on the special training programme for Territories under Portuguese administration (item 54); and (b) a thirteen-Power draft resolution (A/C.4/L.788) jointly sponsored by Ghana, India, Iraq, Ivory Coast, Libya, Mauritania, Niger, Nigeria, Norway, Pakistan, United Arab Republic, Union of Soviet Socialist Republics

and United States of America on offers by Member States of study and training facilities (item 51).

22. The discussion on draft resolution A/C.4/L.787 mainly centred on the wording of paragraph 2 which read as follows:

2. *Invites* Member States within whose boundaries great numbers of refugees from Territories under Portuguese administration reside, to consider the possibility of obtaining assistance from the existing United Nations programmes of technical co-operation for the purpose of providing these refugees with more facilities for secondary vocational and technical education;”.

23. At the 1512th meeting, the representative of Ghana, on behalf of the sponsors, orally revised operative paragraph 2 of this draft resolution. The new text (a) replaced the words “*Invites* Member States” by “*Draws the attention* of Member States”; and (b) replaced the phrase “to consider the possibility of obtaining assistance from existing United Nations programmes of technical co-operation” by the words “to the existing possibilities of obtaining assistance from United Nations programmes of technical co-operation”.

24. Subsequently the sponsors accepted a drafting change proposed by the representative of Congo (Leopoldville) to replace the words “the existing possibilities of obtaining assistance” by the words “to the possibilities available to them”.

25. The Fourth Committee had before it a note by the Secretary-General (A/C.4/635) on the financial implications of draft resolution A/C.4/L.787. At the 1512th meeting, the Fourth Committee adopted draft resolution A/C.4/L.787, as revised, by 83 votes to 1, with 1 abstention. The text of the draft resolution is set out in paragraph 28 below as draft resolution IV.

26. At the 1512th meeting the Fourth Committee also voted on the draft resolution on the offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (A/C.4/L.788). The draft resolution was unanimously adopted. The text of the draft resolution is set out in paragraph 28 below as draft resolution V.

27. At the same meeting, the Committee decided without objection to take note of the report of the Secretary-General on item 50 (A/5523).

Recommendations of the Fourth Committee

28. The Fourth Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I

QUESTION OF THE CONTINUATION OF THE COMMITTEE ON INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

[Text adopted by the General Assembly without change. See “Action taken by the General Assembly” below.]

Draft resolution II

REPORT ON ECONOMIC ADVANCEMENT IN NON-SELF-GOVERNING TERRITORIES

[Text adopted by the General Assembly without change. See “Action taken by the General Assembly” below.]

Draft resolution III

THE SITUATION IN ADEN

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

Draft resolution IV

SPECIAL TRAINING PROGRAMME FOR TERRITORIES UNDER PORTUGUESE ADMINISTRATION

[Text adopted by the General Assembly without

change. See "Action taken by the General Assembly" below.]

Draft resolution V

OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

DOCUMENT A/5674**Financial implications of draft resolution IV submitted by the Fourth Committee in document A/5673****Report of the Fifth Committee**

[Original text: English/French]
[14 December 1963]

1. In accordance with rule 154 of the rules of procedure of the General Assembly, the Fifth Committee considered, at its 1057th meeting, on 13 December 1963, the financial implications of draft resolution IV, on the subject of a special training programme for the indigenous people of Territories under Portuguese administration, submitted by the Fourth Committee (A/5673, para. 28).

2. For its consideration of the item, the Committee had before it a note by the Secretary-General (A/C.5/1006) indicating that, for the reasons given in paragraphs 7 to 10, a precise estimate of the financial implications could not be submitted at the present time. The Chairman of the Advisory Committee on Administrative and Budgetary Questions presented orally the report of that Committee.

3. By 65 votes to 1, with 1 abstention, the Fifth Committee decided, on the recommendation of the Advisory Committee, to inform the General Assembly that, in the event of the adoption of the draft resolution, (a) the Secretary-General should be requested to make use as fully as possible of the existing United Nations programmes of technical co-operation, in particular, the Expanded Programme of Technical Assistance and the United Nations Special Fund; and (b) to the extent that funds might be required for the programme from the regular budget, he should seek the prior concurrence of the Advisory Committee to meet such commitments, up to a maximum of \$50,000, under the terms of the General Assembly resolution relating to unforeseen and extraordinary expenses for the financial year 1964.

DOCUMENT A/C.4/635**Financial implications of the draft resolution contained in document A/C.4/L.787****Note by the Secretary-General**

[Original text: English]
[11 December 1963]

1. Under the terms of operative paragraph 1 of the draft resolution in document A/C.4/L.787, the Secretary-General would be requested to continue his efforts to use as fully as possible the existing United Nations programmes of technical co-operation. The operative paragraph particularly requests that the benefits of such programmes be made available, with the consent and co-operation of the host Governments, to indigenous inhabitants of the Territories under Portuguese administration who are or may be residing temporarily outside the Territories.

2. As the Fourth Committee has been notified in paragraphs 72 and 73 of the Secretary-General's report (A/5531/Rev.1), the use of the programme resources of the Expanded Programme of Technical Assistance and of the United Nations Special Fund for the implementation of resolution 1808 (XVII) adopted by the General Assembly at the seventeenth session has been studied and findings have been made that requests for Expanded Programme and Special Fund financ-

ing could and would receive favourable consideration if the requests were formally submitted and supported by a host Government.

3. In view of these findings, the Secretary-General would hope that it would be possible to finance at least a few individual cases of special training for indigenous inhabitants temporarily resident outside the Territories by using the normal technical assistance programmes and the procedures under these programmes, and without special budgetary credits being necessary.

4. Clearly, however, this approach would not guarantee a defined programme comparable to that which the Assembly established for South West Africans. Therefore, in compliance with rule 154 of the rules of procedure of the General Assembly, the Secretary-General informs the Committee that operative paragraph 1 of the draft resolution, if adopted by the Assembly, presumably would give rise to additional expenses in so far as the regular budget of 1964 and future years is concerned.

5. In the absence of any direct experience, the Secretary-General would suggest that such additional credits be limited to a maximum of \$50,000, which is

the same as the amount provided for the South West Africa programme.

DOCUMENT A/C.5/1006

Financial implications of draft resolution IV submitted by the Fourth Committee in document A/5673

Note by the Secretary-General

[Original text: English]
[12 December 1963]

1. Under the terms of draft resolution IV submitted by the Fourth Committee (A/5673, para. 28) the General Assembly recalls its resolution 1808 (XVII) of 14 December 1962 by which it established a special training programme for the indigenous people of Territories under Portuguese administration and requests the Secretary-General to continue his efforts to use as fully as possible the existing United Nations programmes of technical co-operation and, particularly, to make available to those indigenous inhabitants of the Territories who are or who may be temporarily residing in various countries or territories outside the Territories under Portuguese administration the benefits of such programmes, with the consent and co-operation of the host Governments. It further requests the Secretary-General to report on this question to the General Assembly at its nineteenth session.

2. In considering this draft resolution the Fourth Committee had before it the report of the Secretary-General (A/5531/Rev.1 and Add.1 and 2) providing extensive information concerning the steps that have been taken in the implementation of General Assembly resolution 1808 (XVII) of 14 December 1962. Under that resolution the General Assembly recognized that a special intensive type of fellowship programme should immediately be organized to train the largest possible number of indigenous inhabitants of the Territories under Portuguese administration in the functions and techniques of administration, in the fields of economics, law, health, sanitation and in such other fields as might be necessary, and that Member States should be invited to make available scholarships for study abroad to students from Territories under Portuguese administration.

3. In paragraphs 14 to 41 of his report the Secretary-General deals with the offers that have been received in form of scholarships from various Member States in response to General Assembly resolution 1808 (XVII). He indicates that by the end of October 1963, twenty Members had offered scholarships, and of that number, seven Members had advised the Secretary-General that they would give favourable considerations to any applications they might receive and eleven Members had formulated their offers in more specific terms. A list of the scholarships offered is given in an annex to the report. Further offers from various Member States were subsequently received and are contained in an addendum to the Secretary-General's report (A/5531/Rev.1/Add.1).

4. In paragraphs 42 to 51 of his report, the Secretary-General provides information concerning the results of direct communication with heads of universities called for under operative paragraph 5 of resolution 1808 (XVII).

5. In paragraphs 54 to 56 of his report, the Secretary-General states that inquiries about scholarships under the special training programme began reaching the Secretariat in July 1963. Some 1,000 letters had been received by the end of October and the flow of letters is continuous. The inquiries received thus far have all come from candidates residing outside the Territories under Portuguese administration, namely, in the Congo (Leopoldville), Congo (Brazzaville), Ghana, Southern Rhodesia and Tanganyika. In so far as could be ascertained from correspondence received, well over 90 per cent of the applicants for scholarships have not completed their secondary education, and some have no secondary education. In a very few cases, the inquiries or applications list qualifications indicating that the students are eligible for higher education. The ages of the candidates vary; most of them are twenty years old or over and several are over thirty. If the programme established under resolution 1808 (XVII) is to meet the needs of the indigenous inhabitants from Territories under Portuguese administration, these special problems will have to be taken into account.

6. In paragraphs 57 to 64 of his report, the Secretary-General deals with the questions of awards of scholarships and indicates that it is too early at this stage to make a comprehensive report on such awards, since there has been too little time for the offering Member States to reach any conclusions on the applications they have received. Some Governments, however, have made available to the indigenous inhabitants from Territories under Portuguese administration scholarships offered under General Assembly resolution 845 (IX) and/or under their national schemes. The facilities provided by Member States in this regard are given in the relevant paragraphs of this part of the report.

7. In paragraphs 65 to 74 of his report, the Secretary-General deals with the questions of the possible use of existing United Nations programmes of technical co-operation, notably the Expanded Programme of Technical Assistance and the United Nations Special Fund, so as to minimize the charge on the regular budget. Owing to consultations which brought forth a number of fairly complex problems, it has not yet been possible to implement this part of the mandate of the General Assembly. Resolution 1808 (XVII) requests that the benefits of this programme should in particular be made available, with the consent and co-operation of the host Governments concerned, to those indigenous inhabitants of the Territories residing in various countries and territories outside the Territories under Portuguese administration. As matters stand now, the full implementation of the programme would

appear to depend largely on the funds made available for this purpose by the Technical Assistance Board and the Special Fund, the more so as no special sum was set aside by the General Assembly for the implementation of the resolution. In so far as financing under the Expanded Programme is concerned, the legal departments of the Participating Organizations of the Technical Assistance Board generally concurred in the interpretation that General Assembly resolution 1808 (XVII) should be considered as making possible for the purposes of the resolution a deviation from the rules of the Expanded Programme, which required assistance to be given only at the request of Governments. On the policy question, however, the consensus of the Board was that any request for Expanded Programme financing of training under this resolution should be formally submitted and supported by a Government, which normally would be that of the country in which the applicant resided, and it was the general view that some assurance should be obtained that use would be made of the training acquired. The Managing Director of the Special Fund wished it to be known that the Fund would, within the terms of resolution 1240 (XIII), consider sympathetically the provision of assistance for the training of refugees from Territories under Portuguese administration if the host Governments of the countries where such refugees reside were to take the initiative of applying for the establishment of such projects. He further recalled that those Governments could in any case, with no additional official action by the Special Fund, make available to such refugees the benefits of the training projects assisted by the Special Fund which were already under way in their countries.

8. In paragraphs 75 to 80 of his report, the Secretary-General summarizes the response of specialized agencies and other international organizations concerning their participation in the training programme. In this regard it should be noted that in a letter dated 9 April 1963 from the secretariat of

UNESCO, it was stated that the UNESCO Executive Board would be informed of resolution 1808 (XVII) at its 65th session and that any comments on the resolution would be communicated to the United Nations Secretariat.

9. In the conclusions to his report, the Secretary-General states that the problem of financing the establishment of long-term projects such as training centres for the indigenous inhabitants of Portuguese Territories residing in various countries and territories still remains open. The Technical Assistance Board, the Special Fund and the specialized agencies and other international organizations have not as yet communicated decisions that would help to realize such projects in the immediate future. The policies laid down by TAB and the Special Fund imply that within the provisions of resolution 1808 (XVII) the co-operation of the Board and the Fund can become fully effective only if it is enhanced by the effort of those Governments particularly concerned with problems of refugees from Territories under Portuguese administration.

10. Therefore, should the General Assembly adopt the draft resolution as recommended by the Fourth Committee, and in the light of the above situation, taking into account the discussions in the Fourth Committee, the General Assembly may wish to make some special provision in the budget under section 12—Special expenses—in order to ensure that a minimum programme can become operative during the year 1964. The Secretary-General would suggest in this event, as he did to the Fourth Committee, that such a provision should not exceed a maximum of \$50,000. Alternatively, the General Assembly may wish to authorize the Secretary-General to meet any commitments of this nature under the terms of paragraph 1 of the General Assembly resolution relating to unforeseen and extraordinary expenses for the financial year 1964, up to a maximum of \$500,000, as was recommended by the Fifth Committee at the seventeenth session in its report (A/5357) of 14 December 1962.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1281st plenary meeting, on 16 December 1963, the General Assembly adopted draft resolutions I, II, III, IV and V submitted by the Fourth Committee (A/5673, para. 28). For the final texts, see resolutions 1970 (XVIII), 1971 (XVIII), 1972 (XVIII), 1973 (XVIII) and 1974 (XVIII) below.

Resolutions adopted by the General Assembly

1970 (XVIII). QUESTION OF THE CONTINUATION OF THE COMMITTEE ON INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

The General Assembly,

Recalling its resolution 1847 (XVII) of 19 December 1962 in which it decided to review at its eighteenth session the question of the further continuation of the Committee on Information from Non-Self-Governing Territories,

Considering that the Declaration regarding Non-Self-Governing Territories contained in Chapter XI of the Charter of the United Nations cannot be dissociated from the Declaration on the granting of independence to colonial countries and peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Considering that all United Nations activities concerning Non-Self-Governing Territories should now be co-ordinated and consolidated, with a view to the immediate ending of colonialism,

Recalling that, by resolutions 1654 (XVI) of 27 November 1961 and 1810 (XVII) of 17 December 1962, it established the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and that it has approved the Special Committee's methods and procedures,

Considering that the Special Committee, in view of the experience it has gained, is now in a position to take over the functions of the Committee on Information from Non-Self-Governing Territories,

Having regard to the views of the Secretary-General on this question (A/C.4/630),

Considering that it is imperative to avoid any duplication of work or overlapping of responsibilities,

Having received the report of the Committee on Information from Non-Self-Governing Territories prepared at its fourteenth session, in 1963 (A/5514),

1. Takes note of the report of the Committee on Information from Non-Self-Governing Territories on the work of its fourteenth session;

2. Expresses its gratitude to the Committee for its efforts and for its valuable contribution to the accomplishment of the purposes of the United Nations under Chapter XI of the Charter;

3. Decides to dissolve the Committee on Information from Non-Self-Governing Territories;

4. Invites Member States which have or assume responsibilities for the administration of Territories whose peoples have not yet attained a full measure of self-government to transmit or continue to transmit to the Secretary-General information as prescribed under Article 73 e of the Charter, as well as the fullest possible information on political and constitutional development;

5. Requests the Special Committee to study this information and take it fully into account in examining the situation with regard to the implementation of the Declaration on the granting of independence to colonial countries and peoples in each of the Non-Self-Governing Territories, and to undertake any special study and prepare any special report it may consider necessary in addition to its activities under General Assembly resolutions 1654 (XVI) and 1810 (XVII);

6. Requests the Secretary-General to continue to provide the Special Committee with all the facilities and personnel necessary for the implementation of the present resolution.

1281st plenary meeting,
16 December 1963.

1971 (XVIII). REPORT ON ECONOMIC ADVANCEMENT IN NON-SELF-GOVERNING TERRITORIES

The General Assembly,

Recalling that by resolutions 564 (VI) of 18 January 1952, 846 (IX) of 22 November 1954, 1152 (XII) of 26 November 1957 and 1537 (XV) of 15 December 1960 it approved or took note of the reports on economic conditions prepared by the Committee on Information from Non-Self-Governing Territories in 1951, 1954, 1957 and 1960,²⁴

Having received and considered a report on economic advancement in Non-Self-Governing Territories prepared by that Committee at its fourteenth session, in 1963 (A/5514, part two),

1. Approves the report on economic advancement in Non-Self-Governing Territories prepared by the Committee on Information from Non-Self-Governing Territories at its fourteenth session and considers that this report should be studied in connexion with the other reports mentioned above;

2. Invites the Secretary-General to communicate this report to the Member States responsible for the

²⁴ Official Records of the General Assembly, Sixth Session, Supplement No. 14 (A/1836), part three; *ibid.*, Ninth Session, Supplement No. 18 (A/2729), part two; *ibid.*, Twelfth Session, Supplement No. 15 (A/3647), part two; *ibid.*, Fifteenth Session, Supplement No. 15 (A/4371), part three.

administration of Non-Self-Governing Territories, 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, to the Economic and Social Council, to the regional economic commissions, to the Trusteeship Council and to the specialized agencies concerned, for their consideration;

3. Expresses its confidence that the Member States responsible for the administration of Non-Self-Governing Territories will bring the report to the attention of the authorities concerned with economic advancement in those Territories.

1281st plenary meeting,
16 December 1963.

1972 (XVIII). THE SITUATION IN ADEN

The General Assembly,

Recalling its resolution 1949 (XVIII) of 11 December 1963 on the question of Aden,

Having noted the petitioner's statement on the recent developments in that Territory,²⁵

Deeply concerned at the critical and explosive situation obtaining in Aden and the Protectorate as a result of the state of emergency, and at the arrest and detention of nationalist leaders and trade-unionists as well as the deportation of others, a situation which constitutes a denial of fundamental rights and endangers peace and security in the region,

1. Urges the Government of the United Kingdom of Great Britain and Northern Ireland to take, as a matter of urgency, measures which would be most effective to secure:

(a) The immediate release of the nationalist leaders and trade-unionists;

(b) An end to all acts of deportation of residents of the Territory;

2. Requests the Secretary-General to bring the present resolution to the attention of the Government of the United Kingdom with a view to its implementation.

1281st plenary meeting,
16 December 1963.

1973 (XVIII). SPECIAL TRAINING PROGRAMME FOR TERRITORIES UNDER PORTUGUESE ADMINISTRATION

The General Assembly,

Recalling its resolution 1808 (XVII) of 14 December 1962 by which it established a special training programme for the indigenous people of Territories under Portuguese administration,

Having considered the report of the Secretary-General submitted in accordance with paragraph 9 of the aforesaid resolution (A/5531/Rev.1 and Add.1 and 2),

Noting with regret that, notwithstanding paragraph 10 of that resolution, the Government of Portugal has not co-operated in the implementation of the resolution,

Noting with satisfaction that several Member States have extended offers of scholarships to students from Territories under Portuguese administration,

²⁵ See A/C.4/SR.1515.

Noting that only a few applicants from Territories under Portuguese administration have the necessary qualifications to enable them to enter institutions of higher education,

Noting further that most of the scholarships offered by Member States are for higher education only and consequently are not accessible to inhabitants of Territories under Portuguese administration whose qualifications cannot meet the requirements set for the use of such scholarships,

1. *Requests* the Secretary-General to continue his efforts to use as fully as possible the existing United Nations programmes of technical co-operation and, particularly, to make available to those indigenous inhabitants of the Territories under Portuguese administration who are or who may be temporarily residing in various countries or territories outside the Territories administered by Portugal the benefits of such programmes, with the consent and co-operation of the host Governments;

2. *Draws the attention* of Member States within whose boundaries great numbers of refugees from Territories under Portuguese administration reside to the possibilities available to them from the United Nations programmes of technical co-operation, for the purpose of providing these refugees with more facilities for secondary, vocational and technical education;

3. *Invites* the specialized agencies to co-operate in the establishment and implementation of the special training programme mentioned above, by offering every possible assistance and such facilities and resources as they may be able to provide;

4. *Expresses its appreciation* to Member States which have extended offers of scholarships to students from Territories under Portuguese administration;

5. *Invites* Member States which have offered scholarships, and those which plan to do so, to consider in the first place offers of scholarships for secondary education and for vocational and technical training;

6. *Requests* Member States to inform the Secretary-General of any scholarships offered and of awards made and utilized;

7. *Further requests* Member States to facilitate the travel of students from Territories under Portuguese administration seeking to avail themselves of the educational opportunities offered;

8. *Reiterates its request* to the Government of Portugal to co-operate in the implementation of the special training programme for inhabitants of Territories under Portuguese administration;

9. *Requests* the Secretary-General to report on this question to the General Assembly at its nineteenth session.

*1281st plenary meeting,
16 December 1963.*

1974 (XVIII). OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES

The General Assembly,

Recalling its resolution 1514 (XV) of 14 December 1960 containing the Declaration on the granting of independence to colonial countries and peoples,

Recognizing the importance of rendering assistance to colonial countries and peoples in the field of general and specialized education,

Having examined the report of the Secretary-General on offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories under General Assembly resolution 845 (IX) of 22 November 1954 (A/5548 and Add.1),

1. *Takes note* of the report of the Secretary-General on offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories;

2. *Reaffirms* its resolution 1849 (XVII) of 19 December 1962;

3. *Urges* Member States to continue to offer scholarships to the inhabitants of the Non-Self-Governing Territories;

4. *Requests* the Member States offering scholarships to take into account the necessity of furnishing complete information about the scholarships offered and, whenever possible, the need to provide travel funds to prospective students;

5. *Once again invites* the Administering Members concerned to take all necessary measures to ensure that all scholarships and training facilities offered by Member States are utilized by the inhabitants of the Non-Self-Governing Territories and to render effective assistance to those persons who have applied for, or have been granted, scholarships or fellowships, particularly with regard to facilitating their travel formalities;

6. *Requests* the Secretary-General to submit to the General Assembly at its nineteenth session a report on the implementation of the present resolution;

7. *Draws the attention* of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to the present resolution.

*1281st plenary meeting,
16 December 1963.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda items 49, 50, 51, 52, 53 and 54 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/5160 and Add.1 and 2	Report of the Special Committee on Territories under Portuguese Administration	<i>Official Records of the General Assembly, Seventeenth Session, Annexes, addendum to agenda item 54</i>

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/5201/Add.1	Introduction to the annual report of the Secretary-General on the work of the Organization (16 June 1961-15 June 1962)	<i>Ibid.</i> , <i>Seventeenth Session, Supplement No. 1A</i>
A/5242 and Add.1	Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories: report of the Secretary-General	<i>Ibid.</i> , <i>Seventeenth Session, Annexes, agenda items 49, 50, 51, 52, 53 and 55</i>
A/5244 and Add.1	Dissemination of information on the United Nations in Non-Self-Governing Territories: report of the Secretary-General	<i>Ibid.</i>
A/5249 and Add.1	Racial discrimination in Non-Self-Governing Territories: report of the Secretary-General	<i>Ibid.</i>
A/5349	Report of the Fourth Committee	<i>Ibid.</i> , agenda item 54
A/5357	Financial implications of draft resolution II submitted by the Fourth Committee in document A/5349: report of the Fifth Committee	<i>Ibid.</i>
A/5401	African and adjacent Territories—Summaries of information transmitted under Article 73 e of the Charter of the United Nations: report of the Secretary-General	See ST/TRI/B.1962/1
A/5401/Add.1-12	Political and constitutional information on African and adjacent Territories under United Kingdom administration	Mimeographed
A/5402	Asian Territories—Summaries of information transmitted under Article 73 e of the Charter of the United Nations: report of the Secretary-General	See ST/TRI/B.1962/2 and Add.1
A/5402/Add.1-5	Political and constitutional information on Asian Territories under United Kingdom administration	Mimeographed
A/5403	Caribbean and Western Atlantic Territories—Summaries of information transmitted under Article 73 e of the Charter of the United Nations: report of the Secretary-General	See ST/TRI/B.1962/3 and Add.1 and 2
A/5403/Add.1-11	Political and constitutional information on Caribbean and Western Atlantic Territories under United Kingdom administration	Mimeographed
A/5404	Pacific Territories—Summaries of information transmitted under Article 73 e of the Charter of the United Nations: report of the Secretary-General	See ST/TRI/B.1962/4
A/5404/Add.1-4	Political and constitutional information on Pacific Territories under United Kingdom administration	Mimeographed
A/5446/Rev.1	Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	<i>Official Records of the General Assembly, Eighteenth Session, Annexes, addendum to agenda item 23</i>
A/5514	Report of the Committee on Information from Non-Self-Governing Territories	<i>Ibid.</i> , <i>Eighteenth Session, Supplement No. 14</i>
A/5531	Special training programme for Territories under Portuguese administration: report of the Secretary-General	Replaced by A/5531/Rev.1 and Add.1 and 2
A/AC.35/L.376	International Bank loans and International Development Association credits for projects in Non-Self-Governing Territories: report prepared by the International Bank for Reconstruction and Development	Mimeographed
A/AC.96/189	The problem of refugees from Angola in the Congo (Leopoldville): report submitted by the United Nations High Commissioner for Refugees	Ditto
A/C.4/593	Financial implications of the draft resolution contained in document A/C.4/L.760: note by the Secretary-General	<i>Official Records of the General Assembly, Seventeenth Session, Annexes, agenda item 54</i>
A/C.4/611	Request for hearing	Mimeographed
A/C.4/612 and Add.1 and 2	Requests for hearings	Ditto
A/C.4/630	Statement by the Under-Secretary for Trusteeship and Information from Non-Self-Governing Territories at the 1501st meeting of the Fourth Committee	Mimeographed; for summary see A/C.4/SR.1501, paras. 1-4
A/C.4/632	Statement by the representative of Liberia at the 1509th meeting of the Fourth Committee	Mimeographed; for summary see A/C.4/SR.1509, paras. 12-16
A/C.4/633	Statement by the Under-Secretary for Trusteeship and Information from Non-Self-Governing Territories at the 1510th meeting of the Fourth Committee	Mimeographed; for summary see A/C.4/SR.1510, paras. 7-14
A/C.4/634	Statement by the representative of Ghana at the 1510th meeting of the Fourth Committee	<i>Idem</i> , paras. 16-27
A/C.4/636	Letter dated 11 December 1963 from Mr. M. S. Basendwah, representative of the Peoples Socialist Party and Aden Trades Union Congress, to the Chairman of the Fourth Committee	Mimeographed
A/C.4/638	Statement by Mr. M. S. Basendwah, representative of the Peoples Socialist Party and Aden Trades Union Congress, at the 1515th meeting of the Fourth Committee	Mimeographed; for summary see A/C.4/SR.1515, paras. 1-6
A/C.4/L.760 and Add.1	Dahomey, Ethiopia, Ghana, Guinea, Iran, Iraq, Liberia, Mali, Niger, Nigeria, Pakistan, Sierra Leone, Somalia, Sudan, Tanganyika, Togo, Uganda, United Arab Republic and Upper Volta: draft resolution	<i>Official Records of the General Assembly, Seventeenth Session, Annexes, agenda item 54</i>

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/C.4/L.786 and Add.1	Cambodia, Ceylon, Chad, Congo (Brazzaville), Congo (Leopoldville), Dahomey, Ghana, Guinea, India, Ivory Coast, Malaysia, Mali, Niger, Nigeria, Togo, Uganda and Yugoslavia : draft resolution	Adopted without change. See A/5673, para. 28, draft resolution I
A/C.4/L.787	Ceylon, Dahomey, Ghana, Guinea, India, Indonesia, Ivory Coast, Mali, Nigeria, Tanganyika and Uganda : draft resolution	Adopted as revised. See A/5673, paras. 22 and 28, draft resolution IV
A/C.4/L.788	Ghana, India, Iraq, Ivory Coast, Libya, Mauritania, Niger, Nigeria, Norway, Pakistan, United Arab Republic, Union of Soviet Socialist Republics, United States of America : draft resolution	Adopted without change. See A/5673, para. 28, draft resolution V
A/C.4/L.791	Draft report of the Fourth Committee	For the text of this document, as amended by the Fourth Committee at its 1515th meeting, see A/5673
A/C.4/L.792	Afghanistan, Algeria, Indonesia, Iraq, Kuwait, Libya, Morocco, Sudan, Syria, United Arab Republic and Yugoslavia : draft resolution	Adopted without change. See A/5673, para. 28, draft resolution III
A/C.5/964	Financial implications of draft resolution II submitted by the Fourth Committee in document A/5349 : note by the Secretary-General	<i>Official Records of the General Assembly, Seventeenth Session, Annexes</i> , agenda item 54
A/L.436 and Add.1	Afghanistan, Algeria, Cambodia, Ghana, Guinea, India, Indonesia, Iraq, Jordan, Mali, Mauritania, Morocco, Niger, Nigeria, Pakistan, Rwanda, Somalia, Syria, United Arab Republic and Yugoslavia : draft resolution	For the text of this document, see <i>Official Records of the General Assembly, Eighteenth Session, Supplement No. 15</i> , resolution 1949 (XVIII)



Agenda item 55: Question of South West Africa*

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* For the discussion of this item, see *Official Records of the General Assembly, Eighteenth Session, Fourth Committee*, 1453rd-1469th, 1471st-1474th, 1477th, 1496th and 1513th-1515th meetings; and *ibid., Plenary Meetings*, 1257th and 1284th meetings.

DOCUMENTS A/5526 AND ADD.1

Special educational and training programmes for South West Africa
Report of the Secretary-General

DOCUMENT A/5526

[Original text: English]
[18 September 1963]

1. By resolution 1705 (XVI) of 19 December 1961, the General Assembly decided to establish a special training programme for South West Africans. To finance the programme a sum of \$50,000 was allocated for 1962 and the same amount for 1963.

2. In the same resolution, the General Assembly also invited Member States to make available, directly or through voluntary agencies, for the use of South West Africans, all-expense scholarships both for the completion of secondary education and for various forms of higher education.

3. The Secretary-General was requested to report on the implementation of the resolution to the General Assembly at its regular sessions. The present report is the second report submitted to the Assembly in accordance with this request.¹

4. Information on the Special Training Programme is contained in section I of the report and information on the offers by individual Member States is given in section II below.

I. SPECIAL TRAINING PROGRAMME FOR SOUTH WEST AFRICANS

(a) General

5. The actions taken to establish the Special Training Programme were described in the previous report of the Secretary-General (A/5234 and Add.1). In brief,

following the terms of the General Assembly resolution, the types of training offered under the programme are as broad as possible and include secondary education, vocational training and higher studies. Successful applicants are granted scholarships covering the full cost of tuition, travel and maintenance, and are placed in existing schools or colleges, according to the studies to be pursued and the availability of places.

6. Scholarships are granted for one year, but are renewable until completion of the study course, subject to satisfactory performance by the student.

7. For the use of persons interested in applying for training, a pamphlet has been prepared to which application forms are attached. In response to inquiries about the programme, approximately 150 of these were sent to South West Africans during the period under review.

(b) Applications and awards

8. Since July 1962, when the first applications began to be received, a total of seventy-six have been submitted, of which fifty-one were submitted during the period under review. A notable feature of those received during the period covered by the previous report was that the majority came from the Rehoboth area, a "Coloured" community in the centre of South West Africa. The applications received during the period under review, on the other hand, have come from a more representative cross-section of the population and the majority of applicants have been young adults who have recently left the Territory.

9. Five awards had been made as of December 1962 and a further sixteen have been granted since January 1963. Eight students have so far been able to start their studies, including two of the five granted awards in

¹ For the previous report, see A/5234 and Add.1.

1962. One student is studying law at the Inns of Court, in the United Kingdom; one political science at Lincoln University, in Pennsylvania; one medical laboratory technology in New York; and five are attending secondary schools in the United States.

10. Places in schools or colleges have been obtained for four other students. One is scheduled to take an advanced nursing course at the Royal College of Nursing, in the United Kingdom; one an economics course at Fourah Bay College, in Sierra Leone; one a secondary school course also in Sierra Leone; and one a secondary school course in Ghana.

11. Requests for placement in schools or colleges for the remaining nine scholarship-holders, one for law and eight for secondary education, have been made to the relevant authorities in Ghana or Nigeria and replies are expected in the near future.

12. In addition to the above, places for twenty students have been secured at a special training centre at Kurasini in Tanganyika for refugee students, established by the African-American Institute at the request of the Tanganyika Government. The twenty South West Africans who will be recipients of United Nations awards for study at the centre are to be selected by a United Nations representative and a vocational specialist of the African-American Institute from among South West Africans at present in Bechuanaland. It is hoped that they will be able to begin their studies, which will be at the secondary level, by the end of September 1963. It is also anticipated that eleven South West Africans, at present in Dar es Salaam, will also receive United Nations awards for secondary study at the centre.

13. It will be noted that except for six awards, all the awards, including those anticipated at the special training centre, are for secondary studies. It became apparent once applications began to be received that very few applicants would possess qualifications which would enable them to enter colleges or universities. The typical applicant has attended secondary school for only one or two years and is, moreover, already over twenty years of age. The request of most applicants is therefore to complete their secondary education to a standard at which they can be accepted in colleges, or given vocational training.

(c) *Travel of United Nations scholars*

14. Owing to the inability of students to obtain official travel documents, difficulties have arisen during the period under review with regard to the travel of United Nations scholars both from within the Territory and from Bechuanaland through the Federation of Rhodesia and Nyasaland.

15. In this connexion, it will be recalled that prior to the passage of the General Assembly resolution the South African authorities had denied South West Africans travel documents and other facilities for taking advantage of educational opportunities in other areas. The General Assembly noted this fact in resolution 1705 (XVI) and accordingly requested Member States to facilitate the travel of South West Africans seeking to avail themselves of educational opportunities.

16. After the passage of the resolution, the Chairman and the Vice-Chairman of the former Special Committee for South West Africa, during their visit in May 1962 to South and South West Africa, endeavoured to ascertain whether students who had been awarded scholarships under resolution 1705 (XVI) would be

granted passports. The Prime Minister, however, "would go no further than to state that bursaries offered for post-graduate study overseas for the purpose of educational advancement would be sympathetically considered and that each case would be dealt with on its merits".²

17. Five awards, none of which is for post-graduate study, have so far been granted to applicants resident within South West Africa. Four were granted in 1962 and one in 1963. Four of the scholarship-holders are still in the Territory. The fifth student, who prior to his United Nations award had been refused a passport to take up a scholarship offered him in the Federal Republic of Germany, left the Territory without travel documents on learning of his United Nations award. Subsequently, en route to Tanganyika, he was arrested in Southern Rhodesia and imprisoned. After serving part of his sentence he was deported under Southern Rhodesian guard through Bechuanaland. The authorities of Bechuanaland obtained his release and thereafter it was possible to obtain a seat for him on a chartered plane flying to Tanganyika. Since November 1962, he has been studying in the United States.

18. For three of the four students still in the Territory, places in schools or colleges have been secured and their study programmes established. The first has been accepted in a secondary school in Sierra Leone and is due to enter in October 1963; the second has been accepted in a secondary school in Ghana and is due to enter in September 1963; and the third has been accepted at Fourah Bay College, Sierra Leone, and is due to enter in October 1963 to study for a diploma in economics, prior to his being trained as an educational administrator.

19. The first two students were advised, as soon as their study programmes had been established and their destinations were known, to apply for passports in order to take up their awards. One student, Mr. J. C. Beukes, informed the Secretariat that he had accordingly done so on 14 June 1963. The other student has not yet replied.

20. The third student, Mr. M. N. Januarie, in accepting his United Nations award, informed the Secretariat by a letter dated 13 August 1962, that he possessed a "tourist" passport valid for travel to the neighbouring territories of Rhodesia and Nyasaland, Basutoland, Swaziland and Portuguese Africa. After receiving confirmation that Mr. Januarie would be accepted in Fourah Bay College, the Secretariat inquired by a letter dated 21 December 1962 whether he was still in possession of his passport and whether he would be able to leave South West Africa without any difficulties.

21. In reply, by a letter dated 18 January 1963, Mr. Januarie pointed out that since Sierra Leone was not included in his present passport, he would have to apply for another passport. He requested that this be done through the United Nations and the South African representative to the United Nations and forwarded his tourist passport, together with other necessary documents, to the Secretariat, so that an application might be made on his behalf.

22. These documents were transmitted by the Secretariat to the Permanent Representative of South Africa to the United Nations under cover of a letter dated 6 March 1963. In this letter, the Permanent Representative was informed of the award and it was re-

² See A/5212, p. 7, para. (41).

quested that a passport valid for travel to Sierra Leone be granted Mr. Januarie, and forwarded to him, either directly or through the United Nations.

23. By a letter dated 7 June 1963, the Permanent Representative of South Africa replied as follows:

"I have been informed that the Executive Committee of South West Africa has made financial arrangements for Mr. Januarie to attend one of the South African universities in the Cape Province, namely the University College of the Western Cape. In view of this, Mr. Januarie's application for another passport for study abroad falls away, and the application form submitted by him, together with his present passport and other papers which accompanied your note, are attached".

24. Upon receipt of this letter, the Secretariat, by a letter of 12 June 1963, asked Mr. Januarie for confirmation that he had accepted the offer of a place at the University College, Western Cape, and that consequently he was no longer interested in the award granted him under the United Nations Special Training Programme for study at Fourah Bay College, Sierra Leone.

25. By a letter dated 20 June 1963, Mr. Januarie replied that the Executive Committee had on 14 March 1963 made available to him a study loan of £75 per year for three years to further his studies at the University College of the Western Cape. He had not accepted this loan and had informed the South West Africa Department of Education that he had already been granted a scholarship to study at Fourah Bay College, academic year October 1963. As it was his desire to make use of the scholarship granted by the United Nations, he requested all necessary assistance in enabling him to continue his studies without delay at Fourah Bay.

26. The Secretariat accordingly, by a letter dated 2 July 1963, addressed to the Permanent Representative of South Africa to the United Nations, renewed the request that Mr. Januarie be granted a passport. It was pointed out that registration at Fourah Bay College would begin on 30 September and the hope was expressed that favourable consideration to the passport application would be expedited to permit Mr. Januarie to reach Sierra Leone by that time, or in any event no later than the second week in October 1963.

27. At the same time, having been informed by Mr. Beukes that he had applied for a passport on 14 June, the Secretariat advised the Permanent Representative that Mr. Beukes had also been awarded a United Nations scholarship to study towards a B. A. degree at the University of Ghana and, in the first instance, to attend secondary school in Ghana for the normal period of sixth form preparation for admission to the University. Favourable consideration of Mr. Beukes' application for a passport by the South African Government, in time, if possible, for him to reach Ghana before the opening of the secondary school term in September 1963, was accordingly requested.

28. As of the date of the submission of the present report, no reply to the above letter has been received from the South African Government.

29. The sixteen remaining awards made to date have been granted to South West Africans who, on their own initiative, left the Territory without travel documents and who applied for scholarships from areas outside South West Africa.

30. Three of the scholarship-holders, for whom places have been requested in Ghana or Nigeria, are at present in Francistown, Bechuanaland. In addition, as noted above, places have recently been obtained for twenty other South West Africans now in Bechuanaland at the special training centre in Tanganyika.

31. In the knowledge that South West Africans without travel documents apprehended in Southern Rhodesia had been arrested, imprisoned and deported to South West Africa where they again had to stand trial, the Secretariat initiated inquiries both through the United Kingdom Mission to the United Nations, and through the United Nations Technical Assistance Board office at Dar es Salaam, as to whether the Federal Government would permit United Nations scholars, without official travel documents, to pass overland from Bechuanaland to Tanganyika en route to take up their awards. It was suggested that each South West African in question would be issued a document stating that he was a *bona fide* United Nations scholar, that he had permission to enter the country where his scholarship was tenable, and giving other details of his award. If necessary it was also suggested that a United Nations escort might accompany the scholarship-holders through the Federation.

32. By a letter dated 19 August 1963, the Office of the Prime Minister of the Federation of Rhodesia and Nyasaland, informed the Deputy Regional Representative (Rhodesia and Nyasaland) of the United Nations Technical Assistance Board in Dar es Salaam that the Federal Government would not permit South West African scholarship-holders not in possession of official travel documents to pass through the Federation en route to take up their awards.

33. In the circumstances, the possibilities of chartering an aircraft to fly from Francistown, Bechuanaland, to Dar es Salaam, Tanganyika, are being investigated. The students would be accompanied on the flight by a United Nations representative. Twenty would be granted scholarships for study at the special training centre at Kurasini; three others, who have already been awarded scholarships, would also be placed in the centre pending completion of the arrangements for their acceptance in secondary schools in Ghana or Nigeria.

(d) *Co-operation by the specialized agencies*

34. In accordance with the invitation contained in paragraph 4 of resolution 1705 (XVI) to the effect that the specialized agencies co-operate in the establishment of the programme, UNESCO was requested in October 1962, to publish information on the Special Training Programme and on the offers of scholarships by individual Member States, in its handbook *Study Abroad*. A special addendum to the 1963 edition of the handbook was accordingly issued and was of assistance in disseminating information on the scholarship opportunities for South West Africans. Similar information will also be included in the 1964 handbook.

35. In May 1963, when sufficient applications had been received to make an assessment of the needs of the candidates, an interim report on the progress of the programme was sent to FAO, ILO, WHO and UNESCO in which, *inter alia*, information was sought on whether any of the agencies had established or participated in any training schemes in Africa in which candidates over twenty years of age and seeking com-

pletion of their secondary education or vocational training could be associated and by what means this could be done.

36. By a letter dated 13 June 1963, the Secretariat was informed that UNESCO had not established any training scheme with which the type of student mentioned could be associated. The International Exchange Service of UNESCO felt that the initiative in such matters should come from Member States in Africa who were, of course, entirely free to give assistance as they wished. Apart from questions of cost, it would be very difficult for UNESCO to set up an adequate system of giving direct assistance to South West Africans. By helping other States in Africa to improve their educational facilities, UNESCO was indirectly increasing their potential aid to persons from other areas in the region.

37. By a letter dated 12 August 1963, the Director-General of the International Labour Office informed the Secretary-General that the Governing Body of ILO had authorized him to co-operate in the programme. Subsequently, discussions were held with the liaison officer of ILO in New York on ways and means whereby ILO could be of assistance, especially in the placing of candidates requiring vocational or on-the-job training, and a memorandum from ILO is to be submitted containing suggestions to this end.

II. OFFERS OF SCHOLARSHIPS BY INDIVIDUAL MEMBER STATES

38. In response to the invitation contained in operative paragraph 5 of General Assembly resolution 1705 (XVI), fourteen Member States made scholarships available for the use of South West Africans during the period under review. These Member States were Burma, China, Denmark, Ghana, India, Pakistan, Poland, Tanganyika, Tunisia, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America and Yugoslavia.

39. By letters dated 22 May 1963 addressed to each of the Member States, the Secretary-General requested information on whether any applications for scholarships had been received from South West Africans and whether any awards had been made.

40. As of the date of submission of the present report, replies have been received from nine Member States. Of these, Burma, India, Pakistan, the Union of Soviet Socialist Republics, and the United Kingdom each stated, in effect, that no applications had been received and that consequently no awards had been made.

41. Denmark replied that three applications had been received and one award granted; Ghana that two applications had been made and one granted; Poland that seventeen applications had been received and were under consideration; and the United States that ten awards had been made and a specialist grant had been given.

42. Thus, according to the information received by the Secretary-General, thirteen South West Africans were granted scholarships during the period under review by States Members of the United Nations.

43. For 1963-1964, in addition to the fourteen offers referred to above, the Secretary-General has also been informed that Italy will offer one scholarship specifically for a South West African at an Italian

university and that it is expected that the Norwegian authorities will organize, in 1964, special courses for post-graduate studies and research for which students from developing countries and Non-Self-Governing Territories, including South West Africa, will be able to apply.

44. In order to publicize the offers of scholarships by individual Member States, the Secretariat prepared a pamphlet giving details of the various scholarships and explaining how to apply for them. A considerable number of these pamphlets have been sent to South West Africans inquiring about the offers and to representatives of South West African political organizations. Information on the offers was also included in the 1963 edition of the UNESCO handbook *Study Abroad* and will also be included in the 1964 edition.

45. Details of the offers by individual Member States are as follows:

Burma

46. The offer of three scholarships specifically for the use of South West Africans, made in 1962, continued during the period under review. The scholarships are for study at the University of Rangoon or the University of Mandalay. Qualifications required of applicants are that they should either be graduates or must have passed the General Certificate of Education (G.C.E.) of London University; or the University of Cambridge Oversea School Certificate Grade (A) examination. The scholarships are tenable for one to two years in the case of graduates and for three years in the case of other students.

47. The scholarships include a maintenance grant of 250 kyats per month, tuition fees of 260 kyats per annum and the cost of the necessary text-books not exceeding 200 kyats per annum. Travel expenses are not included in the scholarships.

48. Applications for the scholarships are submitted through the Secretary-General.

49. By letter dated 13 August 1963, the Secretary-General was informed that as no applications had been received, no awards had been made.

China

50. The offer made by the Government of the Republic of China in 1962 continued during the period under review.

51. No scholarships have been made available specifically for the use of South West Africans. However, qualified South West Africans can apply for: (a) short-term (5-6 months) agricultural fellowships offered by the Chinese Government under technical assistance programmes to students from Africa; and (b) fellowships offered to UNESCO for the training of African university staff.

52. Applicants for the agricultural fellowships are required to be graduates of agricultural schools or *bona fide* farmers with actual farming experience of not less than two years. The fellowships include round-trip travel expenses to Taipei and a daily stipend of 200 Taiwan dollars (\$US 5). Applications for the scholarships are submitted through the Chinese Foreign Ministry, Taipei.

53. The fellowships offered through UNESCO for the training of African university staff are for study in basic sciences, social sciences, humanities, and mass communication techniques. The fellowships are tenable

for a period of from one to three years. Applicants are required to possess a secondary-school-leaving certificate, but preference is given to candidates who have completed degree studies or who have followed university courses, or are secondary school teachers.

54. The fellowships include round-trip travel expenses, 800 new Taiwan dollars per month for board and lodging; 400 Taiwan dollars per month for personal expenses; 400 Taiwan dollars per month for installation expenses; tuition and laboratory fees; and 50 United States dollars for book allowance. Applications are submitted to the International Exchange Service, UNESCO, Place de Fontenoy, Paris 7^e, France.

Denmark

55. By a note dated 29 November 1962 the Secretary-General was informed that the Danish Government would welcome applications for fellowships although its programme for bilateral assistance to developing countries did not allow for allocation in advance of a certain number of fellowships to a particular country or territory. All applications were assessed on the basis of merit and fellowships or scholarships awarded on the basis of priority.

56. The fields in which the Danish authorities had most frequently found themselves able to arrange useful training programmes were those of agriculture, adult education and co-operation.

57. Applications should be forwarded to the Danish Ministry of Foreign Affairs, Board of Technical Co-operation with Developing Countries, Kronprinsessegade 4, Copenhagen. Applications should be forwarded either by the applicant himself, who should submit a letter of recommendation from a local South West African authority, or preferably through the United Nations Secretariat.

58. So as to make it possible to investigate the feasibility of arranging an appropriate training programme in Denmark, all applications should give detailed information on the *curriculum vitae* of the applicant, his prior practical and theoretical training, his specific wishes with regard to further training, and the use to which he intended to put his further education.

59. It was a prerequisite for a foreigner for training in Denmark to have a good knowledge of either English or German.

60. It was in principle a rule that travel expenses should be borne by the applicant himself. Deviations were made only in exceptional cases.

61. By a letter dated 17 July 1963 the Secretary-General was informed that three South West Africans had contacted the Danish authorities to obtain scholarships. Only two had submitted formal requests, the third student having failed to return the application form. One request was approved and the other was not granted.

Ghana

62. The offer made by Ghana in 1962 continued during the period under review.

63. Ghana does not offer a specific number of scholarships for the use of South West Africans but they can apply for the scholarships made available for students from Non-Self-Governing Territories.

64. These scholarships are for university or technical studies at the University College, Ghana, or

Kumasi College of Technology. They are tenable for three or four years.

65. Applicants are required to be qualified for college studies and to have a knowledge of English. Applications are sent direct to the Government through the embassies and the British High Commission.

66. Round-trip travel expenses, tuition, room and board, free medical care, allowances for clothing and holidays are included in the scholarships.

67. By a letter dated 8 August 1963, the Secretary-General was informed that in the award of scholarships no distinction was made between students from South West Africa and students from other Non-Self-Governing Territories. The actual number of South West African beneficiaries of Ghanaian scholarships would therefore depend on the response actually received from the area. So far only two applications had been received and only one award had been made.

India

68. For 1962-1963, as referred to in the previous report of the Secretary-General (A/5234, para. 33), the Government of India made available three scholarships for the use of South West Africans for studies at the university level.

69. By a note dated 31 July 1963, the Secretary-General was informed that unfortunately no applications had been received for these scholarships.

70. By the same note, the Secretary-General was advised that the Government of India would make available three more scholarships for the academic year 1963-1964.

71. The Government would pay in respect of each scholar: (a) tuition fees, examination fees and all other fees compulsorily payable by each student; (b) cost of books, instruments and necessary equipment up to 200 rupees per year; (c) typing charges for thesis within 200 rupees per year as fixed in (b); (d) certified study tour expenses at prescribed rates; (e) maintenance allowance of 250 rupees per month; (f) medical expenses; (g) travel and per diem allowance at prescribed rates for scholars attending approved holiday or youth camp; (h) travel costs of scholars attending approved introduction course; (i) tuition of 30 rupees per month for maximum period of six months for scholars interested in learning Hindi. Round-trip tourist-class air fare and rail fare in Africa and in India would also be paid.

72. Applications could be sent through the Indian consular offices or through the Permanent Mission of India to the United Nations.

Italy

73. By a note dated 7 May 1963, the Secretary-General was informed that the Government of Italy would make available for the academic year 1963-1964 one scholarship for the use of South West Africans for university studies. The scholarship would be tenable for one year, but would be renewable. It would include 60,000 Italian lire per month (of which 30,000 would be paid the college for maintenance); 60,000 lire for university fees and books; 15,000 lire for obligatory insurance; and 800 lire for legal fees. For the costs of air passage to Italy, 199,200 lire would be granted.

74. Applications were to be addressed to the Italian Embassy, Pretoria.

Norway

75. By a note dated 24 June 1963, the Secretary-General was informed that the question of offering Norwegian scholarships to South West Africans would have to be considered in the general context of educational and training facilities in Norway for students from the developing countries. These facilities, which were adapted for Norwegian conditions, had not proved to be particularly suitable for students from developing countries, judged on past experience, according to a survey made by the Norwegian Agency for International Development, the main administrative organ in Norway for economic and technical co-operation with the developing countries. It would be recalled that several other European countries had had the same experience. In particular, this had been the case for students who had engaged in elementary or basic university studies of the under-graduate type, which necessitated several years' stay in Norway with all the difficulties involved in the adjustment to living and climatic conditions in a foreign country.

76. In the light of this experience, the Norwegian authorities had come to the conclusion that the most appropriate contribution of Norway to the educational needs of the developing countries would be to provide facilities for post-graduate studies and research in areas where Norway's educational institutions had particular knowledge and competence, compared with other industrialized countries. By offering scholarships to well-qualified candidates for participation in special courses, with English as the teaching language and for the duration of a year or so, Norway might be able to convey useful knowledge to the developing countries in certain selected fields such as fishery economics, public administration and economic planning. Courses on these subjects were included in the programme of the Norwegian Agency for International Development. The said courses would be open for students from all developing countries and Non-Self-Governing Territories, including South West Africa.

77. It followed that the Norwegian authorities did not contemplate any particular scholarships for South West Africans, but had deemed it desirable in connexion with General Assembly resolution 1705 (XVI), to draw attention to the special educational facilities that were expected to be organized in Norway in the near future, for the benefit of students from developing countries.

Pakistan

78. As referred to in the previous report of the Secretary-General (A/5234, para. 36), the Government of Pakistan made available two scholarships under its Cultural Scholarships Scheme to students from South West Africa for studies in Pakistan during 1962-1963.

79. By a note dated 8 August 1963, the Secretary-General was informed that no applications had been received for these scholarships.

80. By the same note, the Secretary-General was advised that the Government of Pakistan would offer one scholarship in medicine for the academic year 1963-1964.

81. The minimum qualifications required for admission to this course was intermediate in science (medical group).

82. The rate of the scholarship was 250 rupees per month. In addition 150 rupees would be granted an-

nually as equipment allowance and up to 25 rupees per month as medical treatment allowance. A study tour allowance of 200 rupees annually would also be granted. No travel allowance was included, but the Government was considering the granting of this facility.

83. Applications were to be sent to the Ministry of Education, Karachi.

Poland

84. The offer made in 1962 of two scholarships for higher education continued during the period under review.

85. Candidates may study in the field of their choice and the scholarships include: free round-trip travel; a monthly stipend of 880 zlotys payable throughout the duration of the course and the course in the Polish language; refund of costs connected with the studies and a supply of clothing valued at 3,100 zlotys; free lodging in the students' home and free medical care; a preliminary one-year course in Polish.

86. Candidates must have completed secondary schools, must know English or French and be in good health. Applications may be sent through the Permanent Mission of Poland to the United Nations, the Ministry of Foreign Affairs, Warsaw, or through one of the Polish embassies in Africa or Western Europe.

87. By a letter dated 21 August 1963, the Secretary-General was informed that five applications had been received for higher education and twelve for technical education. The applications were under consideration by the competent Polish authorities.

Tanganyika

88. The offer made in 1962 of five secondary school places continued during the period under review.

89. Applicants for the scholarships must not be over fifteen years of age, must have a good command of written and spoken English, and must have completed a minimum of eight years of education. Travel costs are included in the scholarships.

90. Applications are submitted through the Secretary-General for submission to the Permanent Secretary, Ministry of Education and Information Services, P. O. Box 9121, Dar es Salaam.

91. Two applications for these scholarships were received by the Secretary-General and forwarded to the Tanganyika authorities concerned. No information has been received as of the date of submission of this report on whether any scholarships have been awarded, but one application was reportedly receiving favourable consideration.

Tunisia

92. As referred to in the previous report of the Secretary-General (A/5234, para. 44), the Government of Tunisia offered two scholarships for secondary education and one scholarship for higher studies for the academic year from October 1962 to June 1963.

93. No information was received on whether or not any of these scholarships had been awarded.

Union of Soviet Socialist Republics

94. The offer made in 1962 of scholarships at the Patrice Lumumba University of Friendship Among

Nations, Moscow, continued during the period under review.

95. The University of Friendship admits Africans, Asians and Latin Americans under thirty-five years of age, without distinction as to race, nationality or religious belief.

96. The University trains specialists in the following fields: engineering, agriculture, medicine, physico-mathematical and natural sciences, economics and economic planning, history and philology, and international law.

97. The course of study at the University is four years or, for the medical sciences, five years.

98. Persons who have not completed the necessary preparatory studies may be admitted to the University's preparatory division, where they are able to complete their secondary education in one to three years. Persons who have had a general secondary education but who do not know the Russian language can also enter the preparatory division for up to one year, during which they are taught Russian.

99. All costs in respect of tuition fees, medical services, hostel accommodation and travel to and from the Union of Soviet Socialist Republics are defrayed by the Soviet Union. Applications are sent to the University at the following address: 5 Donsky Proezd, No. 7, Moscow B-302, USSR, or may be sent through an appropriate Soviet embassy or consulate.

100. By a note dated 13 August 1963 the Secretariat was informed that in 1962 and 1963 no applications had been received by the University from South West Africans. In the beginning of 1963 the University had sent to some parts of South West Africa regulations for enrolment but there was no response.

United Arab Republic

101. By a note dated 16 April 1962 and by further notes dated 8 January and 1 and 28 March 1963, the Secretary-General was informed that the Ministry of Higher Education had decided to make available for students from South West Africa five scholarships, three of which would be for university education and two for general and technical education.

102. Candidates could arrive in Cairo at any time during 1963 and they would start special courses in Arabic to be continued through the year, in preparation for the academic year 1963-1964.

103. Beneficiaries of the university scholarships would receive free tuition; an installation grant of £Egyptian 10; a monthly allowance of £12; and a book allowance of £20 for medical students, £15 for science and technical students and £10 for other students.

104. Beneficiaries of the general scholarships would receive free tuition, an installation grant of £10 and a monthly allowance of £10 plus the necessary books.

105. All the scholarships would be tenable for one year, but renewable to the end of the study course.

106. Round-trip travel expenses would be included in the scholarships.

107. By a note dated 15 July 1963, the Secretary-General was informed that the five scholarships had not been used.

United Kingdom of Great Britain and Northern Ireland

108. As referred to in the previous report of the Secretary-General (A/5234, para. 58), in 1962 the British Council offered two scholarships for the academic year 1962-1963 which were available to citizens of the Republic of South Africa and for which South West Africans could also apply. Applications were to be addressed to Mr. Butlin, c/o Her Majesty's Embassy, Pretoria.

109. By a letter dated 16 July 1963, the Secretary-General was informed that no South West Africans had applied for the scholarships and hence no awards were made.

110. By the same letter, the Secretary-General was advised that twenty-two scholarships were being offered for the year 1963-1964 for South Africa as a whole, including South West Africa. Applications had been received for these scholarships and were being considered but it was not possible to say what awards, if any, would be made to South West Africans.

United States of America

111. For 1962-1963, the United States Government made available ten scholarships for the use of South West Africans. Five of these scholarships provided for all expenses and five provided for round-trip travel expenses between the recipients' places of residence and the United States for such selected South West Africans as were able to obtain from private sources adequate funds for their schooling and maintenance in the United States.

112. By a note dated 22 July 1963, the Secretary-General was informed that all ten scholarships had been awarded and that the ten students were now studying in the United States. Five of them were studying at the high school level. The scholarships were renewable depending on the performance of the student. The renewals were intended to see a student through his first university degree in the United States. Apart from the ten student scholarships, the United States Government had awarded one specialist grant to a South West African in the field of veterinary medicine.

113. In addition to the above awards, the United States Government was aware of five scholarships which had been awarded to South West Africans under private American auspices.

114. By the same note, the Secretary-General was advised that for 1963-1964 the United States Government planned to offer an additional ten full scholarships to South West Africans. Selection of scholarship recipients would be made in accordance with the standards and procedures established for the United States educational and cultural programme. Applications should be sent to the United States diplomatic or consular office nearest the places of residence.

Yugoslavia

115. In 1962 the Commission for Cultural Relations with Foreign Countries of Yugoslavia offered two scholarships for regular (university) studies for the academic year 1962-1963 to students from South West Africa. The scholarships included travel expenses. Applications were to be sent to the Commission for Cultural Relations, Birčaninova, Beograd.

116. No information has been received as of the date of the submission of this report on whether these scholarships have been awarded.

DOCUMENT A/5526/ADD.1

[Original text: English]
[22 October 1963]

In reference to paragraph 28 of the report (A/5526), concerning applications made for the grant of passports to two South West Africans awarded scholarships under the Special Training Programme, the following letter, dated 10 October 1963, has been received by the Secretariat from the Permanent Representative of South Africa to the United Nations:

"I have the honour to refer to your letter . . . of 2 July 1963 relating to the scholarships awarded to Messrs. M. N. Januarie and J. C. Beukes. In this connexion I should like to direct your attention to the discussions on educational matters which took place in Pretoria in May, 1962, between the South African Government and the Chairman and Vice-Chairman of the United Nations Special Committee on South West Africa and which are described in the last paragraph on page 2 *et seq* of United Nations Press Release GA/2501.

"You will recall that the Honourable Dr. H. F. Verwoerd indicated at the time that bursaries offered to South West African students for post-graduate study abroad for the purpose of educational advancement would be sympathetically considered, but that each case would be dealt with on its merits.

"Apart from the fact that Mr. Januarie's case falls outside the scope of the Prime Minister's statement, as post-graduate study is not involved, I should like to direct your attention to the following:

"(a) Mr. Januarie was able, with the financial assistance of the South West Africa Administration,

to complete a two-year teachers' course in Coronationville, Johannesburg. While his training was free of charge, he received a sum of R.350 for the period 1960-1961 to cover accommodation and other expenses.

"(b) In 1962 Mr. Januarie applied for a scholarship of R.400 per annum of three-year duration in order to study for a B.A. degree (Social Work) at the University College of the Western Cape, as well as for a study loan of R.150 per annum for three years. Although the applicant could, on the strength of his academic achievement, not be taken into consideration for one of the scholarships, the authorities nevertheless decided to grant him a study loan of R.150 per annum for three years, in view of the fact that vacancies for graduates in social service will be available in future.

"The South African authorities are not able, in view of the foregoing, to grant passport facilities to this student for study abroad. You will appreciate that, as South Africa has the necessary study facilities and as the authorities are prepared to place them at the disposal of Mr. Januarie, he will not as a result of this action be deprived of an opportunity to further his studies.

"The considerations relating to post-graduate study as outlined by the South African Prime Minister also apply to the case of Mr. J. C. Beukes, who has apparently not so far approached the South West Africa Administration for financial assistance in connection with his proposed studies.

"The enclosures to your letter of 2 July 1963 are attached."

DOCUMENTS A/5605 AND ADD.1**Report of the Fourth Committee****DOCUMENT A/5605****Part I**

[Original text: English]
[12 November 1963]

1. At its 1210th meeting, on 20 September 1963, the General Assembly allocated to the Fourth Committee the following item on its agenda:

"55. Question of South West Africa:

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

"(b) Special educational and training programmes for South West Africa: report of the Secretary-General".

2. In connexion with the consideration of this item, the Committee granted the following requests for hearings:

Petitioner	Meeting at which the request was granted
The Reverend Michael Scott (A/C.4/599)	1434th
Mr. Jacob Kuhangua (A/C.4/599)	1434th
Mr. Sam Nujoma (A/C.4/599)	1434th

Petitioner	Meeting at which the request was granted
Mr. Nathanael Mbaeva (A/C.4/599/Add.1)	1436th
Mr. Emil Appolus (A/C.4/599/Add.2)	1450th
Dr. Kenneth Abrahams (A/C.4/599/Add.2)	1450th
The Reverend Markus Kooper (A/C.4/599/Add.3)	1451st
Mr. Moses Garoeb (A/C.4/599/Add.4)	1452nd
Mr. Brian Bassingthwaighe (A/C.4/599/Add.5)	1455th

3. At its 1453rd meeting, on 22 October 1963, the Committee began the hearing of petitioners, with statements by Mr. Nathanael Mbaeva, representing the South West Africa National Union (SWANU), and the Reverend Markus Kooper, representing the South West Africa United National Independence Organization (SWAUNIO). At the 1454th meeting on the same date, the Reverend Michael Scott addressed the Committee. At the 1455th meeting, on 23 October, Mr. Brian Bassingthwaighe, Mr. Moses Garoeb and Mr. Jacob Kuhangua, the last-mentioned representing the South West Africa Peoples Organization (SWAPO), addressed the Committee. At the 1454th to 1456th meetings, on 22 and 23 October, petitioners answered questions put to them by members of the Committee. Subsequently, the six petitioners jointly addressed to

the Chairman a letter dated 25 October 1963 which the Committee decided to circulate as a document (A/C.4/613). The Reverend Markus Kooper and the Reverend Michael Scott again addressed the Committee at its 1472nd meeting, on 8 November.

4. Three of the petitioners granted hearings—Mr. Nujoma, Mr. Appolus, and Dr. Abrahams—did not appear before the Committee.

5. At the 1457th meeting, on 25 October, the Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples introduced the report of that Committee on South West Africa (A/5446/Rev.1, chap. IV).

6. The general debate on the item took place from the 1457th to 1465th meetings, between 25 October and 1 November. The Committee decided that the statements made by the representative of Ceylon at the 1459th meeting (A/C.4/615 and Corr.1) and by the representative of Venezuela at the 1460th meeting (A/C.4/617) should be circulated as documents.

7. The Committee continued its consideration of the item at its 1466th to 1469th and 1471st to 1474th meetings, between 4 and 11 November.

8. At its 1468th, 1469th and 1471st to 1474th meetings, the Committee considered draft resolutions concerning the item. These dealt with:

- I. The question of South West Africa;
- II. Petitions concerning the Territory of South West Africa;
- III. Special educational and training programmes for South West Africans.

9. An account of the Committee's consideration of these draft resolutions and of amendments thereto is given in sections I to III below.

I. QUESTION OF SOUTH WEST AFRICA

10. At the 1468th meeting, the representative of the Sudan introduced a draft resolution which was finally sponsored by Algeria, Burma, Burundi, Cambodia, Cameroon, Ceylon, Chad, Congo (Brazzaville), Congo (Leopoldville), Dahomey, Ghana, Guinea, India, Indonesia, Iraq, Ivory Coast, Jamaica, Jordan, Kuwait, Libya, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Philippines, Somalia, Sudan, Syria, Tanganyika, Togo, Uganda, United Arab Republic and Yemen (A/C.4/L.777 and Add.1-3). By this draft resolution, as orally revised at the 1471st meeting,³ the General Assembly, after, *inter alia*, expressing deep concern "at the present critical situation in South West Africa, the continuation of which constitutes a serious threat to international peace and security":

"1. *Approves* the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples on the question of South West Africa, particularly its conclusions and recommendations, and expresses keen appreciation for the work of the Committee;

³ The revision concerned solely operative paragraph 7 (a) and (b), which, in the original text, read:

"(a) Refraining forthwith from the supply of any arms or military equipment to South Africa;

"(b) Refraining also from the supply or sale of any petroleum or petroleum products to South Africa;"

"2. *Solemnly reaffirms* the inalienable right of the people of South West Africa to self-determination and independence;

"3. *Condemns* the Government of the Republic of South Africa for its persistent refusal to co-operate with the United Nations in applying the principles of the United Nations Charter and implementing the resolutions of the General Assembly;

4. *Considers* that any attempt to annex a part or the whole of the Territory of South West Africa constitutes an act of aggression;

"5. *Requests* the Secretary-General:

"(a) To continue his efforts with a view to achieving the objectives stated in operative paragraphs 5 and 6 of resolution 1805 (XVII);

"(b) To invite the Government of South Africa to inform him of its decision regarding the provisions of those paragraphs not later than 30 November 1963;

"(c) To report to the General Assembly immediately after he has received the reply of the Government of South Africa;

"6. *Decides* to draw the attention of the Security Council to the present critical situation in South West Africa, the continuation of which constitutes a serious threat to international peace and security;

"7. *Urges* all States which have not yet done so to take, separately or collectively, with reference to the question of South West Africa, the following measures:

"(a) Refrain forthwith from the supply in any manner or form of any arms or military equipment to South Africa;

"(b) Refrain also from supplying in any manner or form any petroleum or petroleum products to South Africa;

"(c) Refrain from any action which might hamper the implementation of this resolution and of the previous resolutions of the General Assembly on South West Africa;

"8. *Requests* the Special Committee:

"(a) To continue its efforts with a view to discharging the tasks assigned to it by resolution 1805 (XVII);

"(b) To consider, in co-operation with the Secretary-General and the agencies of the United Nations, the implications of the activities of the mining industry and the other international companies having interests in South West Africa, in order to assess their economic and political influence and their mode of operation;

"(c) To report on these questions to the General Assembly at its nineteenth session;

"9. *Decides* to maintain the question of South West Africa on the agenda of the eighteenth session and to resume consideration of this question in the light of the reply of South Africa given in accordance with paragraph 5 above, and immediately after receipt of that reply."

11. At the 1471st meeting, the United States of America submitted the following amendments (A/C.4/L.779) to draft resolution A/C.4/L.777 and Add.1-3:

"1. Replace the thirteenth preambular paragraph by the following:

"*Deeply concerned* that the situation in South West Africa constitutes a dangerous source of international friction;".

"2. Replace operative paragraph 4 by the following:

"*Considers* that an attempt by the Government of South Africa to annex all or part of the Territory of South West Africa would be a violation of the Mandate and of international law;".

"3. Replace operative paragraph 6 by the following:

"*Determines* that the situation in South West Africa constitutes a dangerous source of international friction;".

"4. Add the words 'in accordance with the Security Council resolution of 7 August 1963 (S/5386)' at the end of operative paragraph 7 (a).

"5. Delete operative paragraph 7 (b).

"6. Delete operative paragraph 8 (b) and add a new operative paragraph 9 as follows:

"9. *Requests* the Secretary-General to prepare a study of the mining industry and other international investments in the Territory of South West Africa and their effect on the welfare of the people of South West Africa."

12. The thirty-eight-Power draft resolution (A/C.4/L.777 and Add.1-3), as orally revised, and the United States amendments thereto (A/C.4/L.779), were voted upon at the 1473rd meeting, on 8 November 1963, as follows:

The first United States amendment was rejected by 66 votes to 20, with 15 abstentions.

The second United States amendment was rejected by 66 votes to 20, with 14 abstentions.

The third United States amendment was rejected by 67 votes to 20, with 14 abstentions.

The fourth United States amendment was rejected by 58 votes to 22, with 20 abstentions.

The fifth United States amendment was rejected by a roll-call vote of 67 to 22, with 14 abstentions. The voting was as follows:

In favour: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Greece, Iceland, Iran, Ireland, Italy, Japan, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Afghanistan, Albania, Algeria, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Czechoslovakia, Dahomey, Ethiopia, Gabon, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Iraq, Israel, Ivory Coast, Jamaica, Jordan, Kuwait, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Panama, Philippines, Poland, Romania, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tanganyika, Thailand, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Uruguay, Yemen, Yugoslavia.

Abstaining: Argentina, Bolivia, Brazil, Chile, China, Cyprus, Ecuador, Guatemala, Laos, Lebanon, Mexico, Peru, Trinidad and Tobago, Venezuela.

The sixth United States amendment was rejected by 69 votes to 16, with 16 abstentions.

Operative paragraph 7 (b) of the draft resolution (A/C.4/L.777 and Add.1-3), as orally revised, was adopted by a roll-call vote of 72 to 14, with 18 abstentions. The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Ethiopia, Gabon, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Iraq, Israel, Ivory Coast, Jamaica, Jordan, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Panama, Philippines, Poland, Romania, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tanganyika, Thailand, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Uruguay, Yemen, Yugoslavia.

Against: Australia, Canada, Finland, France, Iran, Ireland, Italy, Netherlands, New Zealand, Portugal, South Africa, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Austria, Belgium, Chile, China, Denmark, Ecuador, Greece, Guatemala, Iceland, Japan, Mexico, Norway, Peru, Sweden, Trinidad and Tobago, Turkey, Venezuela.

The draft resolution as a whole as orally revised, was adopted by a roll-call vote of 82 to 6, with 16 abstentions. The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Ecuador, Ethiopia, Gabon, Ghana, Guatemala, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Israel, Ivory Coast, Jamaica, Jordan, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Poland, Romania, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tanganyika, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: France, Portugal, South Africa, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, Greece, Iceland, Ireland, Italy, Japan, Netherlands, New Zealand, Norway, Sweden, Turkey.

13. At the 1474th meeting, the representative of South Africa requested that it be recorded that South Africa had not participated in the vote on the United States amendments (A/C.4/L.779) to the draft resolution.

14. The text of the draft resolution is set forth in paragraph 23 of the present report as draft resolution I.

II. PETITIONS CONCERNING THE TERRITORY OF SOUTH WEST AFRICA

15. The Committee had before it a draft resolution proposed by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples on petitions concerning the Territory (A/5446/Rev.1, chap.IV, para. 217). Under this draft resolution, the General Assembly would draw the attention of the petitioners concerned to the Special Committee's report on South West Africa (A/5446/Rev.1, chap. IV), to the report of the Secretary-General on special educational and training programmes for South West Africa (A/5526 and Add.1) and to the resolutions on the question of South West Africa adopted by the General Assembly at its eighteenth session.

16. The draft resolution was unanimously adopted by the Fourth Committee at its 1473rd meeting, on 8 November 1963.

17. At the 1474th meeting, the representative of South Africa stated that South Africa would not have participated in the vote on the draft resolution if it had been put to the vote.

18. The text of the draft resolution is set forth in paragraph 23 of the present report as draft resolution II.

III. SPECIAL EDUCATIONAL AND TRAINING PROGRAMMES FOR SOUTH WEST AFRICA

19. At the 1469th meeting, the representative of Ghana introduced a draft resolution which was finally sponsored by Algeria, Bulgaria, Burma, Ghana, Guinea, India, Ivory Coast, Madagascar, Mali, Mauritania, Senegal, Syria, Tanganyika, Uganda, United Arab Republic, Upper Volta and Yugoslavia (A/C.4/L.778 and Add.1 and 2), whereby the General Assembly would: express its appreciation to those Member States who had made scholarships and travel grants available for the use of South West Africans; invite those Member States offering scholarships and those which might subsequently do so to consider providing in their offers scholarships for secondary education and for vocational and technical training; further invite Member States to give sympathetic consideration to requests by the Secretary-General for placement in their secondary, vocational or technical schools, of candidates awarded scholarships under the Special Training Programme for South West Africa; once again request all Member States, and in particular the Republic of South Africa, to facilitate in all possible ways the travel of South West Africans seeking to avail themselves of educational opportunities provided under that Programme; and request the Secretary-General to consult with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples concerning the implementation of the Special Training Programme and to report thereon to the General Assembly at its nineteenth session.

20. The seventeen-Power draft resolution was unanimously adopted by the Fourth Committee at its 1473rd meeting, on 8 November 1963.

21. At the 1474th meeting, the representative of South Africa stated that South Africa would not have

participated in the vote on the draft resolution if it had been put to the vote.

22. The text of the draft resolution is set forth in paragraph 23 of the present report as draft resolution III.

Recommendations of the Fourth Committee

23. The Fourth Committee therefore recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I

QUESTION OF SOUTH WEST AFRICA

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

Draft resolution II

PETITIONS CONCERNING THE TERRITORY OF SOUTH WEST AFRICA

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

Draft resolution III

SPECIAL EDUCATIONAL AND TRAINING PROGRAMMES FOR SOUTH WEST AFRICA

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

DOCUMENT A/5605/ADD.1

Part II

[Original text: English]
[13 December 1963]

1. On 12 November 1963, the Fourth Committee submitted its report to the General Assembly on the question of South West Africa. The resolution on the question recommended to the General Assembly in that report was adopted by the Assembly on 13 November 1963, as resolution 1899 (XVIII).

2. Paragraph 5 of that resolution requested the Secretary-General:

"(a) To continue his efforts with a view to achieving the objectives stated in operative paragraphs 5 and 6 of General Assembly resolution 1805 (XVII);

"(b) To invite the Government of South Africa to inform him of its decision regarding the provisions of those paragraphs not later than 30 November 1963;

"(c) To report to the General Assembly immediately after he has received the reply of the Government of South Africa;"

3. By the same resolution, the General Assembly also decided:

"To maintain the question of South West Africa on the agenda of its eighteenth session and to resume consideration of this question in the light of the reply of the Government of South Africa, given in accordance with paragraph 5 above, and immediately after receipt of that reply.

4. Pursuant to paragraph 5 of resolution 1899 (XVIII) of 13 November 1963 referred to above,

the Secretary-General submitted a report on 2 December 1963 (A/5634).

5. At the 1513th meeting, on 12 December 1963, the Committee resumed consideration of the question of South West Africa in the context of the report of the Secretary-General. The representative of Syria introduced a draft resolution which was finally sponsored by Afghanistan, Algeria, Bulgaria, Burundi, Cambodia, Cameroon, Ceylon, Chad, Congo (Brazzaville), Congo (Leopoldville), Dahomey, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Kuwait, Libya, Malaysia, Mali, Mauritania, Mongolia, Morocco, Niger, Nigeria, Philippines, Senegal, Sierra Leone, Sudan, Syria, Tanganyika, Uganda, United Arab Republic, and Upper Volta (A/C.4/L.790 and Add.1).

6. The Committee considered this draft resolution at its 1513th, 1514th and 1515th meetings, on 12 and 13 December 1963.

7. At the 1515th meeting, the sponsors, accepting an amendment orally proposed by the representative of Sweden, revised the final preambular paragraph of the draft resolution to state that the situation obtaining in South West Africa "is seriously disturbing international peace and security" instead of "constitutes a threat to international peace and security".

8. At the same meeting, the Committee approved the thirty-eight-Power draft resolution (A/C.4/L.790 and Add.1), as orally revised, by a roll-call vote of 88 to 2, with 3 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria,

Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cyprus, Czechoslovakia, Dahomey, Denmark, Ecuador, Finland, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kuwait, Libya, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Romania, Senegal, Sierra Leone, Somalia, Sudan, Sweden, Syria, Tanganyika, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Portugal, South Africa.

Abstaining: France, Spain, United Kingdom of Great Britain and Northern Ireland.

Recommendation of the Fourth Committee

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

QUESTION OF SOUTH WEST AFRICA

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

DOCUMENT A/5634

Report of the Secretary-General

[Original text: English]
[2 December 1963]

1. By resolution 1899 (XVIII) of 13 November 1963, the General Assembly requested the Secretary-General:

"(a) To continue his efforts with a view to achieving the objectives stated in operative paragraphs 5 and 6 of General Assembly resolution 1805 (XVII);

"(b) To invite the Government of South Africa to inform him of its decision regarding the provisions of those paragraphs not later than 30 November 1963;

"(c) To report to the General Assembly immediately after he has received the reply of the Government of South Africa;"

2. On 13 November 1963, the Secretary-General accordingly addressed a letter to the Chairman of the Delegation of South Africa to the eighteenth session of the General Assembly, the text of which read as follows:

"I have the honour to transmit herewith the text of resolution 1899 (XVIII) adopted by the General Assembly at its 1257th plenary meeting on 13 November 1963. I draw to your attention in particular operative paragraph 5 of the resolution which reads as follows:

"5. Requests the Secretary-General:

"(a) To continue his efforts with a view to achieving the objectives stated in operative para-

graphs 5 and 6 of General Assembly resolution 1805 (XVII);

"(b) To invite the Government of South Africa to inform him of its decision regarding the provisions of those paragraphs not later than 30 November 1963;

"(c) To report to the General Assembly immediately after he has received the reply of the Government of South Africa."

"Under the terms of this paragraph I have the honour to invite the Government of South Africa to inform me of its decision regarding the provisions of paragraphs 5 and 6 of resolution 1805 (XVII) not later than 30 November 1963, in order that I may report it to the General Assembly immediately thereafter."

3. By letter of 29 November 1963 addressed to the Secretary-General, the Chairman of the Delegation of South Africa to the eighteenth session of the General Assembly replied as follows:

"I have the honour to refer to your letter of 13 November 1963 and, at the direction of the South African Foreign Minister, to transmit the following reply:

"I have the honour to refer to your letter of 13 November transmitting the text of resolution 1899 (XVIII) adopted by the General Assembly on the question of South West Africa.

“Having regard to the standpoint which the South African Government has adopted with respect to United Nations consideration of this subject while the case brought by Ethiopia and Liberia against the Republic of South Africa is pending before the International Court of Justice, you will appreciate that the South African Government, in deference to the internationally recognized *sub judice* rule, cannot be expected to comment in detail on the subject matter of the resolution.

“You have however specifically drawn attention to paragraph 5 of the resolution and to the request that the South African Government’s reply be communicated to you not later than 30 November.

“You will recall that in the South African Permanent Representative’s letter of 2 April⁴ it was stressed that until such time as the findings and recommendations of the Odendaal Commission of Enquiry have been received and carefully studied the South African Government cannot consider whether outside expert advice will be necessary in connexion with its plans for the further development of the Territory of South West Africa. The South African Government has not yet received the report of the Odendaal Commission which is understood to be a very voluminous one and the position as stated in the letter of 2 April accordingly remains unchanged.

“With respect to the penultimate preambular paragraph and operative paragraph 6 of resolution 1899 (XVIII) the South African Government must once more reiterate that there is no shred of truth in the allegation that the present situation in South West Africa “constitutes a serious threat to international peace and security”. This allegation was also investigated by the Chairman and Vice-Chairman of the Special Committee for South West Africa who were personally invited by the South African Government to the Territory last year when they were given every facility to go where they pleased and to have discussions with whomever they wished, including discussions behind closed doors.

“When the discussions were resumed with the South African Government at Pretoria they freely admitted that as a result of their visit to South West Africa they were fully satisfied that the situation in the Territory did not constitute a threat to international peace and security.

“They later both agreed that their findings could be incorporated in the joint communiqué which was subsequently issued and which included the admission that “in the places visited they had found no evidence and heard no allegations that there was a threat to international peace and security within South West Africa; that there were signs of militarization in

the Territory; or that the indigenous population was being exterminated”.

“I am confident that the above statement will be corroborated by the two members of the Secretariat who accompanied the two visitors on the tour to South West Africa and who were also present at all the discussions held at Pretoria. As you are aware, the United Nations Secretariat, following an initiative by the Soviet Delegation in the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, subsequently conducted an enquiry into certain allegations made against the two members of the Secretariat. Although the enquiry took place, the Secretariat did not disclose the evidence then given or the detailed findings of the said enquiry. Although also the South African Government was a directly interested party, nothing came of our enquiry to be supplied with a copy of the report of the Committee of Investigation.

“When the visit of the Chairman and Vice-Chairman of the Special Committee was discussed in the course of the seventeenth session of the General Assembly, I gave the full facts relating to this matter, but the Fourth Committee decided to ignore the whole affair. I refer you to my statements in the general debate in the plenary session on 24 September 1962 and at the 1369th meeting of the Fourth Committee on 1 November 1962.

“In the eighteen months which have elapsed since the visit referred to, there have been no developments which would justify any change in the findings originally agreed between the visitors and the South African Government. This is also borne out by the attitude of Member States represented in South Africa, whose representatives have every facility to visit the Territory and acquaint themselves with conditions obtaining there. No such representatives have ever expressed concern that the situation in South West Africa constitutes a threat to international peace and security.

“On the other hand it is apparent from the character of the debates in the relevant committees of the United Nations General Assembly that certain States are deliberately attempting to build up an atmosphere of crisis with respect to the situation in South West Africa in order to secure a pretext justifying intervention by the Security Council. The South African Government is nevertheless confident that a majority of members of the Council will recognize that the peace, order, stability and growing prosperity, all of which obtain in South West Africa, of themselves constitute an effective refutation of the charge that the situation in the Territory is a threat to international peace and security.”

⁴ A/AC.109/37.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1257th plenary meeting, on 13 November 1963, the General Assembly adopted draft resolutions I, II and III submitted by the Fourth Committee (A/5605, para. 23). For the final texts, see resolutions 1899 (XVIII), 1900 (XVIII) and 1901 (XVIII), respectively, below.

At its 1284th plenary meeting, on 17 December 1963, the General Assembly adopted the draft resolution submitted by the Fourth Committee (A/5605/Add.1, para. 9). For the final text, see resolution 1979 (XVIII) below.

Resolutions adopted by the General Assembly

1899 (XVIII). QUESTION OF SOUTH WEST AFRICA

*The General Assembly,**Having considered* the question of South West Africa,*Having considered* the report on this question submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/ 5446/Rev.1, chap. IV),*Having heard* the statements of the petitioners,*Bearing in mind* the principles of the Declaration on the granting of independence to colonial countries and peoples, set forth in General Assembly resolution 1514 (XV) of 14 December 1960,*Recalling* all its resolutions relating to South West Africa, especially resolutions 1702 (XVI) of 19 December 1961 and 1805 (XVII) of 14 December 1962,*Considering* the decisions relating to decolonization adopted at the Summit Conference of Independent African States held in May 1963 at Addis Ababa, particularly those concerning South West Africa,*Deeply regretting* that the Government of the Republic of South Africa has taken no steps to implement the resolutions of the General Assembly on South West Africa and, in particular, that it has refused to allow a United Nations technical assistance resident representative to be stationed in that Territory,*Further deploring* the refusal of the Government of South Africa to co-operate with the Special Committee, which has prevented the Committee from discharging the tasks assigned to it by General Assembly resolution 1805 (XVII),*Noting with deep concern* the continuing deterioration of the situation in South West Africa resulting from the intensification of the policies of *apartheid*, which has been unanimously censured and categorically condemned by the General Assembly in resolutions 1761 (XVII) of 6 November 1962 and 1881 (XVIII) of 11 October 1963,*Observing with profound regret* that the Government of South Africa has persistently and deliberately failed to fulfil its international obligations in the administration of the Mandated Territory of South West Africa,*Considering* that any attempt by the Government of South Africa to annex a part or the whole of the Territory of South West Africa would be contrary to the advisory opinion of the International Court of Justice of 11 July 1950⁵ and would constitute a violation of that Government's obligations under the Mandate and of its other international obligations,*Considering further* that the continuing support received by the Government of South Africa from certain Powers or certain financial groups encourages it to persist in its attitude and enables it to do so,*Deeply concerned* at the present critical situation in South West Africa, the continuation of which constitutes a serious threat to international peace and security,*Taking into consideration* the special responsibilities of the United Nations with regard to the Territory of South West Africa,1. *Approves* the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples on the question of South West Africa, particularly its conclusions and recommendations, and expresses keen appreciation for the work of the Committee;2. *Solemnly reaffirms* the inalienable right of the people of South West Africa to self-determination and independence;3. *Condemns* the Government of the Republic of South Africa for its persistent refusal to co-operate with the United Nations in applying the principles of the Charter of the United Nations and implementing the resolutions of the General Assembly;4. *Considers* that any attempt to annex a part or the whole of the Territory of South West Africa constitutes an act of aggression;5. *Requests* the Secretary-General:

(a) To continue his efforts with a view to achieving the objectives stated in paragraphs 5 and 6 of General Assembly resolution 1805 (XVII);

(b) To invite the Government of South Africa to inform him of its decision regarding the provisions of those paragraphs not later than 30 November 1963;

(c) To report to the General Assembly immediately after he has received the reply of the Government of South Africa;

6. *Decides* to draw the attention of the Security Council to the present critical situation in South West Africa, the continuation of which constitutes a serious threat to international peace and security;7. *Urges* all States which have not yet done so to take, separately or collectively, the following measures with reference to the question of South West Africa:

(a) Refrain forthwith from supplying in any manner or form any arms or military equipment to South Africa;

(b) Refrain also from supplying in any manner or form any petroleum or petroleum products to South Africa;

(c) Refrain from any action which might hamper the implementation of the present resolution and of the previous General Assembly resolutions on South West Africa;

8. *Requests* the Special Committee:

(a) To continue its efforts with a view to discharging the tasks assigned to it by resolution 1805 (XVII);

(b) To consider, in co-operation with the Secretary-General and the agencies of the United Nations, the implications of the activities of the mining industry and the other international companies having interests in South West Africa, in order to assess their economic and political influence and their mode of operation;

(c) To report on these questions to the General Assembly at its nineteenth session;

9. *Decides* to maintain the question of South West Africa on the agenda of its eighteenth session and to resume consideration of this question in the light of the reply of the Government of South Africa, given in accordance with paragraph 5 above, and immediately after receipt of that reply.*1257th plenary meeting,
13 November 1963.*

⁵ *International status of South West Africa, Advisory Opinion: I.C.J. Reports 1950, p. 128.*

1900 (XVIII). PETITIONS CONCERNING THE
TERRITORY OF SOUTH WEST AFRICA

The General Assembly,

Noting that the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples has received and examined ninety-four petitions concerning South West Africa, in accordance with paragraph 3 of General Assembly resolution 1805 (XVII) of 14 December 1962,

Noting further that those petitions dealt, *inter alia*, with the general situation and the events occurring within the Territory of South West Africa, the establishment of a United Nations presence in the Territory in accordance with paragraph 6 of resolution 1805 (XVII), the attitude of the Government of the Republic of South Africa towards the resolutions of the General Assembly, the problems faced by South West Africans, including students, travelling through the Federation of Rhodesia and Nyasaland, and the consideration of the question of South West Africa in the United Nations,

Draws the attention of the petitioners concerned to the report on South West Africa submitted to the General Assembly by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/5446/Rev.1, chap. IV), to the report of the Secretary-General on special educational and training programmes for South West Africa (A/5526 and Add. 1), and to the resolutions on the question of South West Africa adopted by the Assembly at its eighteenth session.

*1257th plenary meeting,
13 November 1963.*

1901 (XVIII). SPECIAL EDUCATIONAL AND TRAINING
PROGRAMMES FOR SOUTH WEST AFRICA

The General Assembly,

Recalling its resolution 1705 (XVI) of 19 December 1961, by which it established a United Nations Special Training Programme for South West Africans,

Having considered the report of the Secretary-General (A/5526 and Add. 1) submitted in accordance with paragraph 9 of resolution 1705 (XVI),

Noting that few applicants for training under the Special Training Programme possess qualifications that would enable them to enter colleges or universities,

Noting further that many of the scholarships offered by individual Member States are for higher education only and that few South West Africans possess the qualifications required to make use of such scholarships,

Taking note of the difficulties encountered by United Nations scholars in securing necessary travel documents and other travel facilities,

1. *Expresses its appreciation* to those Member States which have made scholarships and travel grants available for the use of South West Africans;

2. *Invites* those Member States offering scholarships and those which might subsequently do so to consider providing in their offers scholarships for secondary education and for vocational and technical training;

3. *Further invites* Member States to give sympathetic consideration to requests by the Secretary-General for the placement in their secondary, vocational or technical schools of candidates who have been awarded scholarships under the Special Training Programme for South West Africans;

4. *Once again requests* all Member States, and in particular the Republic of South Africa, to facilitate in every possible way the travel of South West Africans seeking to avail themselves of educational opportunities provided under that Programme;

5. *Requests* the Secretary-General to consult with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples concerning the implementation of the Programme and to report thereon to the General Assembly at its nineteenth session.

*1257th plenary meeting,
13 November 1963.*

1979 (XVIII). QUESTION OF SOUTH WEST AFRICA

The General Assembly,

Having considered the question of South West Africa,

Guided by the Declaration on the granting of independence to colonial countries and peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Recalling its resolution 1899 (XVIII) of 13 November 1963, particularly paragraphs 5 (b), 5 (c) and 6 of that resolution,

Having considered the report of the Secretary-General of 2 December 1963 (A/5634),

Considering that the reply of the Government of the Republic of South Africa to the letter of the Secretary-General reproduced in that report demonstrates that South Africa persists in its refusal to co-operate with the United Nations in regard to South West Africa,

Considering further the situation obtaining in South West Africa is seriously disturbing international peace and security,

1. *Condemns* the Government of the Republic of South Africa for its refusal to co-operate with the United Nations in the implementation of the Declaration on the granting of independence to colonial countries and peoples and for its non-compliance with the General Assembly resolutions with regard to South West Africa;

2. *Requests* the Security Council to consider the critical situation prevailing in South West Africa.

*1284th plenary meeting,
17 December 1963.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 55 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/3900	Report of the Good Offices Committee on South West Africa	<i>Official Records of the General Assembly, Thirteenth Session, Annexes, agenda item 39</i>
A/4926	Report of the Committee on South West Africa concerning the implementation of General Assembly resolutions 1568 (XV) and 1596 (XV)	<i>Ibid., Sixteenth Session, Supplement No. 12A</i>
A/4957	Report of the Committee on South West Africa	<i>Ibid., Supplement No. 12</i>
A/5212	Report of the Special Committee for South West Africa	<i>Ibid., Seventeenth Session, Supplement No. 12</i>
A/5234 and Add.1	Special educational and training programmes for South West Africa: report of the Secretary-General	<i>Ibid., Seventeenth Session, Annexes, agenda item 57</i>
A/5446/Rev.1	Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	<i>Ibid., Eighteenth Session, Annexes, addendum to agenda item 23</i>
A/5497 and Add.1 and 2	Report of the Special Committee on the Policies of <i>Apartheid</i> of the Government of the Republic of South Africa	<i>Ibid., addendum to agenda item 30</i>
A/AC.109/37	Letter dated 28 March 1963 from the Secretary-General addressed to the Permanent Representative of South Africa; and letter dated 2 April 1963 from the Permanent Representative of South Africa addressed to the Secretary-General	Mimeographed
A/AC.109/PET.63 and Corr.1	Ten petitions from Chief Hosea Kutako, Chief Samuel Witbooi and the South West Africa Peoples Organization (SWAPO) concerning South West Africa	Ditto
A/C.4/599 and Add.1-5	Requests for hearings	Ditto
A/C.4/613	Letter dated 25 October 1963 from Mr. Jacob Kuhangua, the Reverend Michael Scott, the Reverend Markus Kooper, Mr. Nathanael Mbaeva, Mr. Moses Garoeb and Mr. Brian Bassinghthwaighte, addressed to the Chairman of the Fourth Committee	Ditto
A/C.4/615 and Corr.1	Statement by the representative of Ceylon at the 1459th meeting of the Fourth Committee	Mimeographed; for summary see A/C.4/SR.1459, paras. 11-32
A/C.4/617	Statement by the representative of Venezuela at the 1460th meeting of the Fourth Committee	Mimeographed; for summary see A/C.4/SR.1460, paras. 19-40
A/C.4/626	Letter dated 2 December 1963 from the Reverend Michael Scott to the Chairman of the Fourth Committee	Mimeographed
A/C.4/L.777 and Add.1-3	Algeria, Burma, Burundi, Cambodia, Cameroon, Ceylon, Chad, Congo (Brazzaville), Congo (Leopoldville), Dahomey, Ghana, Guinea, India, Indonesia, Iraq, Ivory Coast, Jamaica, Jordan, Kuwait, Libya, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Philippines, Somalia, Sudan, Syria, Tanganyika, Togo, Uganda, United Arab Republic and Yemen: draft resolution	See A/5605, para. 10
A/C.4/L.778 and Add.1 and 2	Algeria, Bulgaria, Burma, Ghana, Guinea, India, Ivory Coast, Madagascar, Mali, Mauritania, Senegal, Syria, Tanganyika, Uganda, United Arab Republic, Upper Volta and Yugoslavia: draft resolution	Adopted without change. See A/5605, para. 23, draft resolution III
A/C.4/L.779	United States of America: amendments to document A/C.4/L.777 and Add.1	See A/5605, para. 11
A/C.4/L.780	Draft report of the Fourth Committee	Same text as A/5605
A/C.4/L.790 and Add.1	Afghanistan, Algeria, Bulgaria, Burundi, Cambodia, Cameroon, Ceylon, Chad, Congo (Brazzaville), Congo (Leopoldville), Dahomey, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Kuwait, Libya, Malaysia, Mali, Mauritania, Mongolia, Morocco, Niger, Nigeria, Philippines, Senegal, Sierra Leone, Sudan, Syria, Tanganyika, Uganda, United Arab Republic and Upper Volta: draft resolution	Adopted as revised. See A/5605/Add.1, paras. 7 and 9
A/L.443 and Add.1 and 2	Algeria, Burma, Cambodia, Cameroon, Ceylon, Cyprus, Ethiopia, Ghana, Guinea, India, Iran, Iraq, Ivory Coast, Madagascar, Malaysia, Mali, Mauritania, Morocco, Nepal, Nigeria, Pakistan, Philippines, Rwanda, Senegal, Sierra Leone, Syria, Tanganyika, Thailand, Togo, Tunisia, United Arab Republic, Yemen and Yugoslavia: draft resolution	<i>Official Records of the General Assembly, Eighteenth Session, Annexes, agenda item 23</i>



Agenda item 56: Financial reports and accounts for the financial year ended 31 December 1962 and reports of the Board of Auditors:*

- (a) United Nations;
- (b) United Nations Children's Fund;
- (c) United Nations Relief and Works Agency for Palestine Refugees in the Near East;
- (d) Voluntary funds administered by the United Nations High Commissioner for Refugees

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* For the discussion of this item, see *Official Records of the General Assembly, Eighteenth Session, Fifth Committee*, 1018th and 1031st meetings; and *ibid.*, *Plenary Meetings*, 1255th meeting.

(a) United Nations

DOCUMENT 3/5434

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[20 June 1963]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the financial reports and accounts for 1962, and the related reports of the Board of Auditors, in respect of (a) the United Nations and its trust funds and special accounts, (b) the United Nations regular programmes of technical assistance and its participation in the Expanded Programme of Technical Assistance (EPTA), (c) the Technical Assistance Board secretariat, (d) the United Nations Special Fund (United Nations as executing agency and the administrative budget of the Managing Director), (e) the United Nations Suez Canal Surcharge Operation, (f) the Special Account of the United Nations Emergency Force, (UNEF), and (g) the *ad hoc* account for the United Nations Operation in the Congo (ONUC) (A/5506).

2. The Advisory Committee has also reviewed, and is reporting separately on, the 1962 accounts and

related audit reports in respect of the following extra-budgetary programmes of the United Nations: the United Nations Children's Fund and the UNICEF Greeting Card Fund (A/5506/Add.1), the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/5506/Add.2) and the Voluntary Funds administered by the United Nations High Commissioner for Refugees (A/5506/Add.3 and Corr. 1). The Advisory Committee's reports relating to these programmes are contained in documents A/5435, A/5436 and A/5437 respectively.

3. In addition to the reports of the Board of Auditors to the General Assembly, the Advisory Committee had before it a separate memorandum from the Board in which a number of points of detail concerning the financial administration of the Organization were brought to the Committee's attention. Annexed to the memorandum was a special report on the financial

results of the various revenue-producing activities of the Organization. The Advisory Committee wishes to record its appreciation of the special endeavour of the Board in making this informative annex available, which, as in the past, was extremely useful to the Committee in its examination of the 1964 estimates for the activities concerned.

4. In paragraph 14 of its report (A/5506, part II, p. 13), the Board of Auditors refers to the observations it made last year concerning the "symptoms of a certain slackening in administrative discipline," which were found during the audit in various parts of the several activities undertaken by the United Nations.¹ The Advisory Committee considered the matter of such importance that it devoted to it a special section of its main report to the General Assembly at its seventeenth session.² It might be recalled that, by "administrative discipline", the Auditors had mainly in mind "administrative standards", including specifically a growing number of errors detected in the vouchering process, particularly with regard to field accounts.

5. In June 1962, after a discussion of the general matter with the Chairman of the Board of Auditors and subsequently with the Controller, the Advisory Committee made the following comments

"... the Advisory Committee is of the view that the basic financial controls of the United Nations continue to be satisfactory. It is informed, however, that day-to-day adherence to best administrative standards has begun to be hampered by a variety of factors which result from rapid growth in programmes and in field operations. Among these have been mentioned the increasing necessity to recruit to field administrative posts persons lacking previous United Nations or closely related experience; the fact that a larger proportion of officials who must exercise substantive certifying authority leading to expenditure commitments are as yet not fully cognizant of all the accepted disciplines, policies and rules to which expenditures of the United Nations are subject; and finally, that, particularly for the highly experienced administrative and financial staff, the increased scope and strain of their duties is having an adverse effect upon the time and thoroughness which can be applied to individual cases."³

6. It is therefore with considerable concern that the Committee notes that, during the audit of the 1962 accounts, the Board of Auditors found that these symptoms showed a tendency to increase, notably in the field. The Controller explained that when it was established that any of the errors were attributable to staff members, the necessary disciplinary action had been taken. He emphasized the fact, however, that certain field operations were of an extremely complex character involving a considerable degree of improvisation; it was difficult in these circumstances to ensure adherence in all cases to normal Headquarters standards. Fully trained finance officers with a sense of dedication were in short supply.

7. It is the opinion of the Board that "in view of the rapid and great expansion of financial activities in various directions (Special Fund, EPTA, ONUC) the need for increasing numbers of capable admini-

strative and finance officers becomes more and more urgent. The Board feels strongly that adequate steps to improve this situation should be taken as soon as possible" (A/5506, part II, para. 14). The Advisory Committee raised this matter with the Chairman of the Board of Auditors and was informed that, in the opinion of the Board, the solution is to be found in the appointment of more and better trained financial personnel; the Organization requires finance officers who possess the necessary educational and accounting qualifications and who have received an adequate financial training at Headquarters. The Board of Auditors recommends the establishment of a training programme in accounting and financial administration. Meanwhile, until the first class finishes its course, the Board urges the appointment of a number of well qualified finance officers.

8. The Advisory Committee agrees with the Board concerning the importance of this matter and believes that there is considerable merit in the Board's concrete proposal outlined in the preceding paragraph. It suggests that the Secretary-General give serious thought to the proposal and make known his views with respect to it and to any other measures which, in his opinion, would rectify the situation found to exist by the Board of Auditors.

9. Another problem which was raised by the Board of Auditors concerns the equity of Member States in the capital assets of the Organization and the treatment of such assets in the accounts. The Committee had before it a special note from the Controller on this subject indicating that there is no reference in the United Nations Charter to credits for Members' equity and no legislative provisions therefor. Furthermore, the Committee understands that the meaning of the word "equity" is not well defined: while in the American usage it refers to "value in excess of a mortgage (or other indebtedness)", the English meaning would be "share in a capital". The Board of Auditors has pointed out that the word is used in both senses in the United Nations accounts (value in excess of indebtedness in statement III and Members' share in that value in schedule 2). In view of the legal, constitutional and technical implications of this problem, the Advisory Committee believes that the Secretary-General might usefully undertake, in consultation with the Legal Counsel and the Board of Auditors, a study of the whole matter, including the possibility of applying a depreciation factor to the cost of existing and new capital assets as recommended on various occasions by the Board of Auditors.

10. In its memorandum, the Board of Auditors notes that the income from the catering services and the Souvenir Shop is, under present practice, merged with that from visitors' services, both in the budget estimates (income section 6) and in the accounts rendered (statement II). Such a system, according to the Board does not give a clear insight into the financial results of the various operations and is not consistent with the principle laid down in the budget estimates for 1961⁴ and restated in the corresponding report of the Advisory Committee,⁵ namely, that a distinction should be made between services to visitors, i.e., the public, and services of primary benefit to delegations and staff. Consequently, it would be appropriate to show the deficit from the catering services separately and to com-

¹ *Official Records of the General Assembly, Seventeenth Session, Supplement No. 6, part II, para. 18.*

² *Ibid.*, Supplement No. 7, paras. 49-53.

³ *Ibid.*, para. 51.

⁴ *Ibid.*, Fifteenth Session, Supplement No. 5, p. 109.

⁵ *Ibid.*, Supplement No. 7, para. 309.

bine the revenues from the Souvenir Shop and visitors' services.

11. The Board of Auditors observes that the catering services are subsidized but that that fact is not reflected in the regular budget estimates or in statement II. In the latter, the figure of \$786,530 shown as income from "Services to visitors and catering services" does not reveal where losses and profits have arisen; moreover the details provided in the Secretary-General's financial report do not give a clear idea of the results of such commercial activities because the amounts shown under "net revenue" are not really net but are gross revenue after deducton of only part of the costs. Not deducted are those costs which are directly charged against the regular budget, estimated at \$892,367 for all commercial activities in the 1962 financial report. It is the con-

tention of the Board of Auditors that this amount should be divided among and charged against the various activities as accurately as possible.

12. The Advisory Committee believes that this is a problem which the Secretary-General might usefully study and it would recall that, in its reports on the budget estimates for the past few years, it has included a table in its comments on income section 6⁶ where it has attempted to indicate the net results of the various operations provided for under that section, by deducting from the so-called credit to income the various costs attributable to the operations in question as shown in the relevant annex to the estimates.

⁶ See, for example, *Official Records of the General Assembly, Seventeenth Session, Supplement No. 7*, para. 341.

(b) United Nations Children's Fund

DOCUMENT A/5435

Report of the Advisory Committee on Administrative and Budgetary Questions

*[Original text: English]
[20 June 1963]*

1. The Advisory Committee on Administrative and Budgetary Questions has examined the financial report and accounts of the United Nations Children's Fund for the year ended 31 December 1962 and those of the UNICEF Greeting Card Fund for the period from 1 February 1961 to 31 August 1962, as well as the related reports of the Board of Auditors (A/5506/Add.1).

2. On 31 December 1962 the financial position of the Fund was as follows:

	<i>United States dollars</i>
Principal of the Fund on 1 January 1962	39,624,381
Income from all sources during 1962	29,697,343
	69,321,724
Expenditure during 1962	30,428,890
	38,892,834
Principal of the Fund on 31 December 1962 ..	38,892,834

3. Of the amount of \$38,892,834, a total of \$38,833,003 represented allocations made by the Executive Board but not yet implemented as at 31 December 1962, while \$59,831 remained unallocated. The principal of the Fund shows a decrease of \$731,547 as compared with the position at the end of 1961. Income from all sources in 1962 increased by \$1,752,363 over 1961, while expenditures rose by \$5,979,074 in accordance with the decision of the Fund to increase its rate of annual expenditure as from 1962. The unallocated resources of \$59,831 represent a very considerable reduction from the corresponding figure of \$457,325 at 31 December 1961, \$722,576 at 31 December 1960 and \$2.2 million at 31 December 1959, reflecting the desire of the Executive Board to achieve more rapid use of UNICEF resources for programme aid. In addition, it should be noted that allocations approved by the Executive Board, effective 1 January 1963, amounted to \$13,678,775, and formal commitments against future income to \$17,109,975.

4. Administrative costs in 1962 amounted to \$1.88 million, compared to \$1.85 million in 1961; however

their ratio to total expenditure showed a reduction from 7.68 per cent in 1961 to 6.28 per cent in 1962 because of the relatively larger increase in total expenditure. Net operational services costs rose by some \$510,000, from \$2.25 million in 1961 to \$2.76 million in 1962; their ratio to total expenditure was 9.35 per cent in 1961 and 9.24 per cent in 1962.

5. Last year, in its report on the UNICEF accounts for 1961,⁷ the Advisory Committee indicated that it had been informed that effective steps had been taken to strengthen the internal audit staff of the Fund following an observation made previously by the Board of Auditors.

6. This year the Committee has inquired into the current audit practices of UNICEF. It has been informed that one additional auditor post (P-3) was established in 1962. The Internal Audit Section of UNICEF now includes five auditors (one P-4 and four P-3) and one secretary. Out of five auditors, three are travelling auditors. Apart from auditing the financial and commodity accounting records in the field, the travelling auditors spot-check on warehouses and the fulfillment of programmes. A written programme of audit activities is at present maintained as far as visits to offices away from Headquarters are concerned. Audit visits are planned for the forthcoming year usually in August and September and specific points are investigated at the request of the administration. The Chief of the Internal Audit Section is responsible for directing other auditors as to the minimum requirements of audits and inspections, but some discretion is left to the individual auditor's judgement. As regards New York, full audit coverage is made on investments, custodial investments, contributions receivable, reserve for insurance and income of all kinds; spot checks are carried out on procurement transactions (from the stage of bids through final settlements of invoices), on cash at banks, deposits with suppliers, trust funds

⁷ *Official Records of the General Assembly, Seventeenth Session, Annexes*, agenda item 60, document A/5135, para. 9.

—United Nation Relief and Works Agency for Palestine Refugees in the Near East, reimbursable procurement on behalf of Governments, Greeting Card Fund, accounts receivable, accounts payable and expenditure items. One auditor is partly employed on statistical statements with regard to governmental contributions, private donations, reimbursable procurement, administrative grants and related records.

7. However, the Committee feels that it should also call attention to a further observation of the Board of Auditors to the effect that the staff resources of the Internal Audit Section of UNICEF, although improved in comparison with previous years, still fall short of the manning table required to deal with ever-increasing activities. In the opinion of the Board of Auditors, the augmented transactions and operations with expend-

itures of about \$40 million, the need to visit the field offices of UNICEF, the review of the supply distribution in recipient countries, a much larger warehouse operating in its new site in Copenhagen, the growing activities of the Greeting Card Fund, etc., stress the urgency of a further strengthening of the Internal Audit Section by at least one more senior auditor. The Advisory Committee would be inclined to suggest that UNICEF's Committee on Administrative Budget might wish to give careful consideration to this observation by the Board of Auditors.

8. As regards the Greeting Card Fund, the Advisory Committee notes with appreciation that there has been a further substantial increase in the number of cards sold in the net proceeds of this enterprise, as indicated in the following comparative table:

<i>Campaign year</i>	<i>Cards sold</i>	<i>Cost per card sold (cents)</i>	<i>Net income</i>	<i>Transfer to general resources of UNICEF</i>
			<i>(United States dollars)</i>	
1959	14,166,000	3.62	769,892	742,578
1960	17,408,000	3.31	1,019,097	900,172
1961	21,651,000	3.40	1,116,603	1,100,000

9. A specific problem of accounting practice was raised by the Board of Auditors with respect to the Greeting Card Fund, which, in the opinion of the Advisory Committee, might warrant further study. The Board noted that, although there existed at 31 August 1962 an inventory of cards and books on hand valued at \$123,000 this figure was not included as an asset in the statement of assets and liabilities, nor maintained in the books of account, thus giving

a somewhat unrealistic picture of the results of the Greeting Card Fund's operations (profit and/or loss) for the period concerned. It is true that as production costs have always been taken into account in the year during which they were incurred, the stock-value has been built up gradually. However, the Board seems to feel that, inasmuch as the stock-value is a primary factor in arriving at the cost of goods sold, inventory-value should be arrived at, entered in the accounts and shown in the statement of assets and liabilities.

(c) United Nations Relief and Works Agency for Palestine Refugees in the Near East

DOCUMENT A/5436

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[20 June 1963]

1. The Advisory Committee on Administrative and Budgetary Questions has examined the financial reports and accounts of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the year ended 31 December 1962 and the related report of the Board of Auditors (A/5506/Add.2).

2. The income and expenditure experience in 1962 may be summarized as follows:

	<i>United States dollars</i>
<i>Income:</i>	
Contributions pledged by Governments	34,308,775
Contributions pledged by Governments for previous years	1,120,772
Contributions received from others	958,184
Miscellaneous income	425,277
Less: Exchange adjustments	(37,222)
	36,775,786
Expenditure	36,884,811
Surplus of expenditure over income	109,025

3. However, because this deficit has been more than offset by the gains resulting from adjustments for prior years and unallocated price variations in the amount of \$165,933, the working capital available to the Agency increased from \$23,933,158 at 1 January 1962 to \$23,990,066 at 31 December 1962.

4. As on previous occasions, the Advisory Committee inquired into the question of losses mentioned in paragraph 9 of the report of the Board of Auditors. These losses amounted to \$107,523 in 1962 as against \$63,745 in 1961 and consisted of: (a) cash (\$108); (b) supplies (\$103,150, comprised of: (i) direct losses (\$83,632) and (ii) provision for losses on disposal of surplus and obsolete supplies (\$19,518)); (c) tents (\$4,093); and (d) other items (\$172).

5. The Committee understands that this increase of \$43,778, or almost 69 per cent, in losses from 1961 to 1962 is more apparent than real. It results from the decision to include, in the 1962 figures, losses which in prior years were considered allowable and were

consequently not recorded. As of 1962 all losses regardless of origin are to be treated as losses and examined individually. The Advisory Committee sees

merit in this tightening of procedures and it expresses the hope that the corresponding figures for 1963 will be lower.

(d) Voluntary funds administered by the United Nations High Commissioner for Refugees

DOCUMENT A/5437

Report of the Advisory Committee on Administrative and Budgetary Questions

*[Original text: English]
[20 June 1963]*

1. The Advisory Committee on Administrative and Budgetary Questions has examined the financial report and accounts of the voluntary funds administered by the United Nations High Commissioner for Refugees (UNHCR) for the year ended 31 December 1962 and the related report of the Board of Auditors (A/5506/Add.3 and Corr.1).

2. The Committee notes that the Board of Auditors reports a favourable trend in areas where it had previously found deficiencies or expressed reservations, such as:

(a) Accounting work and practices and in the follow-up on financial reporting and on audit observations;

(b) Determination of the amount of outstanding loans in cases where UNHCR contributions are in part loans and in part grants;

(c) Audit of accounts of joint UNHCR-Government projects for which the Governments concerned had not maintained separate accounts;

(d) Agreement by a Government to refund \$223,064 representing the unutilized portion of UNHCR funds.

3. This year, in view of the progress noted above, the Board of Auditors has not felt it necessary to submit a separate memorandum to the Advisory Committee and the latter can but associate itself with the hope expressed by the Board that continued efforts will be made to effect further improvement.

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DOCUMENT A/5596

Report of the Fifth Committee

*[Original text: English and French]
[4 November 1963]*

1. At its 1018th meeting, held on 14 October 1963, the Fifth Committee considered the financial reports and accounts for the year ended 31 December 1962 and the reports of the Board of Auditors for the United Nations (A/5506), the United Nations Children's Fund (UNICEF) (A/5506/Add.1), the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) (A/5506/Add.2) and the voluntary funds administered by the United Nations High Commissioner for Refugees (A/5506/Add.3 and Corr. 1).

2. The Committee also had before it reports of the Advisory Committee on Administrative and Budgetary Questions (A/5434, A/5435, A/5436, A/5437) submitting comments and recommendations on matters referred to in the accounts and the audit reports. The Chairman of the Board of Auditors and representatives of UNICEF, UNRWA and the High Commissioner for Refugees were present during the Committee's discussion.

UNITED NATIONS ACCOUNTS

3. Two delegations voiced their concern over the situation that had arisen in connexion with the unassessed expenses of the United Nations Emergency Force (UNEF) and the United Nations Operation in the Congo (ONUC). Document A/5506 (part II, paras. 12 and 13 and statements XII and XIII) showed that, on 31 December 1962, the total arrears of contributions

in respect of those two operations exceeded \$103 million, while the unassessed expenses (for the second half of 1962) exceeded \$69 million. In those circumstances, the Secretary-General had been compelled, by the end of 1962, to utilize almost \$60 million from the United Nations bond account for the financing of those operations. Thus, so long as the expenses remained unassessed, the amortization of the bonds would have to be met by contributions payable by all Member States according to the regular scale of assessment. That would run counter to the principles previously applied for the assessment of peace-keeping costs, since the economically less developed countries would be paying indirectly (through the regular budget) \$25.2 million towards the UNEF and ONUC costs incurred during the twelve months from 1 July 1962 to 30 June 1963, and for which there had been no assessment of contributions, as compared with an aggregate assessment of no more than \$5,040,000 under a formula similar to those authorized in General Assembly resolutions relating to the ONUC costs. Accordingly, thought should be given to the eventual apportionment of the unassessed expenses; it might be well to ask the Working Group on the Examination of the Administrative and Budgetary Procedures of the United Nations to suggest a solution of the problem. These two delegations stated that the foregoing considerations qualified their approval of the draft resolution on the United Nations accounts proposed to the Committee.

4. The representative of the Secretary-General addressed himself to further points in the audit report which had been raised by a member of the Committee, to the effect that the symptoms of a certain slackening in administrative discipline "showed a tendency to increase, notably in the field"; that "in view of the rapid and great expansion of financial activities in various directions (Special Fund, EPTA, ONUC) the need for increasing numbers of capable administrative and finance officers becomes more and more urgent"; and that "the Board feels strongly that adequate steps to improve this situation should be taken as soon as possible" (A/5506, part II, para. 14). It would be illusory, the Secretary-General's representative suggested, to expect that where emergency and complex operations such as UNEF and ONUC had to be hastily improvised, the same meticulous standards of financial administration and accounting could obtain as at the Headquarters of the United Nations and other established offices. At the same time, the valid and constructive criticism of the Board of Auditors and the remedial action which it had recommended separately to the Advisory Committee (see A/5434, paras. 7 and 8) were receiving the close attention of the Secretary-General. Although an expansion of the training programme on the scale recommended by the Board was perhaps too ambitious, some modest increase—the addition of, say, three to five trainees in the fields of administration and finance—might prove possible. As regards the recruitment of qualified finance officers, the question was linked to the order of priorities. Should the General Assembly wish to accord a high priority, provision could doubtless be made, in view of the number of vacant posts, within the consolidated manning-table for 1964. For 1965, however, additional funds would certainly be needed for the posts in question.

5. One representative stated that if the draft resolution relating to the financial reports and accounts of the United Nations for 1962 was voted upon his delegation would be compelled to abstain, since it had opposed the 1962 budget as containing several items that were unacceptable to it.

UNICEF ACCOUNTS

6. Reference was made in the Committee to the gratifying results which the UNICEF accounts disclosed. The fact that the income of the Fund had risen from \$15 million in 1954 to almost \$30 million in 1962 and the progressive increase in the number of

contributing Governments attested to the effectiveness of the public health programmes which UNICEF organized in co-operation with Governments. It was also gratifying that the improved procedures described in paragraphs 9 and 10 of the financial report (A/5506/Add.1) had resulted in a more rapid expansion of activities through the prompt utilization of available resources.

7. The Committee wishes to record its appreciation of the valuable services which the Board of Auditors has rendered to the United Nations during the past twelve months.

Recommendations of the Fifth Committee

8. The Fifth Committee decided to recommend to the General Assembly the adoption of the following draft resolutions:

FINANCIAL REPORTS AND ACCOUNTS FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 1962 AND REPORTS OF THE BOARD OF AUDITORS

A

United Nations

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

B

United Nations Children's Fund

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

C

United Nations Relief and Works Agency for Palestine Refugees in the Near East

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

D

Voluntary funds administered by the United Nations High Commissioner for Refugees

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1255th plenary meeting, on 6 November 1963, the General Assembly adopted draft resolutions A, B, C and D submitted by the Fifth Committee (A/5596, para. 8). For the final texts, see resolutions 1890 A (XVIII), 1890 B (XVIII), 1890 C (XVIII) and 1890 D (XVIII).

Resolutions adopted by the General Assembly

1890 (XVIII). FINANCIAL REPORTS AND ACCOUNTS FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 1962 AND REPORTS OF THE BOARD OF AUDITORS

A

United Nations

The General Assembly

1. *Accepts* the financial report and accounts of the United Nations for the financial year ended 31 December 1962 and the certificates of the Board of Auditors (A/5506);

2. *Concurs* in the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its first report to the General Assembly at its eighteenth session (A/5434).

*1255th plenary meeting,
6 November 1963.*

B

*United Nations Children's Fund**The General Assembly*

1. *Accepts* the financial report and accounts of the United Nations Children's Fund for the financial year ended 31 December 1962 and the certificates of the Board of Auditors (A/5506/Add.1);

2. *Takes note* of the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its second report to the General Assembly at its eighteenth session (A/5435).

*1255th plenary meeting,
6 November 1963.*

C

*United Nations Relief and Works Agency for Palestine Refugees in the Near East**The General Assembly*

1. *Accepts* the accounts of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the financial year ended 31 December 1962 and the certificates of the Board of Auditors (A/5506/Add.2);

2. *Takes note* of the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its third report to the General Assembly at its eighteenth session (A/5436).

*1255th plenary meeting,
6 November 1963.*

D

*Voluntary funds administered by the United Nations High Commissioner for Refugees**The General Assembly*

1. *Accepts* the accounts of the voluntary funds administered by the United Nations High Commissioner for Refugees for the financial year ended 31 December 1962 and the certificates of the Board of Auditors (A/5506/Add.3 and Corr.1);

2. *Takes note* of the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its fourth report to the General Assembly at its eighteenth session (A/5437).

*1255th plenary meeting,
6 November 1963.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 56 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/5506	Financial report and accounts for the year ended 31 December 1962 and report of the Board of Auditors: United Nations and its Trust Funds and Special Accounts; United Nations regular programmes of technical assistance and its participation in the Expanded Programme of Technical Assistance, and the Technical Assistance Board; Special Fund: United Nations as executing agency, and the administrative budget of the Managing Director; United Nations Suez Canal Surcharge Operation; Special Account of the United Nations Emergency Force; <i>Ad hoc</i> account for the United Nations Operations in the Congo	<i>Official Records of the General Assembly, Eighteenth Session, Supplement No. 6</i>
A/5506/Add.1	United Nations Children's Fund: financial report and accounts for the year 1962 and reports of the Board of Auditors	<i>Ibid., Supplement No. 6A</i>
A/5506/Add.2	United Nations Relief and Works Agency for Palestine Refugees in the Near East: accounts for the year ended 31 December 1962 and report of the Board of Auditors	<i>Ibid., Supplement No. 6B</i>
A/5506/Add.3 and Corr.1	Voluntary funds administered by the United Nations High Commissioner for Refugees: accounts for the year ended 31 December 1962 and report of the Board of Auditors	<i>Ibid., Supplement No. 6C</i>
A/C.5/981	Financial reports and accounts for the financial year ended 31 December 1962: note by the Secretary-General	Mimeographed
A/C.5/L.800	Draft report of the Fifth Committee	For the text of this document as amended by the Fifth Committee at its 1031st meeting, see A/5596
ST/ADM/SER.B/176	Statement on the collection of contributions as at 31 July 1963	Mimeographed



Agenda item 57: Supplementary estimates for the financial year 1963*

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* For the discussion of this item, see *Official Records of the General Assembly, Eighteenth Session, Fifth Committee*, 1009th, 1012th, 1013th, 1048th and 1052nd meetings; and *ibid.*, *Plenary Meetings*, 1276th meeting.

SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 1963

DOCUMENT A/5525

Report of the Secretary-General

[Original text: English]
[18 September 1963]

1. The General Assembly, by resolution 1861 A (XVII) of 20 December 1962, voted appropriations totalling \$93,911,050. The present revised estimates cover requirements totalling \$92,928,050, a decrease of \$983,000.

2. Income other than staff assessment, approved at \$6,146,500, is now estimated at \$6,259,500, an increase of \$113,000; staff assessment income, approved at \$9,101,000, is now estimated at \$8,931,000, a decrease of \$170,000.

3. The revised expenditure estimates do not cover the financial implications of further meetings of the Conference of the Eighteen-Nation Committee on Disarmament. The Conference, at its 156th meeting on 29 August 1963, empowered the two Co-Chairmen, after consultation with the members of the Committee, to set a date for reconvening at Geneva no later than one week following the termination of the consideration of the items on the agenda of the eighteenth session of the General Assembly relating to nuclear test-

ing and general and complete disarmament. In the light of this decision, it may be necessary for the Conference to reconvene approximately on 15 November 1963, in which event expenditures of the order of \$125,000 per month would arise. The Secretary-General would under these circumstances request further supplementary credits to the extent necessary to meet these costs in 1963.

4. Of the total decrease of \$983,000 shown in the revised estimates, \$700,000 represents the unobligated balance of funds appropriated in 1963 for the United Nations Conference on Trade and Development. It will be recalled that the General Assembly appropriated \$1,317,500 in 1963 for this purpose on the assumption that the Conference might be held during this year. Subsequently, the Economic and Social Council, at its thirty-sixth session, by its resolution 963 (XXXVI), decided that the Conference should convene in Geneva from 23 March to 15 June 1964. As a consequence, the level of expenditure in 1963 will be less than

originally contemplated and is currently expected to amount to \$617,500. Revised estimates to cover expenditures related to the Conference in 1964 have been submitted in the report of the Secretary-General on financial implications resulting from decisions taken by the Economic and Social Council at its thirty-fifth and thirty-sixth sessions (A/C.5/978). In that report, the Secretary-General is seeking re-appropriation in 1964 of the unobligated portion of the 1963 funds in the amount of \$700,000. Under these circumstances it would be his intention to surrender this amount and to apply it, in accordance with Financial Regulation

5.2, as a credit against the assessments of Member States for 1964.

5. Furthermore, an amount of \$169,200 represents the balance of unobligated 1963 funds in regard to the payment of interest and instalment due on principal for United Nations bonds sold.

6. The balance of the total decrease, in the amount of \$113,800, represents the difference between additional requirements during 1963 and surpluses now anticipated under various sections of the budget, due to the fact that expenditures in these cases are expected to be at a lower level than were originally provided for. The details are as follows:

		<i>United States dollars</i>	
ADDITIONAL REQUIREMENTS :			
<i>(a) Unforeseen and extraordinary expenses authorized under the terms of paragraph 1 of General Assembly resolution 1862 (XVII) with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions:</i>			
<i>(i) Special meetings and conferences (section 2):</i>			
	Scientific and Technical Sub-Committee of the Committee on the Peaceful Uses of Outer Space	13,700	
<i>(ii) Training of internal security forces:</i>			
	Burundi and Rwanda (section 12)	122,300	
<i>(iii) Special missions (section 18):</i>			
	Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (\$30,900)		
	United Nations Conciliation Commission for Palestine (\$100,000)	130,900	
	<i>(iv) Office of the United Nations High Commissioner for Refugees (Indemnification of refugees persecuted under the national socialist régime by reason of their nationality) (section 20)</i>	<u>77,000</u>	343,900
<i>(b) Expenses arising from the application of the Staff Rules and Regulations:</i>			
	<i>(i) Increase in General Service and manual worker salary rates and in post classification levels (section 20)</i>	56,700	
	<i>(ii) Increase in General Service and manual worker salary rates, Headquarters and Geneva (\$195,800). These additional costs have been absorbed under section 3.</i>	<u>—</u>	56,700
<i>(c) Other additional requirements:</i>			
	<i>(i) United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas (\$31,700) and commodity conferences (\$46,500) (section 2)</i>	78,200	
	<i>(ii) Permanent equipment (section 8)</i>	36,500	
	<i>(iii) Additional requirements due to rate and wage increases for contractual services and supplies and increased costs due to the prolongation of the fourth special session of the General Assembly from 3 to 7 weeks (sections 9 and 10)</i>	317,800	
	<i>(iv) Special missions: increased expenditures for replacement of staff assigned to mission duty (section 18)</i>	<u>24,000</u>	456,500
	TOTAL		<u>857,100</u>
SURPLUSES :			
<i>(a) Special meetings and conferences (section 2):</i>			
	United Nations Conference on Consular Relations	46,700	
	<i>(b) Salaries and wages (section 3)</i>	860,800	

	<i>United States dollars</i>	
(c) Common staff costs (section 4)	36,500	
(d) Printing (section 11)	26,900	(970,900)
NET DECREASE		(113,800)

7. The above summary clearly indicates that aside from those additional expenses arising as a result of commitments entered into under the terms of paragraph 1 of General Assembly resolution 1862 (XVII) relating to unforeseen and extraordinary expenses for the year 1963, a major portion of the supplementary requirements now requested fall under section 8—Permanent equipment, section 9—Maintenance, operation and rental of premises, and section 10—General expenses. It will be recalled that the General Assembly, on the recommendation of the Advisory Committee on Administrative and Budgetary Questions, decided to reduce substantially the Secretary-General's initial estimates under each of these sections for 1963. The appropriation voted by the General Assembly under resolution 1861 A (XVII) reflected reductions of the order of \$93,900 under section 8, \$99,400 under section 9 and \$186,000 under section 10. The Secretary-General, in his statement introducing the budget estimates for 1963,¹ cautioned the General Assembly that despite the application of strict controls, it might not be possible to contain expenditures under these headings within the lower amount proposed by the Advisory Committee. Many of the items of expenditure, particularly

under sections 9 and 10, are subject to factors beyond his administrative control, since they are affected by statutory increases in local wages and rates for contractual services, by the local climatic conditions which prevail, and by unforeseen developments and changes in the total annual conference programme.

8. The following part of this report sets out the revised estimates by budget section, and there is attached as an annex a draft supplementary appropriation resolution for 1963. The amounts included in the draft resolution are based on the revisions specified in the present report.

Expenditure estimates

PART I. SESSIONS OF THE GENERAL ASSEMBLY, THE COUNCILS, COMMISSIONS AND COMMITTEES; SPECIAL MEETINGS AND CONFERENCES

Section 1. Travel and other expenses of representatives, members of commissions, committees and other subsidiary bodies

	<i>United States dollars</i>
Appropriation	1,185,300
Revised estimate	1,185,300

The revised estimates, by chapter, are as follows:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Appropriation</i>	<i>Obligations to 31 July 1963</i>
	<i>United States dollars</i>		
I. The General Assembly, commissions and committees	1,007,700	971,300	870,792
II. The Security Council, commissions and committees	—	—	—
III. The Economic and Social Council, commissions and committees	157,200	182,500	138,885
IV. The Trusteeship Council, commissions and committees	—	—	—
V. Administrative advisory bodies	20,400	31,500	20,322
TOTAL	1,185,300	1,185,300	1,029,999

Subject to certain adjustments between chapters, the revised total estimate for section 1 is maintained at the level approved by the General Assembly.

The increase of \$36,400 under chapter I relates to the following additional requirements for which no provision was included in the 1963 appropriation:

(a) Travel claims in respect of representatives of Member States attending the fourth special session of the General Assembly have been received to date from twenty-one Governments in an aggregate amount of some \$26,000;

(b) The fact that Kuwait was admitted to membership in the United Nations on 14 May 1963 will involve additional costs estimated at \$6,000 (average cost per delegation) for travel of representatives to the eighteenth session of the General Assembly;

(c) Under the terms of General Assembly resolution 1770 (XVII) and in order to prepare plans and proceed with arrangements for the third International Conference on the Peaceful Uses of Atomic Energy to be held at Geneva in 1964, the Secretary-General convened meetings of the United Nations Scientific Advisory Committee in New York in April 1963 with resulting expenditures of the order of \$8,600. The Secretary-General has decided to call another session of the Committee in New York on 5 and 6 November 1963 for further advice on the preparation for the Conference. The additional costs involved for travel and subsistence of members are estimated at \$7,000.

These increases can, however, be met from within the total appropriation for section 1 since the requirements of a number of other bodies under chapters I, III, and V are below the provisions made.

¹ Official Records of the General Assembly, Seventeenth Session, Annexes, agenda item 62, document A/C.5/925.

Section 2. Special meetings and conferences

	<i>United States dollars</i>
Appropriation	3,645,200
Revised estimate	2,990,400
Decrease	654,800

The revised estimates, by chapter, are as follows:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Appropriation</i>	<i>Obligations to 31 July 1963</i>
<i>United States dollars</i>			
I. United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas	935,000	903,300	826,588
II. United Nations Conference on Consular Relations	326,000	372,700	214,630
III. United Nations Regional Cartographic Conference for Africa	28,000	28,000	1,735
IV. United Nations Conference on Solar Energy, Wind Power and Geothermal Energy .	82,800	82,800	—
V. International Technical Conference on the International Map of the World on the Millionth Scale	9,400	9,400	739
VI. Commodity conferences	91,500	45,000	36,002
VII. United Nations Conference on Trade and Development	617,500	1,317,500	211,154
VIII. Other special conferences			
Conference of the Eighteen Nation Committee on Disarmament	837,900	837,900	674,896
United Nations Conference on International Travel and Tourism	48,600	48,600	14,727
Scientific and Technical Sub-Committee of the Committee on the Peaceful Uses of Outer Space	13,700	—	12,119
TOTAL	2,990,400	3,645,200	1,992,590

The revised estimate for this section as a whole shows a decrease of \$654,800 as compared with the appropriation. Details concerning the revised estimates for each of the chapters under this section follow:

(a) *United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas*

The General Assembly at its seventeenth session, on the recommendation of the Advisory Committee on Administrative and Budgetary Questions,² established a ceiling on expenditures for this Conference of \$2.1 million distributed over the three-year period 1961 to 1963. Actual expenditures in 1961 amounted to \$91,990, and in 1962 to \$1,073,313, making a total expenditure up to the end of 1962 of \$1,165,303. Thus the revised estimate of \$935,000 now requested would still maintain total expenditures within the maximum authorization of \$2.1 million, although, for the year 1963, it reflects an increase of \$31,700 over the appropriated amount of \$903,300.

Total obligations up to 31 July 1963 amounted to \$826,588 for the servicing of the Conference itself and for the preparation and printing of the final proceedings. The balance of the funds, in the amount of some \$110,000, is required to meet remaining related costs still to be incurred. Negotiations and contracts have

already been concluded in England and France for the printing of the English and French editions under arrangements favourable to the United Nations as approved by the United Nations Publications Board. Further negotiations are currently proceeding in regard to the Spanish edition, and publishers in Moscow will be contacted for the Russian edition as soon as the final copy of the complete volumes can be submitted. It is anticipated that these negotiations can be concluded in time for the work to be undertaken during the latter part of 1963.

(b) *United Nations Conference on Consular Relations*

The requirements under this heading reflect a lower expenditure of some \$46,700 as compared to the appropriation. This lower expenditure is essentially attributable to careful administrative control in the staffing of and provision of other related services and facilities for the Conference. It will be recalled that this Conference was convened under the terms of General Assembly resolution 1685 (XVI) of 18 December 1961 and took place in Vienna, at the invitation of the Austrian Government, from 4 March to 22 April 1963. In accordance with General Assembly resolution 1202 (XII) of 13 December 1957 on the pattern of conferences, the Austrian Government assumed the responsibility for the extra costs involved in the amount of \$193,000, which is included in the approved estimates for 1963 under income section 3.

² *Ibid.*, Seventeenth Session, Supplement No. 7, para. 92.

(c) *United Nations Regional Cartographic Conference for Africa*

This Conference was originally scheduled to convene in Addis Ababa and the appropriation was approved on this basis. However, on receipt of an invitation from the Government of Kenya the venue of the Conference was changed to Nairobi and it met there from 1 to 21 July 1963. The Government agreed, in accordance with General Assembly resolution 1202 (XII), to defray all additional costs for the holding of the Conference in Nairobi rather than in Addis Ababa. Because of the late stage at which this change of venue was made it was found more expedient both administratively and from the viewpoint of the Government of Kenya to arrange for the Government to defray these additional costs by direct payment rather than to follow the normal procedure of reflecting the contribution made by the host Government as miscellaneous income. No change is contemplated in the level of the appropriation.

(d) *United Nations Conference on Solar Energy, Wind Power and Geothermal Energy*

The appropriation under chapter IV provided for the printing of a number of volumes of the proceedings of this Conference which was held in Rome from 21 to 31 August 1961. Since it is anticipated that this work will be completed during 1963, the appropriation is maintained.

(e) *International Technical Conference on the International Map of the World on the Millionth Scale*

The appropriation under chapter V is confined to the printing of proceedings of the above-mentioned Conference. Since this work will be completed in 1963, no change is proposed in the level of the appropriation.

(f) *Commodity conferences*

A tentative provision of \$45,000 was approved under chapter VI for commodity conferences. In the initial estimates for 1963 the possibility of a conference on olive oil, a conference on sugar, and a conference on cocoa had been foreseen. Against this provision, commitments amounting to some \$36,000 have already been entered into during 1963 in respect of the United Nations Conference on Olive Oil (\$33,500), held in two sessions during March-April for a total period of four weeks, and the United Nations Sugar Conference (\$2,500), convened in early July 1963 for a period of one week. Furthermore, following the procedures established by the Economic and Social Council in regard to the convening of commodity conferences [resolution 296 (XI)], the Secretary-General has convened a United Nations cocoa conference in Geneva under United Nations auspices to be held on 23 September 1963 for a period not exceeding five weeks. The estimated costs for this conference amount to a total of \$55,500 comprising temporary assistance (\$49,000), travel and subsistence of staff (\$5,500), and general expenses (\$1,000). Taking into account the uncommitted balance of \$9,000 under this chapter, the additional requirements are of the order of \$46,500, which can be met from within the appropriation for section 2 as a whole.

(g) *United Nations Conference on Trade and Development*

The General Assembly, by resolution 1785 (XVII), called for the holding of a United Nations Conference

on Trade and Development during 1963 and appropriated an amount of \$1,317,500 for this purpose. The appropriation specifically provided for the holding of three meetings of a Preparatory Committee, two at Headquarters and one at Geneva, and for the costs related to the holding of the Conference itself at Geneva later in the year. The appropriation was based on detailed estimates submitted by the Secretary-General³ and the related recommendations of the Advisory Committee.⁴ The 1963 appropriation did not provide for the printing of the proceedings of the Conference, initially estimated by the Secretary-General at \$230,000 but recommended at a level of \$200,000 by the Advisory Committee. This amount was to be included in the initial budget estimates for 1964.

At the time of the adoption by the General Assembly of resolution 1785 (XVII), the terms of the resolution were amended to call for the holding of the Conference as soon as possible after the thirty-sixth session of the Economic and Social Council to be held in July 1963, but in no event later than early 1964. In view of this change the Secretary-General submitted a further statement of financial implications⁵ in which it was indicated that, should the Conference be held in early 1964, the total estimated cost would be the same, but the distribution of the costs between the years 1963 and 1964 would change to \$819,900 and \$697,600 respectively.

During 1963 there have been several developments which were not foreseen at the time of the preparation of the estimates. An expert group, convened under the terms of Economic and Social Council resolution 919 (XXXIV) to report to the Preparatory Committee of the Conference on matters related to the preparatory work, after meeting in February 1963 requested a second meeting in order to complete its work at Geneva just prior to the second meeting of the Preparatory Committee itself. Furthermore, the Preparatory Committee at the time of its first session in New York in January 1963 decided that its second meeting should be held at Geneva rather than at Headquarters. These changes of venue were endorsed by the Council at its thirty-fifth session. Subsequently, the Council at its thirty-sixth session by resolution 963 (XXXVI) decided that the Conference should be held in Geneva from 23 March to 15 June. The Council also decided at its thirty-sixth session to convene a third session of the Preparatory Committee to be held in New York for two weeks beginning 3 February 1964. These decisions affect both the level of expenditures in 1963 and the requirements for 1964.

As far as 1963 is concerned, the expenditures will be less than anticipated and are currently expected to amount to some \$617,500. These expenses are related largely to sessions of the Preparatory Committee and the Group of Experts established under resolution 919 (XXXIV), the hiring of consultants, the travel of staff of the regional economic commissions for representation in the meetings of the Preparatory Committee, the appointment of a Secretary-General for the Conference and his immediate secretariat staff, as well as other preparatory work related to the Conference.

³ *Ibid.*, Seventeenth Session, Annexes, agenda items 12, 34, 35, 36, 37, 39 and 84, document A/C.5/947.

⁴ *Ibid.*, document A/5320.

⁵ *Ibid.*, document A/C.5/958.

Details of this total estimate are as follows:

	<i>United States dollars</i>
I. <i>Staff costs:</i>	
(a) Secretary-General of the Conference and his immediate staff	49,000
(b) Other short-term substantive staff, and expert consultant services	274,000
(c) Electronic compilation of basic data	25,000
(d) Technical and language staff to service meetings of the Preparatory Committee and Group of Experts	75,000
II. Travel on official business (including representation at meetings of the Preparatory Committee)	46,000
III. Translation and reproduction of pre-Conference documentation	55,000
IV. General expenses	62,900
— Meetings of Group of Experts established under resolution 919 (XXXIV)	30,600
TOTAL	617,500

It is the intention of the Secretary-General to seek the re-appropriation of the balance of the unspent funds for 1963, estimated at \$700,000, towards the costs of the Conference in 1964 as given in detail in his report on revised estimates resulting from decisions of the Economic and Social Council (A/C.5/978).

(h) *Conference of the Eighteen-Nation Committee on Disarmament*

The Conference convened on 12 February 1963 and held continuous meetings until 12 April when, after a recess of a few days, it reconvened until 1 September 1963. The appropriation of \$837,900 was approved on the assumption that the Conference would remain in fairly continuous session for a period of six months. Since this in fact has proved to be the case and in the light of the expenditures so far incurred, no change is proposed in the level of the appropriation. However, the Conference, at its 156th meeting on 29 August 1963, empowered the two Co-Chairmen, after consultation with the members of the Committee, to set a date for reconvening at Geneva no later than one week following the termination of the consideration of the items on the agenda of the eighteenth session of the General Assembly relating to nuclear testing and general and complete disarmament. In the light of this decision, it may be necessary for the Conference to recon-

vene approximately on 15 November 1963, in which event additional expenditures of the order of \$125,000 per month would arise. The Secretary-General would under these circumstances request further supplementary credits to the extent necessary to meet these costs in 1963.

(i) *United Nations Conference on International Travel and Tourism*

This Conference was convened under the terms of Economic and Social Council resolution 870 (XXXIII) which confirmed its decision taken under resolution 813 (XXXI). The Conference convened in Rome from 21 August to 5 September 1963. The Government of Italy, in accordance with General Assembly resolution 1202 (XII), agreed to defray the additional costs involved, as reflected in the 1963 approved estimates for item VIII—Miscellaneous income, under income section 3. No change in the appropriation is contemplated.

(j) *Scientific and Technical Sub-Committee of the Committee on the Peaceful Uses of Outer Space*

At its 19th meeting held at Headquarters on 18 March 1963, the Committee on the Peaceful Uses of Outer Space decided that its legal Sub-Committee should meet at Headquarters and its Scientific and Technical Sub-Committee at Geneva in 1963. The meeting of the Scientific and Technical Sub-Committee was held in Geneva during the period 14 to 31 May. The Secretary-General sought and obtained the prior concurrence of the Advisory Committee to meet the costs of this meeting up to an amount of \$20,700 under the terms of paragraph 1 of General Assembly resolution 1862 (XVII) relating to unforeseen and extraordinary expenses for the financial year 1963. Total expenditures are now estimated at a level of \$13,700 and a supplementary credit is requested in this amount.

PART II. STAFF COSTS AND RELATED EXPENSES

Section 3. *Salaries and wages*

	<i>United States dollars</i>
Appropriation	44,487,800
Revised estimate	43,627,000
Decrease	860,800

The revised estimates, by chapter, are as follows:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Appropriation</i>	<i>Obligations to 31 July 1963</i>
	<i>United States dollars</i>		
I. Established posts	40,640,000	41,665,300	23,157,237
II. Temporary assistance for meetings	704,600	627,750	282,016
III. Other temporary assistance:			
(i) Other general temporary assistance	1,050,000	906,750	513,753
(ii) Individual experts and consultants	434,000	500,600	189,219
(iii) <i>Ad hoc</i> expert groups	140,400	165,400	84,799
IV. Overtime and night differential	658,000	622,000	368,095
TOTAL	43,627,000	44,487,800	24,595,119

The revised estimates for section 3 show a reduction of \$1,025,300 under chapter I and increases of \$76,850, \$51,650, and \$36,000 under chapters II, III and IV, respectively. The net decrease for the section as a whole, therefore, is \$860,800.

The principal factor which has affected the level of the estimate for chapter I has been the vacancy situation which has prevailed during 1963 in the total professional establishment. As a consequence expenditures are estimated at \$915,500 below the approved level. It

will be recalled in this connexion that 105 new posts in the Professional category and above were approved by the General Assembly for 1963; to a large extent these new posts accounted for the approximate 200 vacancies which existed early in the year. The rate of recruitment has shown progressive improvement as is illustrated by the fact that at the end of August Professional vacancies totalled some 145 despite a further seventy-one separations of staff which took place during the first eight months of the year. A second factor to which lower expenditure in the amount of some \$300,000 may be attributed is the effect of changes in the exchange rate between the local currency and the United States dollar at Santiago and the relationship of such changes to the cost of living in that city. With regard to Professional staff at Santiago, the 1963 appropriation was based on a post adjustment of class 2. On 1 January 1963, however, the post adjustment was amended to class 0, and on 1 July 1963 a minus post adjustment, class C, was applied. In the case of local staff, savings have accrued as a result of changes in the exchange rate; however, these savings have been offset to some extent by increases in local salaries.

Surpluses which have accrued as a result of vacancies and the exchange rate factor were more than adequate to meet increases of 4.6 per cent in the net salary rates of General Service and manual worker staff at Geneva on 1 March 1963 and again on 1 September 1963 and by a 3 per cent increase in the gross salary rates of manual workers at Headquarters effective 1 April 1963. In the latter case the number of steps at each manual worker level was also increased from 5 to 6. Accordingly, no additional credits are requested for these increases, estimated at \$190,200 under chapter I. Following normal practice, the Secretary-General informed the Advisory Committee earlier this year of the need to implement these salary increases.

In the case of chapter II and chapter III (i) the revised estimates show increases of \$76,850 and \$143,250, respectively. Of these increases, some \$5,600 relates to the rise in Geneva General Service salary rates. The balance is a direct consequence of the large number of vacancies in established posts and of the heavy conference programme at Geneva which has called for extended assignments of Headquarters language staff to that office with their consequent replacement by temporary assistance at Headquarters. Offset against these increases, however, are reductions of \$66,600 under chapter III (ii) and \$25,000 under chapter III (iii). The net increase under the two chapters, therefore, is \$128,500.

With regard to chapter IV, every effort has been made to limit expenditures under this account without detriment to work schedules and to the provision of necessary meetings and other services. The revised estimate calling for a supplementary credit of \$36,000 not only takes into account the minimal anticipated requirements for the eighteenth session of the General Assembly but also includes the added costs arising from the extension of the fourth special session from the three and one-half weeks originally contemplated to some seven weeks, the increases in General Service and manual worker salary rates at Geneva, and such factors as the holding of the tenth session of the Economic Commission for Latin America at Mar del Plata, which placed a heavy workload on the secretariat of that Commission.

Section 4. Common staff costs

	<i>United States dollars</i>
Appropriation	10,195,500
Revised estimate	10,159,000
Decrease	36,500

The revised estimates, by chapter, are as follows:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Appropriation</i>	<i>Obligations to 31 July 1963</i>
<i>United States dollars</i>			
I. Staff allowances (dependency allowances, education grants and related travel)	2,429,000	2,408,700	1,381,732
II. Social security payments (contributions to the Joint Staff Pension Fund and medical insurance, retirement allowance for former Secretaries-General, compensatory payments, staff welfare)	4,918,000	4,983,300	2,767,677
III. Travel on appointment, transfer and separation (travel expenses, installation allowance)	894,000	922,500	514,408
IV. Removal expenses on appointment, transfer and separation (removal expenses or assignment allowance)	632,250	632,250	367,458
V. Separation payments	912,500	912,500	401,520
VI. Staff training programmes (staff language training, junior professional trainees, Russian language training)	373,250	336,250	161,237
TOTAL	10,159,000	10,195,500	5,594,032

Additional requirements of \$20,300 under chapter I and \$37,000 under chapter VI have been more than offset by reductions of \$65,300 under chapter II and \$28,500 under chapter III, for a total net decrease under this section of \$36,500.

The level of common staff costs normally bears a direct relationship to the cost of established posts. The expectation, therefore, would be that savings under chapter I of section 3 would be reflected in somewhat greater measure than the \$36,500 shown for this sec-

tion. Certain additional costs have arisen, however, for which supplementary credits would normally have been requested but which are being absorbed within the totality of the revised estimates as now presented. These may be described as follows:

(a) In March 1963, the Secretary-General obtained the concurrence of the Advisory Committee to enter into commitments under the terms of paragraph 1 of General Assembly resolution 1862 (XVII) relating to unforeseen and extraordinary expenses for the year 1963, to meet additional expenditures, up to an amount of \$100,000, for the completion of the task assigned to the Technical Office of the United Nations Conciliation Commission for Palestine. This amount is included in the revised estimates under section 18. However, the related common staff costs, estimated at \$25,000, are being absorbed within section 4.

(b) As already indicated under section 3, increased salary rates have been approved for General Service and manual worker staff at Geneva and for manual workers at Headquarters. The related additional costs for contributions to the Joint Staff Pension Fund are \$16,100 for Geneva and \$4,500 for Headquarters. These costs have been absorbed under chapter II of section 4.

(c) A further factor which has materially affected costs under chapter II, relates to the provision of the Regulations of the United Nations Joint Staff Pension Fund under which a participant in the Fund may elect to validate his prior period of service as an associate participant as from 1 January 1958. The financial impact of this provision has been accentuated during 1963 as a result of the adoption by the General Assembly during its seventeenth session (resolution 1799 (XVII)), of an amendment to the United Nations Joint Staff Pension Fund Regulations making such validation possible prior to the completion of five years of service for those whose contracts of service extend their period of employment to or beyond five years. It is difficult to forecast how many eligible participants will avail themselves of this right in the future and hence, the full budgetary consequences of the additional 9½ per cent which the United Nations is called upon to contribute, cannot yet be estimated. It may be stated, however, that expenditures totalling some \$44,000 have already been incurred at Headquarters alone, for which no specific provision was made in the appropriation for 1963, and it is not unlikely that costs for the full year will total some \$100,000.

(d) The revised estimate for chapter IV is maintained at the approved level since there has been an unforeseen increase of approximately 10 per cent in freight rates earlier this year which in turn has affected removal costs.

In addition to the costs described above, for which no budgetary provision was made or is now requested, increased requirements are foreseen for such statutory items as education grants and related travel and compensatory payments. The deficit of \$20,300 under chapter I reflects the net effect of savings in dependency allowances, as would be expected in view of the vacancy situation, offset by additional requirements of some \$35,000 for education grants. In this latter connexion, it will be recalled that General Assembly resolution 1730 (XVI) authorized a maximum grant of \$600 per scholastic year for each child in lieu of the former maximum of \$400. The initial estimate for 1963, therefore, was prepared without benefit of experience under the revised conditions for payment. With regard to compensatory payments, a revised estimate of \$80,000 has been included in chapter II in lieu of the approved amount of \$55,000. The additional requirement under this item, which provides for compensation to staff, members of commissions, committees and similar bodies and military observers in the event of death, injury or illness attributable to the performance of official duties, is based on a review of pending claims for medical expenses and of lump-sum compensation payments for permanent disability.

Finally, the revised estimate for chapter VI takes into account an upward adjustment in the hourly rate of payment to teachers of language training classes at Headquarters for the second semester of 1963 and provides for reimbursement to the United Nations International School of extra costs relating to utilities, custodial and other services arising exclusively through the use of classroom space made available by the school to meet the expanded demand for language training by delegations and staff members. The additional costs for 1963 are estimated at \$6,000. The further increase of \$31,000 under this chapter relates to the provision for junior professional trainees. In view of the vacancies in established posts and the requirements of geographical distribution, continuing efforts are being made to recruit, train and place trainees in vacant established posts. At the time of preparation of these estimates, some twenty-six trainees have been recruited and it is anticipated that several of these trainees will be assigned to posts within the regular establishment prior to the year end.

Section 5. Travel of staff

	<i>United States dollars</i>
Appropriation	2,024,200
Revised estimate	2,024,200

The estimates are maintained at the approved levels, as follows:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Appropriation</i>	<i>Obligations to 31 July 1963</i>
	<i>United States dollars</i>		
I. Travel of staff to meetings	334,400	334,400	268,283
II. Travel of staff on other official business	611,600	611,600	372,678
III. Travel of staff and dependants on home leave	1,078,200	1,078,200	942,180
TOTAL	2,024,200	2,024,200	1,583,141

Section 6. Payments under annex I, paragraphs 2 and 3, of the Staff Regulations; Hospitality

	<i>United States dollars</i>
Appropriation	100,000
Revised estimate	100,000

The estimates are maintained at the approved levels, as follows:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Appropriation</i>	<i>Obligations to 31 July 1963</i>
	<i>United States dollars</i>		
I. Payments under annex I, paragraphs 2 and 3, of the Staff Regulations	70,000	70,000	50,250
II. Payments to other members of the Secretariat for official hospitality	25,000	25,000	20,546
III. Contribution towards hospitality expenditures for the General Assembly and for receptions honouring Chiefs of State	5,000	5,000	3,794
TOTAL	100,000	100,000	74,590

PART III. BUILDINGS, EQUIPMENT AND COMMON SERVICES

Section 7. Building and improvements to premises

	<i>United States dollars</i>
Appropriation	4,272,000
Revised estimate	4,272,000

The estimates are maintained at the approved levels, as follows:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Appropriation</i>	<i>Obligations to 31 July 1963</i>
	<i>United States dollars</i>		
I. Amortization of the Headquarters construction loan	2,500,000	2,500,000	2,500,000
II. Transfer of assets of the League of Nations to the United Nations	649,500	649,500	649,466
III. United Nations building in Santiago, Chile	382,500	382,500	382,500
IV. Improvements to premises			
(i) Headquarters	90,000	90,000	57,369
(ii) European office	210,000	210,000	166,223
V. Major maintenance and capital improvement programme at Headquarters	100,000	100,000	35,324
VI. Reimbursement to the World Health Organization by investment in the Palais des Nations	340,000	340,000	340,000
TOTAL	4,272,000	4,272,000	4,130,882

The approved estimates are maintained in respect of all chapters in this section. In regard to chapter IV the approved estimate of \$90,000 for Headquarters included a provision of \$50,000 for the purpose of carrying out a plan for recovery of space in the third basement. While the original plan⁶ envisaged a mobile compact system of shelving, after further review of the plans, keeping in view the safety aspects and the magnitude of the task involved in reclassifying and rearranging the documents storage material to achieve maximum utilization of the mobile installation, a different and less expensive plan was evolved. The latter plan provided for: (a) the relocation and respacing of the existing shelving with a reduced aisle space with

consequent increase in storage space, and (b) the addition of approximately 200 units of shelving, and was accomplished at a total cost of approximately \$24,000 as against \$50,000 estimated for the original plan. While the new arrangement does not provide quite as much additional storage capacity per square foot of area, the difference was not considered sufficiently substantial to warrant the additional expenditure for the mobile system at least under present circumstances. Further, the amount of \$26,000 which remains available will make it possible to proceed this year with the improvements to the warehouse space (3,200 square feet) in the third basement released by UNICEF to make it suitable to accommodate records retirement and archival material. The improvements envisaged include refixing of lighting, purchase of shelving, and the installation of a carbon dioxide fire protection system.

⁶ *Ibid.*, agenda item 62, document A/C.5/942, para. 8.

Section 8. Permanent equipment

	<i>United States dollars</i>
Appropriation	500,000
Revised estimate	536,500
Increase	36,500

The revised estimates, by chapter, are as follows:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Appropriation</i>	<i>Obligations to 31 July 1963</i>
	<i>United States dollars</i>		
I. Furniture and fixtures	121,100	107,300	40,212
II. Office equipment	158,300	160,000	115,782
III. Internal reproduction equipment	96,900	97,800	68,791
IV. Telecommunications equipment	82,800	55,000	58,662
V. Transportation equipment	37,500	39,600	10,608
VI. Other equipment	39,900	40,300	80,153
TOTAL	536,500	500,000	374,208

It may be recalled that as against the Secretary-General's original estimate of \$593,900 under this section for 1963, the General Assembly voted an appropriation of \$500,000. As a result of this substantial reduction of \$93,900, difficulties are being experienced in meeting the demands for some of the essential equipment needed for carrying out the approved programmes and despite careful pruning and readjustment of the procurement programme, it is estimated that a minimum increase of \$36,500 in the approved estimate will be necessary as shown below:

	<i>Increase (or decrease)</i> <i>United States dollars</i>
Chapter I	13,800
Chapter II	(1,700)
Chapter III	(900)
Chapter IV	27,800
Chapter V	(2,100)
Chapter VI	(400)
TOTAL, section 8	36,500

As will be seen from the above table, increases totalling \$41,600 arise in chapters I and IV. These are partially offset by decreases totalling \$5,100 in the remaining chapters resulting in a net increase of \$36,500. The need for the increases arises as follows:

Chapter I

(a) Furniture and office equipment had to be provided in 1963 for the Secretary-General of the United Nations Conference on Trade and Development and his immediate staff engaged in the preparatory work for the Conference which is to be held in 1964. In view of the drastic reduction in the Secretary-General's original estimate for this section, to which reference has been made above, it has not been possible to absorb this additional cost amounting to approximately \$7,000 within the existing appropriation. Also, since the furniture and equipment purchased for the purpose of the Conference will be available for the general use of Headquarters after the conclusion of the Conference, it is considered more appropriate to include the cost in the estimates for section 8 rather than in the budget for the Conference itself.

(b) An additional sum of \$2,800 is required by the Economic Commission for Asia and the Far East (ECAFE) for the purchase of certain fixtures—such as venetian blinds for windows and water coolers—for the new annex to Sala Santitham. The annex which is being constructed by the Government of Thailand at its cost, is nearing completion and it is expected to be available to the Commission for its use from early November 1963. Certain other expenditures relating to the occupation of the annex, including the replacement of the existing inadequate telephone system, are expected to arise early in 1964. The ECAFE secretariat is presently in the process of preparing the necessary estimates and these when received will be incorporated in a separate paper (A/C.5/996) to the current session of the General Assembly and form part of the revised estimates for 1964.

(c) A further sum of \$4,000 is required by the Economic Commission for Africa (ECA) for the purchase of additional office furniture for its newly recruited staff at Addis Ababa.

Chapter IV

(a) An additional amount of \$27,800 is needed to meet the minimum requirements in 1963 of the Offices of Conference Services, General Services and Public Information as well as of ECA as follows:

(i) Office of Conference Services (\$5,000)

This requirement relates to the provision in the original estimates for the procurement and installation of a new system of recording equipment at an estimated cost of \$25,000. As a result of the distribution of the global reduction—of approximately one-fifth—imposed on the original estimate for the section and a small increase in the actual cost of this installation, it has become necessary to seek an additional sum of \$5,000 to meet the full cost of this project;

(ii) Office of General Services (\$6,500)

In the light of the experience during recent years in connexion with the meetings of the General Assembly and the Security Council, it is felt necessary to improve and tighten certain security measures in the Headquarters premises. At the initiative of the Office of General Services which is responsible for security

arrangements in the building, a study was undertaken by the Administrative Management Service attached to the Office of the Controller of the specific proposals advanced by the Office of General Services to determine the most economical means of achieving the necessary improvements in this direction. As a result of this study recommendations were made for the installation of a communication system consisting of two-way radio equipment and portable transcribers at an estimated cost of \$3,000 and of a closed-circuit video system at an estimated cost of \$3,500, so that certain corridors and passages which are presently unguarded can be kept under surveillance;

(iii) *Office of Public Information (\$10,500)*

As a consequence of the sizable reduction in the original estimates for the section as a whole, only a sum of \$15,000 could be made available for the acquisition of telecommunication equipment for public information activities at Headquarters. This amount, which represented less than one-third of that Office's original request, has proved insufficient to meet its requirements even on a modest scale. The additional sum now requested represents the cost of equipment for setting up two 16 mm film camera "rigs" for synchronous sound recording. These "rigs" are required for supplementing the mobile field equipment now available for filming programmes. Although the "rigs" can be obtained on a rental basis, it is found to be more economical to purchase the equipment and set up the "rigs" with the assistance of technicians since the minimum

rent for a three-month period for the two "rigs" would be approximately \$12,000;

(iv) *Economic Commission for Africa (\$5,800)*

The present telephone system in Africa Hall employs two switchboards to accommodate the existing internal and external lines. As a result, certain delays and inconvenience are being experienced in effecting telephone calls between points within the building which are connected to two different exchanges. With further increase of staff, it has become necessary to have an additional exchange. However, in view of the difficulties already being encountered in using two exchanges, it is proposed to replace the two existing exchanges with a larger one which would also accommodate the additional load. This item which was not envisaged at the time of preparation of the original estimate is expected to cost \$9,000. Since part of the cost, namely \$3,200, will be covered by the allotment made to the Commission under chapter IV out of the original appropriation for 1963, the request for additional funds is limited to \$5,800.

Section 9. Maintenance, operation and rental of premises

	<i>United States dollars</i>
Appropriation	3,568,200
Revised estimate	3,709,300
Increase	141,100

The revised estimates, by chapter, are as follows:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Appropriation</i>	<i>Obligations to 31 July 1963</i>
	<i>United States dollars</i>		
I. Contractual services	1,935,000	1,866,300	1,150,946
II. Utilities	1,004,700	947,900	637,478
III. Other expenses for maintenance of premises	769,600	754,000	586,894
TOTAL	3,709,300	3,568,200	2,375,318

The revised estimate for this section shows a total increase of \$141,100, of which \$68,700 arises under chapter I, \$56,800 under chapter II, and \$15,600 under chapter III.

The increase of \$68,700 under chapter I is required solely to meet additional requirements at Headquarters. Effective 1 January 1963 there were increases in the wage rates for contractual maintenance personnel, such as electricians, telecommunications engineers, and elevator operators. Similar increases for elevator maintenance personnel also became effective 1 March 1963. It was not possible while maintaining minimum essential services, to absorb these total increases within the lower level of appropriations. A further contributing factor was the additional costs which arose as a result of the prolongation of the fourth special session of the General Assembly to seven weeks as compared with the three and one-half weeks originally contemplated and provided for.

The additional requirements in the amount of \$56,800 under chapter II relate to higher costs in the amount of \$16,800 for Headquarters and \$40,000 for Geneva. The extremely cold winter in New York and the extension of the fourth special session of the General Assembly are the main factors giving rise to the extra credits needed for Headquarters.

The higher level of expenditure for Geneva may be attributed to the following factors:

(a) Water rates increased from 0.10 to 0.26 Swiss francs per cubic metre, giving rise to additional costs of some \$8,000;

(b) The severe winter resulted in an increase in fuel consumption of approximately one third; the price of fuel was also increased by 25 per cent; total extra costs are estimated at \$17,000;

(c) Increased consumption of electricity, due both to the climatic conditions and to the more extensive use of the Palais des Nations for conferences and meetings, gave rise to additional costs estimated at \$15,000.

Under chapter III the additional requirements of \$15,600 are explained as follows:

(a) Some \$32,000 relates to additional requirements for the information centres located in Moscow and Baghdad:

(i) The present accommodation for the Moscow Information Centre has proved entirely inadequate in the light of additional services which the centre now performs and which are not related to its normal role in the public information field. Specifically, these activities relate to the comparatively new language training centre, to the arrangements with a publishing house in Moscow

for contractual translation into Russian and to the arrangements which have been made for printing official documentation in Russian in Moscow at prices well below those prevailing in other cities. These new activities have given rise to the need for larger premises. Furthermore, the location of the present centre is not satisfactory. New premises are available in a more desirable location offering the additional space required; however, these premises need some minor internal alterations to meet the requirements of the centre, and the rental charges would be of the order of some \$6,600 annually as compared with the present rent of some \$3,000. The total additional expenses for 1963 in this regard are estimated at some \$28,000.

(ii) As regards the centre in Baghdad, this has just recently opened, and that portion of the costs for rental and maintenance of premises which are shared with the Technical Assistance Board Representative amount to \$4,000. It may well be that these expenses will be

ultimately offset by a contribution from the host Government. Negotiations are currently being conducted on this matter.

(b) These additional expenditures, totalling some \$32,000, are partially offset by lower expenditures for the Economic Commission for Latin America (ECLA) in the amount of \$14,700 due primarily to the change in the rate of exchange between local currency and the United States dollar and for Headquarters in the amount of \$1,700.

Section 10. General expenses

	<i>United States dollars</i>
Appropriation	3,983,800
Revised estimate	4,160,500
Increase	176,700

The revised estimates, by chapter, are as follows:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Appropriation</i>	<i>Obligations to 31 July 1963</i>
	<i>United States dollars</i>		
I. Communications	1,309,100	1,216,900	848,080
II. Rental and maintenance of equipment	276,900	259,500	205,637
III. Public information supplies and services ..	1,259,000	1,199,000	759,819
IV. Other supplies and services	219,900	227,300	178,388
V. Office and internal reproduction supplies .	880,400	866,700	819,191
VI. Library books and supplies	158,700	154,900	122,665
VII. Study and interne programme	56,500	59,500	40,130
TOTAL	4,160,500	3,983,800	2,973,910

The revised estimate under this section reflects an increase of \$176,700 as compared with the appropriation. Of this increase however, some \$60,000 relates to special television and radio programmes of the Office of Public Information, the costs of which are offset by revenue of an equal amount.

Detailed reasons concerning the need for supplementary credits under this section are the following:

(a) Under chapter I a total increase of \$92,200 is foreseen, of which \$40,000 is required for Headquarters, \$8,100 for Geneva, and \$75,000 for ECA, these increases being partially offset by a lower expenditure of \$30,900 for ECLA, due in part to changes in the exchange rate between the local currency and the United States dollar. The increased requirements for Headquarters may be attributed in the main to an increase in postal and freight rates and to the heavy conference activity which has taken place both at Headquarters and at Geneva this year giving rise to heavier cable and pouch services. Furthermore, additional expenses have been incurred for telephone services due to the reallocation of staff in order to make the maximum use of available office space and to the fact that the fourth special session of the General Assembly extended for a period of seven weeks rather than the three and one-half weeks originally contemplated. Similarly, at Geneva the additional requirements are a reflection of the heavy conference activity which has taken place in the Palais des Nations this year. As regards the additional requirements for ECA, these have been principally due to the additional costs incurred for the holding of the fifth session of the Commission in

Leopoldville, Congo, between 18 February and 2 March 1963 and to the need of the Commission to use cables and particularly airmail more extensively than surface mail in order to reach rapidly the various cities in the vast area covered by the Commission;

(b) The total increase of \$17,400 under chapter II provides for additional requirements at Headquarters (\$3,400), at Geneva (\$9,000), and at the ECA (\$12,000), these increases being offset in part by lower requirements for the information centres (\$1,500), for ECAFE (\$500), and for ECLA (\$5,000). At Headquarters the increase is mainly due to additional costs for local transportation, including the requirements of the fourth special session of the General Assembly, and the need to provide for reimbursement of taxi fares for female staff members required to work beyond midnight. For Geneva supplementary credits are required to meet higher costs of rental and maintenance of equipment directly related to the heavier conference programme. As an example, it has been necessary to undertake a complete overhaul of two reproduction presses which have been operating far in excess of normal standards. The additional requirements for ECA reflect the expanding operations of that office;

(c) Under chapter III an increase of \$60,000 is proposed for activities related to the Office of Public Information. The additional funds are to provide for the salaries of contractual technical engineers (\$25,000) who are required for special coverage by both radio and television of the eighteenth session of the General Assembly. The balance of \$35,000 is required for additional supplies and services, including additional film,

laboratory costs, and distribution costs, so that the special programmes prepared during the General Assembly may be adapted for national and commercial television and radio networks. It is expected that the revenue to be derived from such special coverage will offset these additional costs; as a consequence the estimates for revenue shown under income section 3 have been increased by a similar amount;

(d) The revised estimate under chapter IV reflects a lower level of expenditure of some \$7,400 due to reduced expenditures at Headquarters (\$5,400), at information centres (\$3,000), at ECA (\$2,600), and at ECLA (\$400). These reductions are partially offset by increased costs of some \$4,000 at Geneva in regard to the United Nations share towards the costs of the joint medical scheme;

(e) The requirements under chapter V call for supplementary credits in an amount of \$13,700. This increase is due principally to the requirements of ECA where additional costs of the order of \$18,000 are antici-

pated. These additional expenditures are in part due to the fact that some internal reproduction supplies and paper which were ordered in 1962 were in fact not delivered and paid for until 1963. It also reflects increased costs for ECLA (\$12,200) due to the requirements of the tenth session of the Commission held at Mar del Plata this year and for the information centres (\$3,000), these additional expenses being offset by lower requirements at Headquarters in the amount of \$20,000.

(f) The revised estimate under chapter VI shows a small increase of \$3,800 due principally to the requirements of the new information centres (\$1,500), and ECA (\$2,300).

(g) The requirements under chapter VII show a lower level of expenditure of \$3,000 for the study and interne programme at Headquarters.

The following table shows the increases or decreases requested for all offices in the revised estimates as compared with the appropriation.

<i>Office</i>	<i>Revised estimate</i>	<i>Appropriation</i>	<i>Increase or (decrease)</i>
<i>United States dollars</i>			
Headquarters	2,928,000	2,853,000	75,000
European office	495,800	474,700	21,100
Information centres	220,300	220,300	—
Economic Commission for Africa	268,100	163,400	104,700
Economic Commission for Asia and the Far East	96,500	96,500	—
Economic Commission for Latin America	151,800	175,900	(24,100)
TOTAL	4,160,500	3,983,800	176,700

Section 11. Printing

	<i>United States dollars</i>
Appropriation	1,483,750
Revised estimate	1,456,850
Decrease	26,900

The revised estimates, by chapter, are as follows:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Appropriation</i>	<i>Obligations to 31 July 1963</i>
<i>United States dollars</i>			
I. Official Records	806,000	893,000	234,490
II. Recurrent publications	707,900	648,750	298,716
III. Studies and reports	240,250	233,600	64,847
IV. Office of Public Information	89,000	85,400	65,095
V. Permanent Central Opium Board and Drug Supervisory Body	13,700	13,700	2,395
VI. Other contractual printing	40,000	34,300	20,775
VII. Deduction for internal reproduction	(440,000)	(425,000)	—
TOTAL	1,456,850	1,483,750	696,318

The programme and related expenditures under this section are kept under continuous review by the United Nations Publications Board. The revised estimates for this section, which have been approved by the Board, reflect a decrease of \$26,900 as compared with the appropriation. This decrease arises principally for the following reasons:

(a) Under chapter I, an expenditure of some \$87,000 below the appropriation is expected. This is due to a

reduction of \$24,000 in the expenditures for the printing of Official Records backlog consequent upon unavoidable delays in the transmission of final copy to the printers; to a lower expenditure of some \$63,000 in the printing of other Official Records, in particular the records of the Security Council, not all of which will be available for printing this year, and to the fact that there were no meetings of the Disarmament Commission and only one session of the Trusteeship Coun-

cil, whereas the appropriation provided for two such sessions.

(b) Under chapter II, additional expenditures in the amount of some \$59,150 will arise mainly in regard to the higher costs for printing statistical publications. With the increasing volume of statistical data available and submitted by Governments and the growing demands for more information in this field, it has been necessary to enlarge the regular statistical publications of the Organization, such as the Commodity Trade Statistics, the Statistical Yearbook, and the Yearbook on International Trade Statistics. Some \$43,000 of the increased requirements under this chapter can be attributed to these publications alone. It is almost certain that a similar reflection of higher costs will reveal itself in 1964. It should be noted, however, that these publica-

tions are among the best revenue-producing items in the United Nations printing programme.

(c) Other minor increases are called for under chapters III, IV, and VI; however, these are almost entirely offset by an increase in the credit under chapter VII for work done by internal reproduction.

PART IV. SPECIAL EXPENSES

Section 12. Special expenses

	<i>United States dollars</i>
Appropriation	4,845,000
Revised estimate	4,798,100
Decrease	46,900

The revised estimates, by chapter, are as follows:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Appropriation</i>	<i>Obligations to 31 July 1963</i>
<i>United States dollars</i>			
I. United Nations Memorial Cemetery in Korea	75,000	75,000	26,718
II. Grant to the United Nations International School	70,000	70,000	70,000
III. International encouragement of scientific research into the control of cancerous diseases	—	<i>Pro memoria</i>	—
IV. Special educational and training programmes for South West Africans	50,000	50,000	18,960
V. United Nations Bond Issue	4,480,800	4,650,000	4,480,755
VI. Technical assistance to Burundi and Rwanda	122,300	—	110,336
TOTAL	4,798,100	4,845,000	4,706,769

Under the terms of General Assembly resolution 1739 (XVI) of 20 December 1961, authorizing the Secretary-General to issue United Nations bonds up to the amount of \$200,000,000, it was decided to include in the regular budget annually, beginning with the budget for the year 1963, an amount sufficient to pay the interest charges at the rate of 2 per cent per annum and the instalments, in accordance with the table annexed to the resolution, of principal due on the bonds sold. These payments are to be made on 15 January of each year. The appropriation of \$4,650,000 for the financial year 1963 was based on the estimated sale of bonds up to 15 January 1963. Actual sales up to this date totalled \$121,054,506, and the corresponding payment of interest (728,065.21) and instalment due on principal (\$3,752,689.69) in 1963 amounted to \$4,480,754.90. An unencumbered balance of approximately \$169,200 is therefore surrendered under chapter V.

As regards the requirements under chapter VI, under the terms of operative paragraph 4 of General Assembly resolution 1836 (XVII) and in the light of the Fifth Committee's report thereon,⁷ the Secretary-General was authorized to incur expenditures, with the prior concurrence of the Advisory Committee, to the extent that other resources were not available and up to an amount of \$200,000 for the provision of advisory services for the development and training of security forces in

Burundi and Rwanda. This programme does not lend itself to financing from either the Expanded Programme of Technical Assistance or regular technical assistance funds, and other resources have not materialized. As a consequence, the prior concurrence of the Advisory Committee was sought and obtained to enter into commitments up to a total of \$122,300 under the terms of General Assembly resolution 1862 (XVII), relating to unforeseen and extraordinary expenses for the financial year 1963, to meet the costs of this programme during the current year. Supplementary credits are therefore now requested in that amount.

The requirements under all other chapters of this section are maintained at the level appropriated for 1963, with the exception of chapter III under which provision *pro memoria* only was made in 1963.

Under the terms of paragraph 4 (g) of General Assembly resolution 1586 (XV), the Secretary-General is authorized to advance from the Working Capital Fund such sums, not to exceed \$100,000 during the period 1961 to 1964, as may be necessary to finance awards made for the international encouragement of scientific research into the control of cancerous diseases, pursuant to General Assembly resolution 1398 (XIV) of 20 November 1959. General Assembly resolution 1586 (XV) further authorized the Secretary-General to make provision in the annual budget estimates for reimbursing the Working Capital Fund for any such advances as may have been made. Since no such awards are contemplated during the current year, no credits are requested under chapter III.

⁷ Official Records of the General Assembly, Seventeenth Session, Annexes, agenda items 12, 40, 41 and 78, document A/5374, para. 5.

PART V. TECHNICAL PROGRAMMES

Section 13. Economic development

Section 14. Social activities

Section 15. Human rights activities

Section 16. Public administration

Section 17. Narcotic drugs control

	<i>United States dollars</i>
Appropriation	6,400,000
Revised estimate	6,400,000

No revision of the total appropriation under sections 13 to 17 is proposed at this time. The General Assembly, however, by resolution 1782 (XVII), decided to increase in 1963 the number of human rights fellowships so as to permit the award of at least double the number of fellowships granted in 1962. The General Assembly took note of the fact that this decision might give rise to additional expenditures, estimated at some \$40,000, under section 15 of part V of the budget. It decided, however, that such additional expenditures should be absorbed within the total appropriation of

\$6.4 million subject to transfers from other sections of part V to section 15 to be made with the prior concurrence of the Advisory Committee. Since the funds under section 15 are fully programmed for the current year, the prior concurrence of the Advisory Committee is being sought to the transfer of \$40,000 from section 13 to section 15 for the purpose of awarding approximately twenty further fellowships in the field of human rights.

As a result of the normal exercise of budgetary control, there may well be some nominal surplus under this part of the budget at the year end, in which event this would be surrendered in the normal way.

PART VI. SPECIAL MISSIONS AND RELATED ACTIVITIES

Section 18. Special missions

	<i>United States dollars</i>
Appropriation	2,453,000
Revised estimate	2,607,900
Increase	154,900

The revised estimates for the various activities falling under this section are as follows:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Appropriation</i>	<i>Obligations to 31 July 1963</i>
	<i>United States dollars</i>		
I. United Nations Truce Supervision Organization in Palestine	1,648,300	1,633,000	946,115
II. United Nations Conciliation Commission for Palestine	132,400	32,400	75,434
III. United Nations Military Observer Group in India and Pakistan	442,600	433,200	273,195
IV. United Nations Representative for India and Pakistan	38,300	37,600	22,311
V. United Nations Commission for the Unification and Rehabilitation of Korea	145,700	168,000	60,373
VI. Office of the Special Representative of the Secretary-General in Amman	42,700	45,800	20,142
VII. Replacement of staff assigned to field missions	127,000	103,000	65,321
— Special Committee with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	30,900	—	26,324
TOTAL	2,607,900	2,453,000	1,489,215

The total additional requirement for 1963 is now estimated at \$154,900. This is accounted for as follows:

(a) Additional expenditures have been incurred in connexion with the United Nations Conciliation Commission for Palestine. The prior concurrence of the Advisory Committee was sought and obtained to enter into commitments up to an amount of \$100,000 under the terms of paragraph 1 of General Assembly resolution 1862 (XVII) relating to unforeseen and extraordinary expenses for the financial year 1963 in order to permit the Technical Office of the Commission to proceed with the expedition of the work called for under operative paragraphs 2 and 3 of General Assembly resolution 1856 (XVII);

(b) Additional expenses in the amount of \$30,900 were incurred with the prior concurrence of the Ad-

visory Committee under the terms of General Assembly resolution 1862 (XVII) to cover activities of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (General Assembly resolution 1810 (XVII)). These expenses related to a visit of a sub-committee to London for negotiations with the Government of the United Kingdom regarding Southern Rhodesia (\$9,500) and to a visit of a sub-committee to Aden and the neighbouring territories (\$21,400);

(c) Increased requirements arose in the amount of \$24,000 in regard to expenditures for the replacement of staff detailed to field missions. Because of the heavy workload at Headquarters and the significant vacancy situation which has prevailed, particularly in the pro-

fessional establishment, it has been necessary to replace, to a larger extent than originally contemplated, staff members assigned to field missions.

Other minor adjustments have proved necessary between the various chapters of the section reflecting modest increases for the United Nations Truce Supervision Organization in Palestine, the United Nations Military Observer Group in India and Pakistan, and the United Nations Representative for India and Pakistan. These increases, however, are offset by decreases in the requirements for the United Nations Commission for the Unification and Rehabilitation of Korea and for the Office of the Special Representative of the Secretary-General in Amman. The reduction in the

requirements for the United Nations Commission for the Unification and Rehabilitation of Korea stems largely from lower expenditures in regard to *per diem* of representatives assigned to the Commission on a full-time basis, partially offset by the cost of travel and *per diem* for the Chairman of the Commission to attend the eighteenth session of the General Assembly.

Section 19. United Nations Field Service

	<i>United States dollars</i>
Appropriation	1,403,000
Revised estimate	1,403,000

The revised estimates, by chapter, are as follows:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Appropriation</i>	<i>Obligations to 31 July 1963</i>
	<i>United States dollars</i>		
I. Established posts	910,600	929,600	520,788
II. Common staff costs			
(i) Dependency allowance	115,300	111,300	65,664
(ii) Education grants and related travel	24,900	33,900	12,614
(iii) Contributions to the Joint Staff Pension Fund	102,100	87,100	59,661
(iv) Contributions to medical insurance	37,300	35,300	21,690
(v) Travel on initial recruitment, transfer and separation	48,900	31,900	37,099
(vi) Separation payments	21,300	19,300	12,440
(vii) Travel on home leave	120,600	130,600	89,898
III. General expenses	22,000	24,000	18,465
TOTAL	1,403,000	1,403,000	838,319

Subject to certain necessary minor adjustments between the various chapters, the revised estimate for the section as a whole is maintained at the level approved for 1963.

PART VII. OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Section 20. Office of the United Nations High Commissioner for Refugees

	<i>United States dollars</i>
Appropriation	2,450,000
Revised estimate	2,583,700
Increase	133,700

The revised estimates, by chapter, are as follows:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Appropriation</i>	<i>Obligations to 31 July 1963</i>
	<i>United States dollars</i>		
I. Salaries and wages	1,700,700	1,644,500	972,867
II. Travel of staff	103,000	103,000	80,204
III. Common staff costs	349,800	346,300	198,985
IV. Public relations and information activities	27,300	27,300	24,124
V. Hospitality	2,000	2,000	1,998
VI. General expenses and supplies	149,000	149,000	82,279
VII. Permanent equipment	14,000	14,000	1,944
VIII. Contractual printing	6,900	9,900	240
IX. Indemnification of refugees persecuted under the national socialist régime by reason of their nationality	231,000	154,000	148,346
TOTAL	2,583,700	2,450,000	1,510,987

The estimates under this section show increases of \$56,200 under chapter I, \$3,500 under chapter III, and \$77,000 under chapter IX, offset by a reduction of \$3,000 under chapter VIII, for a total net increase of \$133,700. The need for this additional credit is due to the following:

(a) The 4.6 per cent increase in the net salary rates of General Service staff at Geneva, effective 1 March 1963, and a similar increase effective 1 September 1963 (\$19,900);

(b) Increases in post classification rates for professionals at a number of branch offices (\$36,800); and

(c) Additional expenses resulting from the acceleration of the programme under chapter IX for the indemnification of refugees persecuted under the national socialist régime by reason of their nationality (\$77,000).

In the case of item (c) above, the Secretary-General sought and obtained the concurrence of the Advisory Committee in May of this year to enter into commit-

ments not exceeding \$77,000 under the terms of paragraph 1 of General Assembly resolution 1862 (XVII), relating to unforeseen and extraordinary expenses for the financial year 1963, for the purpose of expediting this programme in 1963. As a consequence the Advisory Committee has recommended in its report on the 1964 budget estimates that the 1964 requirements under chapter IX, initially estimated at \$121,400, be reduced by a corresponding amount (A/5507, para. 330).

PART VIII. INTERNATIONAL COURT OF JUSTICE

Section 21. International Court of Justice

	<i>United States dollars</i>
Appropriation	914,300
Revised estimate	914,300

Except for some minor adjustments between chapters, the revised total estimate for section 21 is maintained at the level approved by the General Assembly.

<i>Chapter</i>	<i>Revised estimate</i>	<i>Appropriation</i>	<i>Obligations to 31 July 1963</i>
	<i>United States dollars</i>		
I. Salaries and expenses of the members of the Court	520,400	520,920	280,379
II. Salaries, wages and expenses of the Registry	315,700	322,000	166,915
III. Common services	73,700	66,880	22,505
IV. Permanent equipment	4,500	4,500	2,081
TOTAL	914,300	914,300	471,880

Estimates of income

PART I. INCOME FROM STAFF ASSESSMENT

Income section 1. Staff assessment income

	<i>United States dollars</i>
Revised estimate	8,931,000
Approved estimate	9,101,000
Decrease	170,000

The decrease in income from staff assessment is in consequence of the lower figure under section 3 of the revised expenditure estimates income from this source being in direct relation to salaries and wages paid to staff.

PART II. OTHER INCOME

On the basis of experience for the first eight months of 1963 the revised estimate of income other than from staff assessment is shown in an amount of \$6,259,500, a net increase of \$113,000 over the approved level.

	<i>United States dollars</i>
Revised estimate	6,259,500
Approved estimate	6,146,500
Increase	113,000

The estimates by income section are revised as follow:

Income section 2. Funds provided from extra-budgetary accounts

	<i>United States dollars</i>
Revised estimate	1,784,700
Approved estimate	1,784,700

The estimate under this heading is maintained at the approved level.

Income section 3. General income

	<i>United States dollars</i>
Revised estimate	1,880,300
Approved estimate	1,789,300
Increase	91,000

Actual receipts reflected in the accounts as at end of August supplemented by additional information to date, would allow an increase in income under this section of \$91,000 net, changes to be reflected under the following items:

(a) Reimbursement for loan of staff and services has been increased by \$15,000 in regard to the payment by Government of Venezuela towards additional expenditure incurred for the ninth session of ECLA in connexion with the last-minute change of meeting place from Caracas to Santiago;

(b) Income from television services has been raised to \$300,000, an increase of \$60,000; a corresponding increase is requested under section 10 of the expenditure estimates;

(c) Sale of used equipment has been increased by \$7,000, of which \$5,000 relates to Headquarters and \$2,000 to the European Office;

(d) Refund of prior years' expenditure has been augmented by \$7,000 as reported by the European Office;

(e) Other miscellaneous items show an increase of \$90,000 and

(f) The level of approved estimate of income from interests and investments is \$100,000 but in view of

the status of available cash of the Organization, based on the experience of the first eight months of the year, the credit to income under this heading cannot be foreseen in an amount of more than \$12,000, a reduction of \$88,000 from the approved estimate.

Income section 4. Sale of United Nations postage stamps

	<i>United States dollars</i>
Revised estimate	1,360,000
Approved estimate	1,300,000
Increase	60,000

Credit to income from this source is now revised at a level of \$1,360,000, an increase of \$60,000 over the approved estimate. Of this, an amount of about \$40,000 represents the United Nations share of 20 per cent on net proceeds from sale of United Nations Temporary Executive Authority (UNTEA) stamps, the balance being attributable to the expansion in overseas sales and to more active participation in national and international stamp exhibitions throughout the world.

Income section 5. Sale of publications

	<i>United States dollars</i>
Revised estimate	511,000
Approved estimate	541,000
Decrease	30,000

The main reason for the decrease in income from this source is that the sales in the Bookshop at Headquarters show a marked decline principally due to the drop in the number of visitors during 1963. Gross sales are now estimated at \$353,000, a reduction of \$72,000 from the initial estimate. This reduction is

offset by a lesser expenditure figure mainly due to the reduced activity.

Income section 6. Services to visitors and catering services

	<i>United States dollars</i>
Revised estimate	723,500
Approved estimate	731,500
Decrease	8,000

The decline in the number of visitors at Headquarters—725,964 as at the end of August against 762,974 at the same date in 1962—has had an impact on the revenue from the United Nations Gift Centre. Income from this source is now estimated at \$160,000 or \$24,000 less than the approved estimate. As to the Guided Tours Service, however, although gross revenue by the end of August was nearly 6 per cent below last year's figure, it is hoped that public interest in the forthcoming General Assembly session will permit an approximation of the approved 1963 estimates. In the Souvenir Shop the originally anticipated income of \$204,000 is maintained. As to the Visitors' Service at Geneva, the receipts for guided tours are expected to be raised to about \$45,000 from the originally estimated \$38,000 offset by some increase in expenditure, leaving the revised income at \$20,000, or \$6,000 in excess of the approved estimate. In regard to Catering services, the revised figure is shown at an operating deficit of \$30,000, a decrease of \$10,000 in the approved estimate. The more favourable outlook is due to a slight upward revision in prices to take place in the cafeteria, in addition to somewhat higher prices in the cafeteria, dining room and the sale of alcoholic beverages already implemented early this year.

SUMMARY OF 1963 INCOME ESTIMATES

<i>Income section</i>	<i>Revised estimate</i>	<i>Approved estimate</i>	<i>Increase (or decrease)</i>
	<i>United States dollars</i>		
1. Staff assessment income	8,931,000	9,101,000	(170,000)
2. Funds provided from extra-budgetary accounts	1,784,700	1,784,700	—
3. General income:			
(i) Rental income (space charges)	347,000	347,000	—
(ii) Reimbursement for staff and services furnished to specialized agencies and others	584,300	569,300	15,000
(iii) Income from interest and investment	12,000	100,000	(88,000)
(iv) Sale of used office, transportation and other equipment	67,000	60,000	7,000
(v) Refund of prior years' expenditure....	177,000	170,000	7,000
(vi) Contributions from non-Member States	253,000	253,000	—
(vii) Revenue from television services and film distribution	300,000	240,000	60,000
(viii) Miscellaneous income	140,000	50,000	90,000
TOTAL, income section 3	1,880,300	1,789,300	91,000
4. Sale of United Nations postage stamps (United Nations Postal Administration)	1,360,000	1,300,000	60,000
5. Sale of publications	511,000	541,000	(30,000)
6. Services to visitors and catering services			
Chapter I. Services to visitors:			
Guided Tours Service	369,500	369,500	—
United Nations Gift Centre	160,000	184,000	(24,000)

SUMMARY OF 1963 INCOME ESTIMATES (continued)

Income section	Revised estimate	Approved estimates	Increase (or decrease)
	<i>United States dollars</i>		
Souvenir Shop	204,000	204,000	—
Guided tours, Geneva	20,000	14,000	6,000
	753,500	771,500	(18,000)
Chapter II. Catering services	(30,000)	(40,000)	10,000
	723,500	731,500	(8,000)
TOTAL, income section 6			
	6,259,500	6,146,500	113,000
TOTAL, income other than staff assessment			

ANNEX

Draft resolution on the supplementary estimates for the financial year 1963

[For the text of this draft resolution as amended by A/5558, A/5616 and A/C.5/986, see A/5644, para. 19 below.]

DOCUMENT A/5558

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[27 September 1963]

1. The Advisory Committee on Administrative and Budgetary Questions considered the report of the Secretary-General on the supplementary estimates for the financial year 1963 (A/5525).

2. In accordance with established practice, the Advisory Committee had the opportunity during its summer session to review the status of the 1963 budget. However, this review was carried out relatively early and the basis used could only be the expenditures and obligations recorded up to the end of April 1963 for Headquarters, the European Office and the International Court of Justice, and up to the end of March 1963 for other offices. Accordingly, the review was limited to information available at that time on specific increases and decreases in requirements and general indications on apparent expenditure trends.

ANALYSIS OF THE SUPPLEMENTARY ESTIMATES

3. The Advisory Committee notes that, for the first time in recent years, the Secretary-General is not requesting any additional appropriations and that, in fact, he expects to end the fiscal year with a net surplus of \$983,000.

4. Of the total decrease of \$983,000 in the expenditure budget, \$700,000 represents the unobligated balance of the funds appropriated in 1963 for the United Nations Conference on Trade and Development. This is

a point which the Committee has already considered in relation to the revised estimates for 1964 resulting from decisions of the Economic and Social Council (A/5529). This unspent balance of \$700,000 will be surrendered at the end of 1963 but the Secretary-General will seek re-appropriation of it for 1964. The Advisory Committee must therefore draw attention to the fact that this is not a saving but merely a deferred expenditure.

5. Furthermore, an amount of \$169,200, representing the balance of unobligated 1963 funds in regard to the payment of interest and instalment due on principal for United Nations bonds sold, will be surrendered. This balance is attributable to the fact that actual sales of bonds were somewhat less than had been anticipated.

6. This leaves a balance of \$113,800 being the difference between additional requirements in 1963 and the anticipated surpluses which will more than offset them. Details of the former are given in paragraph 8 and of the latter in paragraph 9 below.

7. Apart from the expenditure budget, the Secretary-General reports that income from staff assessment is now estimated at \$170,000 below the approved figure, while other income should increase by \$113,000.

8. The additional requirements for the expenditure budget in the amount of \$857,100 fall under three main categories as follows:

United States dollars

(a) *Unforeseen and extraordinary expenses authorized under the terms of paragraph 1 of General Assembly resolution 1862 (XVII) with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions:*

(i) Special meetings and conferences (section 2):

Scientific and Technical Sub-Committee of the Committee on the Peaceful Uses of Outer Space....

13,700

	<i>United States dollars</i>	
(ii) Training of internal security forces:		
Burundi and Rwanda (section 12)	122,300	
(iii) Special missions (section 18):		
Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (\$30,900)		
United Nations Conciliation Commission for Palestine (\$100,000)	130,900	
(iv) Office of the United Nations High Commissioner for Refugees (Indemnification of refugees persecuted under the national socialist régime by reason of their nationality (section 20))	77,000	343,900
<hr/>		
(b) <i>Expenses arising from the application of Staff Rules and Regulations</i>		
(i) Increase in General Service and manual worker salary rates and in post classification levels (section 20)	56,700	
(ii) Increase in General Service and manual worker salary rates, Headquarters and Geneva (\$195,800). These additional costs have been absorbed under section 3	—	56,700
<hr/>		
(c) <i>Other additional requirements</i>		
(i) United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas (\$31,700) and commodity conferences (\$46,500) (section 2)	78,200	
(ii) Permanent equipment (section 8)	36,500	
(iii) Additional requirements due to rate and wage increases for contractual services and supplies and increased costs due to the prolongation of the fourth special session of the General Assembly from 3 to 7 weeks (sections 9 and 10)	317,800	
Special missions: increased expenditures for replacement of staff assigned to mission duty (section 18)	34,000	456,500
	<hr/>	<hr/>
TOTAL		857,100

9. The surpluses totalling \$970,900 include the following items:

	<i>United States dollars</i>	
(a) Special meetings and conferences (section 2):		
United Nations Conference on Consular Relations	46,700	
(b) Salaries and wages (section 3)	860,800	
(c) Common staff costs (section 4)	36,500	
(d) Printing (section 11)	26,900	(970,900)
	<hr/>	<hr/>

COMMENTS OF THE ADVISORY COMMITTEE

(a) *General*

10. In paragraph 7 of his report (A/5525), the Secretary-General states that, apart from those additional expenses arising as a result of commitments entered into under the terms of paragraph 1 of General Assembly resolution 1862 (XVII) relating to unforeseen and extraordinary expenses for the year 1963, a major portion of the supplementary requirements fall under sections 8, 9 and 10, the initial estimates for which were considerably reduced by the General Assembly upon the recommendation of the Advisory Committee.

11. In its examination of the supplementary requirements under sections 9 and 10, the Advisory Committee concluded that some were attributable to factors which were unknown and unforeseen either by the Secretary-

General or the Advisory Committee when the initial estimates were presented to it in June 1962 and could not therefore have been taken into account by the Committee at that time in arriving at its conclusions. Indeed, since revised estimates were not submitted for sections 9 and 10 at the end of 1962, it is evident that these factors were still unforeseen by the Secretary-General at that time. Such factors include the very severe winter, increases in the rates for contractual services, and the extension of the fourth special session of the General Assembly to seven weeks as compared with three and one-half weeks, originally provided for.

12. The Advisory Committee considers, however, that most of the supplementary requirements under section 8 and some of those under section 10 cannot be said to be unforeseen. As examples it would cite the acquisition of new furniture and equipment and the reinforcement of security measures under section 8, the

purchase of library books and the necessity for the Economic Commission for Africa to use cables and airmail rather than surface mail for its outside communications under section 10. As far as this type of foreseeable expenditure is concerned, the Advisory Committee considers that it should be met within the appropriations approved by the General Assembly, if necessary by the curtailment of other expenditures. If this were not possible, it should be deferred for inclusion in the budget estimates for the following year.

13. As a rule, budget appropriations approved by the General Assembly set limits on expenditure which should not be exceeded. Commitments or expenditure over and above these appropriations should be considered only if they could not have been foreseen at the time the appropriations were approved and are of an extraordinary nature.

14. The reductions in the supplementary estimates which the Advisory Committee recommends in the paragraphs which follow are in respect of items which in its opinion could have been foreseen.

(b) *Specific observations and recommendations*

Section 2. Special meetings and conferences

15. Under section 2, chapter VII—United Nations Conference on Trade and Development, the Secretary-General foresees an expenditure of \$617,500, leaving a balance of \$700,000 to be surrendered at year-end as indicated in paragraph 4 above. After close scrutiny of the expenditure experience to date, the Committee is of the opinion that the Secretary-General's estimate may be on the generous side; it would single out the amount of \$274,000 for "Other short-term substantive staff, and expert consultant services" as certainly susceptible of some reduction, if restraint were exercised in the remaining months of the year with respect to the recruitment of experts. It would seem reasonable to expect the regular establishment of the Economic and Social Affairs Department to provide additional substantive support to the Conference in the last quarter of 1963, now that the 1964 meeting schedule in the economic and social field has been drastically curtailed. Furthermore, in the Committee's opinion, greater use than is envisaged in the Secretary-General's estimate could be made in the preparation of the Conference of staff members who were originally intended to do preparatory work for the cancelled sessions.

16. The estimates of \$46,000 for travel on official business and of \$62,900 for general expenses, among others, would appear to offer some scope for economy.

17. In the light of the preceding observations, the Advisory Committee recommends that the Secretary-General's estimate for the 1963 costs of the United Nations Conference on Trade and Development, under chapter VII of section 2, be reduced by \$17,500 to a total of \$600,000. Accordingly, the Advisory Committee recommends approval of a revised appropriation of \$2,972,900 for the whole of section 2.

Section 3. Salaries and wages

18. The Secretary-General has proposed a net decrease for this section amounting to \$860,800 attributable mainly to the situation with regard to vacancies which has prevailed in 1963 in the total professional establishment. Whereas the Committee does not believe that a large number of these vacancies can be

filled by the end of the year, it does not propose any further reduction. However, it would point out that, of the 145 professional vacancies as at 31 August 1963, about nine-tenths are for highly technical posts⁸ for which qualified candidates are difficult to obtain.

Section 8. Permanent equipment

19. Under section 8, the Secretary-General is requesting a net additional appropriation of \$36,500 which can be broken down as follows between the various chapters:

<i>Chapter</i>	<i>Increase (or decrease) United States dollars</i>
I. Furniture and fixtures	13,800
II. Office equipment	(1,700)
III. Internal reproduction equipment	(900)
IV. Telecommunications equipment	27,800
V. Transportation equipment	(2,100)
VI. Other equipment	(400)
NET TOTAL	36,500

20. For the reasons indicated in its general comments (see paras. 10 to 13 above), the Committee, when it considered the supplementary estimates for this section, took it as a principle that—except in really unforeseen circumstances—there should be no purchase of permanent equipment for which no provision exists in the initial approved budget.

21. Applying this criterion to the Secretary-General's proposals, the Committee would be inclined to agree that a case can be made for certain items such as:

(a) The purchase of fixtures for a new annex to the headquarters of ECAFE (\$2,800). It now appears that this annex can be occupied from early November 1963; therefore the fixtures must be purchased this year;

(b) The completion of the change-over from disc to tape-recording (\$5,000). In this instance, there has been a small increase in the costs of the installation.

22. As for other items requested by the Secretary-General, the Committee believes that their purchase, if necessary, should be postponed to the next financial year.

23. For these reasons, the Committee recommends that a reduction of \$16,500 should be made in the additional provision of \$36,500 requested by the Secretary-General for section 8. Accordingly, the revised appro-

⁸ These posts include:

(a) Economic and social field (93) comprising:	
Statisticians	17
Economists	25
Specialists in:	
(i) Industrial development	10
(ii) Water and energy resources	8
(iii) Transport	5
(iv) Social affairs	16
(v) Agriculture	4
(vi) Administration and programming	8
	<hr/>
	93
(b) Conference services (35) comprising:	
Translators	20
Interpreters	5
Other technical staff	10
	<hr/>
	35

priations for section 8 would be in the amount of \$520,000.

Section 10. General expenses

24. The considerations set forth in paragraphs 10 to 13 above also apply in the case of section 10. For instance, the Committee finds it hard to believe that the rate of acquisition of library books cannot be foreseen and controlled in such a way as to keep the expenditure within the approved provision for the whole year. The Committee would therefore recommend that the appropriation under chapter VI be maintained at its initial level.

25. As stated in paragraph 12 above, and in view of the current state of land communications in Africa, the Committee does not see how additional expenditures can be justified by invoking the "need of the Commission to use cables and particularly airmail more extensively than surface mail in order to reach rapidly the various cities in the vast area covered by the Commission". This is clearly a case of known and foreseeable expenditure which could have been provided for in the initial budget.

26. In the light of the foregoing observations, the Committee is of the opinion that the additional provision of \$176,700 requested by the Secretary-General can be reduced by \$10,500. Accordingly, the Committee recommends approval of a revised appropriation of \$4,150,000 for section 10.

Part V. Technical programmes

27. In his report, the Secretary-General indicates that he sought the prior concurrence of the Advisory Committee for the transfer of \$40,000 from section 13 (Economic development) to section 15 (Human rights activities) for the purpose of awarding approximately twenty further fellowships in the field of human rights, in accordance with General Assembly resolution 1782 (XVII). The Advisory Committee concurs in the transfer.

Section 18. Special missions

28. The Advisory Committee has always advocated the strictest control of expenditures for the replacement of staff assigned to field missions, for which provision is made in chapter VII of section 18. It notes that the Secretary-General is now requesting an additional amount of \$24,000 for that purpose in 1963, or an increase of more than 23 per cent. While there is little doubt that, because of the heavy workload at Headquarters and the significant vacancy situation which has prevailed, particularly in the professional establishment, it has been necessary to replace, to a somewhat larger extent than originally contemplated, staff members assigned to field missions, the Committee is not convinced of the need for such a large increase and recommends a reduction of \$7,000 in the Secretary-General's estimate. Accordingly the revised appropriation recommended for section 18 is \$2,600,900.

29. Recapitulation of reductions recommended:

<i>Section</i>	<i>United States dollars</i>
2. Special meetings and conferences	17,500
8. Permanent equipment	16,500
10. General expenses	10,500
18. Special missions	7,000
	51,500

30. If the General Assembly accepts the foregoing recommendations, the amount of \$93,911,050 appropriated for the financial year 1963 by resolution 1861 A (XVII) should be decreased by \$1,034,500 to \$92,876,550.

Income

31. The estimates of income for 1963 approved by resolution 1861 B (XVII) should be revised as follows:

- (a) Income from staff assessment, decreased by \$170,000 to \$8,931,000;
- (b) Other income, increased by \$113,000 to \$6,259,500.

Supplementary reports

SECTIONS 2 AND 18

Expenses of the mission to South Viet-Nam pursuant to the decision taken by the General Assembly at its 1234th plenary meeting under agenda item 77

DOCUMENT A/C.5/986

Report of the Secretary-General

[Original text: English]
[15 November 1963]

1. At the 1234th plenary meeting of the General Assembly held on 8 October 1963, the President of the General Assembly made the following statement in regard to agenda item 77, "The violation of human rights in South Viet-Nam":

"I have been informed that the delegations of Costa Rica and Chile have agreed to withdraw the draft resolution [A/L.425 and Add.1]. As a result,

we have before us only the letter dated 4 October addressed to the President of the Assembly by the Special Mission of the Republic of Viet-Nam to the United Nations, the text of which I read out to the Assembly at the 1232nd meeting.

"The Assembly has heard the statements that were made yesterday. Since there are no formal proposals

to hand, may I take it that the Assembly wishes the President to take action on the basis of the said letter of 4 October 1963? There being no objections, I shall act accordingly.”

2. As a consequence of the decision taken by the General Assembly at its 1234th plenary meeting and further to the statement made by the President of the General Assembly at its 1239th plenary meeting on 11 October 1963, in which he announced that the composition of the United Nations Fact-Finding Mission to South Viet-Nam would be seven governmental representatives together with supporting staff at an estimated cost of \$33,600; the Secretary-General now wishes to inform the General Assembly of the actual expenses incurred by the Mission. These expenses are as follows:

	<i>United States dollars</i>
bers, Tokyo/Saigon/Tokyo for one staff member)	23,633
(b) Subsistence allowances	5,078
(c) Other expenses	1,789
	TOTAL 30,500

3. As a result of a further and more recent review of expenditures in 1963, the Secretary-General now anticipates that the costs for the printing of the proceedings of the United Nations Conference on Consular Relations will amount to some \$31,000 less than provided for in his report on the supplementary estimates for the financial year 1963 (A/5525). These expenses are provided for under chapter II of section 2—Special meetings and conferences. As a consequence he would request a transfer of funds from section 2 in the amount of \$31,000 to section 18—Special missions, to cover the above expenses resulting from the decision of the General Assembly to send a mission to South Viet-Nam in 1963.

- United States dollars*
- (a) Travel (New York/Saigon/New York for six governmental representatives, Geneva/Saigon/New York/Geneva for one governmental representative, New York/Saigon/New York for five staff members, Bangkok/Saigon/Bangkok for three staff mem-

DOCUMENT A/5616

Report of the Advisory Committee on Administrative and Budgetary Questions

*[Original text: English]
[19 November 1963]*

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (A/C.5/986) concerning the expenses resulting from the decision taken by the General Assembly at its 1234th plenary meeting on 8 October 1963 to authorize the President of the General Assembly to act on the basis of a letter, dated 4 October 1963, from the head of the Special Mission of the Republic of Viet-Nam, in which representatives of Member States were invited by his Government to visit Viet-Nam.

2. The Advisory Committee noted that at the 1239th plenary meeting on 11 October 1963, the President informed the General Assembly of the composition of the United Nations Fact-Finding Mission to South Viet-Nam, appointed by him, and of the Secretary-General's estimated cost of the mission (approximately \$33,600).

3. The Advisory Committee notes that the General Assembly did not have recourse, in this instance, to the procedure set forth in the second sentence of rule 15⁴ of its rules of procedure.

4. In paragraph 2 of his report (A/C.5/986) the Secretary-General lists the actual expenses incurred by the Mission, totalling \$30,500.

5. In paragraph 3, he states that as a result of a further and more recent review of expenditures in 1963, he now anticipates that the costs for the printing of the proceedings of the United Nations Conference on Consular Relations will amount to some \$31,000 less than provided for in his report on the supplementary estimates for the financial year 1963 (A/5525). These expenses are provided for under chapter II of section 2—Special meetings and conferences. As a consequence he requests a transfer of funds from section 2 in the amount of \$31,000 to section 18—Special missions, to cover the above expenses resulting from the decision of the General Assembly to send a mission to South Viet-Nam in 1963.

6. The Advisory Committee recommends that \$30,500, the actual cost of the Mission, be transferred from section 2 to section 18 of the 1963 budget.

DOCUMENT A/5644

Report of the Fifth Committee

*[Original text: English and French]
[6 December 1963]*

1. The Fifth Committee considered the supplementary estimates for 1963 in two parts, at meetings held on 3, 8 and 9 October 1963 (1009th, 1012th and 1013th meetings) and 28 November 1963 (1048th meeting).

2. The following table shows the total revised estimates for 1963:

	<i>Secretary-General's proposals</i>	<i>Advisory Committee's recommendations</i>	<i>Fifth Committee's recommendation to the General Assembly</i>
	<i>United States dollars</i>		
Revised estimates:			
Part I of the present report	(983,000)	(1,034,500)	(1,034,500)
Part II of the present report	[31,000] ^a	[30,500] ^a	[30,500] ^a
1963 appropriation (General Assembly resolution 1861 A (XVII))			93,911,050
Revised estimate for 1963			92,876,550
INCOME			
<i>Income from staff assessment</i>			
Approved estimate (General Assembly resolution 1861 B (XVII))			9,101,000
Estimated decrease			(170,000)
Revised estimate for 1963			8,931,000
<i>Other income</i>			
Approved estimate (General Assembly resolution 1861 B (XVII))			6,146,500
Estimated increase			113,000
Revised estimate for 1963			6,259,500

^a To be absorbed by a transfer between appropriation sections (see para. 17 below).

I

3. Part I of the supplementary estimates was examined on the basis of reports of the Secretary-General (A/5525) and the Advisory Committee on Administrative and Budgetary Questions (A/5558).

4. The Secretary-General's estimate of a decrease of \$983,000 in the budgetary requirements for 1963 was arrived at in the following manner:

	<i>United States dollars</i>	
<i>Additional requirements</i>		
(a) Unforeseen and extraordinary expenses authorized under the terms of General Assembly resolution 1862 (XVII)		343,900
(b) Expenses arising from the application of the staff Regulations and Rules		56,700
(c) Other additional requirements		456,500
		857,100
<i>Surpluses</i>		
(a) Section 2. Special meetings and conferences	46,700	
(b) Section 3. Salaries and wages	860,800	
(c) Section 4. Common staff costs	36,500	
(d) Section 11. Printing	26,900	(970,900)
	DECREASE	(113,800)
<i>Unobligated balances</i>		
United Nations Conference on Trade and Development (section 2)	700,000	
Service of United Nations bonds (section 12)	169,200	(869,200)
	TOTAL NET DECREASE	(983,000)

5. Income other than staff assessment was estimated at \$6,259,500, or an increase of \$113,000, while staff assessment income was estimated at \$8,931,000, or a decrease of \$170,000.

6. In its report (A/5558) the Advisory Committee recommended, for the reasons given in paragraphs 10 to 28, that the revised appropriations proposed by the Secretary-General should be reduced by the following amounts:

	<i>United States dollars</i>
Section 2. Special meetings and conferences	17,500
Section 8. Permanent equipment	16,500
Section 10. General expenses	10,500
Section 18. Special missions	7,000
TOTAL	51,500

The revised appropriations accordingly recommended by the Advisory Committee were as follows:

	<i>United States dollars</i>
1963 appropriations (General Assembly resolution 1861 A (XVII) of 20 December 1962)	93,911,050
Decrease recommended by the Advisory Committee	<u>1,034,500</u>
Revised appropriations	92,876,550
<i>Less</i> estimated income, as adjusted under the recommendations of the Secretary-General and the Advisory Committee:	
(a) Income from staff assessment	8,931,000
(b) Income from other sources	<u>6,259,500</u>
Revised net appropriations recommended by the Advisory Committee	<u><u>77,686,050</u></u>

7. Most of the delegations taking part in the discussion welcomed the results which the Secretary-General's report disclosed. For the first time in many years a net reduction was proposed in the level of the budget appropriations as initially approved and while it was true that fortuitous circumstances (for example, the postponement of the United Nations Conference on Trade and Development and difficulties of recruitment to vacant professional posts) accounted for a substantial drop in expenditure, the Secretary-General had unquestionably made a commendable effort to administer the 1963 budget economically. It was also gratifying that, in contrast to the experience of 1962, it had not proved necessary to make heavy supplementary provision under section 18, Special missions. In general, these delegations felt that the comments made in the Fifth Committee at the seventeenth session⁹ in regard to the need for the General Assembly and the Main Committees to conform to the letter and the spirit of Financial Regulation 13.1 and rule 154 of the Assembly's rules of procedure had had a salutary effect. They also endorsed the view of the Advisory Committee that many of the supplementary items under section 8 and some of those under section 10 could not properly be regarded as unforeseeable expenses (A/5558, para. 12), as well as the broad principle that "as a rule, budget appropriations approved by the General Assembly set limits on expenditure which should not be exceeded", and that "commitments or expenditure over and above these appropriations should be considered only if they could not have been foreseen at the time the appropriations were approved and are of an extraordinary nature" (*ibid.*, para. 13).

8. Some representatives, however, considered that the principle laid down by the Advisory Committee predicated a degree of perfection that would be difficult to achieve. Since firm financial control was always exercised both by the Secretary-General and by the Advisory Committee, it would be reasonable to grant the Secretary-General some latitude where, in the course of a year, there was evident need for a supplementary provision. The Fifth Committee should not cavil at increases for such items as furniture and equipment and improved security arrangements, or at the possible need for increases in contractual services. The justification offered by the Advisory Committee (A/

5558, para. 15) for a cut of \$17,500 in the 1963 provision for the United Nations Conference on Trade and Development (sect. 2, chap. VII) appeared to be somewhat tenuous. The preparatory work for the Conference was of the highest importance; there was already a shortage of statisticians and economists within the Department of Economic and Social Affairs, and highly specialized experts must of necessity be engaged from outside sources, if the Conference was not to be delayed. In general, it was to be hoped that the General Assembly would allow the greatest administrative flexibility consonant with adequate control.

9. Criticism was voiced by some delegations. In their opinion, the surplus of \$983,000 was, as to 90 per cent, unrelated to administrative efficiency or economy. Of that amount, \$700,000 arose out of the postponement of the United Nations Conference on Trade and Development, while a further \$169,200 was attributable to the fact that sales of United Nations bonds had fallen short of the estimate. The true surplus of \$113,800 should have been very much larger; that would have been possible had there been a strict regard to budgetary and financial procedures and a proper exercise of administrative control. The Advisory Committee had rightly pointed out that the appropriations voted by the General Assembly set limits on the expenditure to be incurred under the several sections of the budget. Unfortunately, both the Secretariat and certain of the United Nations organs paid scant attention to the financial regulations. The virtual doubling of the costs of the forthcoming United Nations Conference on Trade and Development was a case in point, reflecting a careless and uneconomic approach on the part of the Economic and Social Council and the Secretariat. Furthermore, it was clear that year by year excessive estimates were submitted under section 3—Salaries and wages. For the section as a whole the Secretary-General anticipated a surplus of about \$860,000, while the surplus under chapter I—Established posts, was estimated at more than \$1 million. Those figures demonstrated that the staff of the Secretariat was too large and the budgetary provision too liberal. The increase in established posts authorized at the seventeenth session of the General Assembly had raised the number of vacant posts in the first part of 1963 to over 200, and it was not until August 1963 that any marked decrease had occurred. In general, there was need for a more rational use of staffing resources, for a policy of strict budgetary control and for higher standards of administrative efficiency. The Advisory Committee could help in the matter by renewing the practice of making periodic studies of selected areas of the Secretariat; in former years it had singled out one or two departments for exhaustive study, and that was one of many means whereby economy could be imposed upon the Secretariat. These delegations also considered that certain items in the estimates were contrary to the Charter: in particular, the expenses connected with the United Nations bond issue and the United Nations Memorial Cemetery in Korea under section 12, and those relating to the United Nations Commission for the Unification and Rehabilitation of Korea and the United Nations Truce Supervision Organization on Palestine under section 18.

10. The Chairman of the Advisory Committee pointed out that the Committee had been anxious to make a special review of the whole area of economic and social activities. It was, however, necessary to

⁹ See *Official Records of the General Assembly, Seventeenth Session, Annexes*, agenda item 61, document A/5384, paras. 7-10.

await the study on which the Administrative Management Service of the Office of the Controller had been engaged for many months. The Advisory Committee subscribed whole-heartedly to the principle of periodic surveys and would continue to undertake them in the future. On other points raised in the course of the discussion, he considered that the slight reduction recommended in the 1963 provision for the United Nations Conference on Trade and Development would not affect the preparatory work adversely. Normally, some 3,000 pages of documentation were prepared for the sessions of the three main functional commissions of the Economic and Social Council. As those commissions would not be holding sessions in 1964, it could reasonably be assumed that some staff time could be diverted to other tasks, including those connected with the Conference. As regards the large surplus under chapter I of section 3, he assured the Committee that neither the Advisory Committee nor the Secretary-General had reason to be pleased about the outcome. The fact that so many professional posts had remained vacant for the greater part of the year 1963 might of course create the impression that the Secretary-General could dispense with them. That was not the case; the Advisory Committee was satisfied that all of the posts were necessary, and it understood that, as a result of the recruitment delays, an unduly heavy burden had fallen on some sections of the staff and that in certain instances programmes had been retarded.

11. The representative of the Secretary-General assured the Committee that the Secretariat would pay close attention to the observations and criticisms made during the debate. Some delegations had taken the Secretary-General to task for not being able to report any "real savings". The Secretary-General had not claimed to have achieved savings; he had however made a conscious and sustained effort to hold down expendi-

ture. Moreover, apart from the unexpended balances in connexion with the United Nations Conference on Trade and Development and with the service of the United Nations bonds, unforeseen and extraordinary expenditure or expenditure relating to statutory requirements had been absorbed, to an amount exceeding \$400,000, within the limits of the appropriations. That meant that the real reduction in expenditure was much higher than the figure of some \$113,000 which had been mentioned. In any case, there was no basic difference of views between the Secretary-General and the Advisory Committee, even though the former could not agree with all the reasons put forward by the Committee in support of its recommendations. As regards the size of the surplus under section 3, the Secretary-General was the first to regret that recruitment to the vacant professional posts had not moved fast enough. Everything possible was being done to remedy the situation. Similarly, in regard to sections 8 and 10, the Secretary-General did not contest the basic philosophy outlined by the Advisory Committee (A/5558, paras. 12-13) and by some delegations. It was, however, quite impossible to forecast, eighteen months in advance, every detailed requirement with precision. The Secretariat would continue to do its utmost to keep within the limits of the authorized appropriations, but it could not undertake to adhere exactly to every single budget line, unless it was to abandon the policy of a tight budget, which would be contrary to established practice and to the requirements of a sound administration.

Decisions of the Committee

12. At the 1013th meeting, the Committee voted on those sections of the supplementary estimates, as recommended by the Advisory Committee (A/5558, paras. 17, 18, 23, 26 and 28), which differed from the original appropriations. The result of the voting was as follows:

<i>Appropriation section</i>	<i>Revised estimate</i>	<i>In favour</i>	<i>Against</i>	<i>Abstentions</i>
	<i>United States dollars</i>			
2. Special meetings and conferences	2,972,900	69	0	1
3. Salaries and wages	43,627,000	61	11	0
4. Common staff costs	10,159,000	61	0	11
8. Permanent equipment	520,000	62	0	11
9. Maintenance, operation and rental of premises	3,709,300	62	0	11
10. General expenses	4,150,000	62	0	11
11. Printing	1,456,850	62	0	11
12. Special expenses	4,798,100	62	11	3
13. Economic development	2,095,000	65	0	11
15. Human rights activities	180,000	65	0	11
18. Special missions	2,600,900	63	11	2
20. Office of the United Nations High Commissioner for Refugees	2,583,700	65	0	11

13. The Committee also voted on the income sections of the 1963 budget in respect of which the Advisory Committee had recommended (A/5558, para. 31) estimates differing from those originally approved. The result of the voting was as follows:

<i>Income section</i>	<i>Revised estimate</i>	<i>In favour</i>	<i>Against</i>	<i>Abstentions</i>
	<i>United States dollars</i>			
1 Staff assessment income	8,931,000	Unanimous		
3 General income	1,880,300	Unanimous		
4 Sale of United Nations postage stamps (United Nations Postal Administration)	1,360,000	Unanimous		
5 Sale of publications	511,000	Unanimous		
6 Services to visitors and catering services	723,500	Unanimous		

II

14. Part II of the supplementary estimates for 1963 arose under agenda item 77 concerning the violation of human rights in South Viet-Nam. At its 1048th meeting, held on 28 November 1963, the Committee considered a report of the Secretary-General (A/C.5/986) informing the General Assembly of the actual expenses incurred by the seven-Power mission which visited South Viet-Nam in October and November 1963. The expenses in question amounted to \$30,500, and the Secretary-General proposed that these should be covered by the transfer of \$31,000 from section 2—Special meetings and conferences, to section 18—Special missions. He added that the revised costs (under chapter II of section 2) for the printing of the proceedings of the United Nations Conference on Consular Relations were expected to be some \$31,000 lower than the figure provided for in his previous report on the supplementary estimates for 1963 (A/5525).

15. In a related report (5/5616) the Advisory Committee recommended that the sum to be transferred from section 2 to section 18 of the 1963 budget should be limited to \$30,500. The Committee pointed out that at the 1239th plenary meeting of the General Assembly on 11 October 1963, at which the President informed the Assembly of the composition of the United Nations Fact-Finding mission to South Viet-Nam and of the Secretary-General's cost estimate, recourse had not been had to the procedure prescribed in the second sentence of rule 154 of the rules of procedure of the General Assembly.

16. One delegation expressed the opinion that the mission of inquiry should not have been organized

through the United Nations. Had the existing machinery, in the form of the International Control Commission, been used, no expenses would have fallen on the United Nations.

Decisions of the Committee

17. The Fifth Committee concurred in the recommendation of the Advisory Committee for the transfer of \$30,500 from section 2, to section 18, to cover the actual expenses of the mission to South Viet-Nam.

18. At its 1052nd meeting on 6 December 1963, the Committee voted on the draft resolution on the supplementary estimates for the financial year 1963. Separate votes were requested on sections 2 and 18. The result of the voting was as follows:

	<i>In favour</i>	<i>Against</i>	<i>Abstentions</i>
Section 2	54	0	10
Section 18	50	11	0
Draft resolution as a whole	57	11	0

Recommendation of the Fifth Committee

19. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 1963

[Text adopted by the General Assembly without changes. See "Action taken by the General Assembly" below.]

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1276th plenary meeting on 11 December 1963, the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/5644, para. 19). For the final text see resolution 1924 (XVIII) below.

Resolution adopted by the General Assembly

1924 (XVIII). SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 1963

The General Assembly

1. Resolves that for the financial year 1963 the amount of \$US 93,911,050 appropriated by its resolution 1861 A (XVII) of 20 December 1962 shall be decreased by \$1,034,500 as follows:

	<i>Amount appropriated by resolution 1861 A (XVII)</i>	<i>Increase (or decrease)</i>	<i>Total revised appropriation</i>
A. UNITED NATIONS			
<i>(United States dollars)</i>			
<i>Section</i>			
<i>Part I. Sessions of the General Assembly, the Councils, commissions and committees; special meetings and conferences</i>			
1. Travel and other expenses of representatives, members of commissions, committees and other subsidiary bodies	1,185,300	—	1,185,300
2. Special meetings and conferences	3,645,200	(702,800)	2,942,400
TOTAL, PART I	4,830,500	(702,800)	4,127,700
<i>Part II. Staff costs and related expenses</i>			
3. Salaries and wages	44,487,800	(860,800)	43,627,000
4. Common staff costs	10,195,500	(36,500)	10,159,000
5. Travel of staff	2,024,200	—	2,024,200
6. Payments under annex I, paragraphs 2 and 3, of the Staff Regulations; hospitality	100,000	—	100,000
TOTAL, PART II	56,807,500	(897,300)	55,910,200
<i>Part III. Buildings, equipment and common services</i>			
7. Buildings and improvements to premises	4,272,000	—	4,272,000
8. Permanent equipment	500,000	20,000	520,000
9. Maintenance, operation and rental of premises	3,568,200	141,100	3,709,300
10. General expenses	3,983,800	166,200	4,150,000
11. Printing	1,483,750	(26,900)	1,456,850
TOTAL, PART III	13,807,750	300,400	14,108,150
<i>Part IV. Special expenses</i>			
12. Special expenses	4,845,000	(46,900)	4,798,100
TOTAL, PART IV	4,845,000	(46,900)	4,798,100
<i>Part V. Technical programmes</i>			
13. Economic development	2,135,000	(40,000)	2,095,000
14. Social activities	2,105,000	—	2,105,000
15. Human rights activities	140,000	40,000	180,000
16. Public administration	1,945,000	—	1,945,000
17. Narcotic drugs control	75,000	—	75,000
TOTAL, PART V	6,400,000	—	6,400,000
<i>Part VI. Special missions and related activities</i>			
18. Special missions	2,453,000	178,400	2,631,400
19. United Nations Field Service	1,403,000	—	1,403,000
TOTAL, PART VI	3,856,000	178,400	4,034,400
<i>Part VII. Office of the United Nations High Commissioner for Refugees</i>			
20. Office of the United Nations High Commissioner for Refugees	2,450,000	133,700	2,583,700
TOTAL, PART VII	2,450,000	133,700	2,583,700
B. INTERNATIONAL COURT OF JUSTICE			
<i>Part VIII. International Court of Justice</i>			
21. International Court of Justice	914,300	—	914,300
TOTAL, PART VIII	914,300	—	914,300
GRAND TOTAL	93,911,050	(1,034,500)	92,876,550

2. Resolves that the unexpended balance of the 1963 appropriation in respect of the United Nations building in Santiago, Chile (section 7, chapter III) shall be transferred on 31 December 1963 to the Building Fund established under General Assembly resolution 1692 (XVI) of 18 December 1961;

3. Further resolves that the estimates of income for the financial year 1963, approved by its resolution 1861 B (XVII) of 20 December 1962, shall be revised as follows:

Income section	<i>Estimate approved by resolution 1861 B (XVII)</i>	<i>Increase (or decrease)</i>	<i>Revised estimate</i>
<i>(United States dollars)</i>			
<i>Part I. Income from staff assessment</i>			
1. Staff assessment income	9,101,000	(170,000)	8,931,000
TOTAL, PART I	9,101,000	(170,000)	8,931,000
<i>Part II. Other income</i>			
2. Funds provided from extra-budgetary accounts	1,784,700	—	1,784,700
3. General income	1,789,300	91,000	1,880,300
4. Sale of United Nations postage stamps (United Nations Postal Administration)	1,300,000	60,000	1,360,000
5. Sale of publications	541,000	(30,000)	511,000
6. Services to visitors and catering services	731,500	(8,000)	723,500
TOTAL, PART II	6,146,500	113,000	6,259,500
GRAND TOTAL	15,247,500	(57,000)	15,190,500

*1276th plenary meeting,
11 December 1963.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 57 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/5507	Fifth report of the Advisory Committee on Administrative and Budgetary Questions	<i>Official Records of the General Assembly, Eighteenth Session, Supplement No. 7</i>
A/5529	Revised estimates for sections 1, 2, 3, 4, 5, 7, 8, 9, 10 and 11 and income section 1 resulting from decisions of the Economic and Social Council: report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid., Eighteenth Session, Annexes, agenda item 58</i>
A/C.5/978	Revised estimates for sections 1, 2, 3, 4, 5, 7, 8, 9, 10 and 11 and income section 1 resulting from decisions of the Economic and Social Council: report of the Secretary-General	<i>Ibid.</i>
A/C.5/996	Requirements of the Economic Commission for Asia and the Far East in connexion with the occupation of the new annex building at Bangkok: report of the Secretary-General	<i>Ibid.</i>
A/C.5/L.816	Draft report of the Fifth Committee	For the text of this document as amended by the Fifth Committee at its 1052nd meeting, see A/5644
A/L.425 and Add.1	Chile and Costa Rica: draft resolution	<i>Official Records of the General Assembly, Eighteenth Session, Annexes, agenda item 77</i>



Agenda item 58: Budget estimates for the financial year 1964*

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* For the discussion of this item, see *Official Records of the General Assembly, Eighteenth Session, Fifth Committee, 1019th to 1034th, 1043rd, 1044th 1046th, 1048th to 1054th and 1058th to 1060th meetings; and ibid., Plenary Meetings, 1276th, 1284th and 1285th meetings.*

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Abbreviations

ECA	Economic Commission for Africa
ECAFE	Economic Commission for Asia and the Far East
ECE	Economic Commission for Europe
ECLA	Economic Commission for Latin America
FAO	Food and Agriculture Organization of the United Nations
GATT	General Agreement on Tariffs and Trade
IAEA	International Atomic Energy Agency
IBRD	International Bank for Reconstruction and Development
ILO	International Labour Organisation
ONUC	United Nations Operation in the Congo
OPEX	Operational, executive and administrative personnel
TAB	Technical Assistance Board
TAC	Technical Assistance Committee
UNEF	United Nations Emergency Force
UNESCO	United Nations Educational Scientific and Cultural Organization
UNICEF	United Nations Children's Fund
WHO	World Health Organization

GENERAL STATEMENTS

DOCUMENT A/C.5/988

Statement made by the Secretary-General at the 1019th meeting of the Fifth Committee

[Original text: English]
[16 October 1963]

1. I thank you for giving me this opportunity of meeting with the members of the Fifth Committee and presenting the budget estimates for the financial year 1964 [A/5505].

2. When I had the honour of addressing this Committee in October last year¹ I felt that, before offering

¹ Official Records of the General Assembly, Seventeenth Session, Annexes, agenda item 62, document A/C.5/925.

comments on the estimates which I had proposed for 1963, it was necessary to give priority to a matter of cardinal importance, namely, the financial position and prospects of this Organization. Regrettably, this problem is still with us and, while here and there we may find grounds for optimism, the general situation remains serious, as I have described in the introduction to my annual report on the work of the Organization [A/5501/Add.1], and the United Nations is likely for some time to come to continue to operate under a serious financial deficit, while the cash position outlook is causing considerable anxiety.

3. In a report to this Committee last May² I indicated that the Organization's deficit in respect of the regular budget, UNEF and ONUC, which totalled \$74 million at the beginning of the year, was estimated at \$101 million as at 30 June and might increase to \$140 million by the end of the year. The deficit at 30 June was, in fact, \$114 million.

4. At its special session in the summer of this year, the General Assembly approved new assessments for UNEF and ONUC for the second half of 1963, and decided to extend to the end of this year the period during which United Nations bonds could be sold. These factors had not been taken into account in my May projection of the year-end financial position and it now appears that at the end of 1963 the Organization will have unpaid obligations totalling \$162 million. Net cash resources at that time may be estimated at \$50 million. On this basis the deficit will be some \$112 million.

5. Although, as a result of the Assembly's actions in June, this projection of the cash position at the end of the year is more optimistic than my forecast of last May, it is likely that not more than 10 to 15 per cent of any new assessments in respect of the regular budget, UNEF and ONUC for 1964 will be paid during the first three months of next year, nor more than 25 to 30 per cent during the first six months of 1964. This situation is far from reassuring. I therefore trust that Governments of Member States will find it possible to meet the request of the General Assembly to pay the arrears in assessments which now total more than \$100 million, and to respond to my appeal to buy the balance of some \$50 million of United Nations bonds that remain unsold.

6. It is, of course, open to the Secretary-General, and indeed I conceive it to be his duty, to take certain steps aimed at improving the finances of the organization. Where the regular budget is concerned, it is certainly his duty to exercise at all times the utmost economy consistent with efficiency. But it is obviously not possible, without seriously impairing normal activities of the Organization, to find in mere reductions of the regular budget a remedy for an over-all financial situation which is so difficult. The ultimate decision whether the Organization shall flourish or languish from lack of financial resources must rest with Member States themselves.

7. The members of the Fifth Committee are, I know, also interested in receiving as soon as possible some estimate of the amount which is likely to be assessed upon Member States in respect of the financial year 1964. The initial estimates for 1964, which you have before you, amount to some \$96.6 million

gross. The Advisory Committee on Administrative and Budgetary Questions has recommended a reduction of \$1,112,570 which, if approved by this Committee, would reduce the estimates to approximately \$95.5 million gross. You have already considered my report on the supplementary estimates for 1963 [A/5525] where, contrary to the practice of the past many years, I have proposed a decrease in the approved appropriation for 1963, instead of an increase. On the other hand, I pointed out in paragraph 2 of the foreword to my initial estimates that certain revisions would or might have to be made for a number of reasons which were enumerated. I now estimate these revisions at \$6 million comprising, in round figures, \$2,402,500 as recommended by the Advisory Committee in respect of decisions taken by the Economic and Social Council at its 1963 session; \$1.7 million in respect of the convening in August of 1964 a third International Conference on the Peaceful Uses of Atomic Energy; \$165,000 in respect of urgent items of major maintenance and improvement to the Palais des Nations at Geneva; \$540,000 in respect of the building for the Economic Commission for Latin America in Santiago; and a contingency item, which at the moment is very tentative, of \$1.2 million, for reconstruction of the conference facilities and other improvements at Headquarters, New York and for various miscellaneous items resulting from decisions of the General Assembly at its current session. In the aggregate, these several items bring the total estimates to a figure of \$101.5 million. Now, if we deduct from this last figure the sum recommended by the Advisory Committee in respect of income other than staff assessment, namely, \$5,698,400, we arrive at the figure of \$95.8 million. A further deduction has to be made in respect of income from staff assessment. In so far as the initial estimates are concerned, the figure recommended by the Advisory Committee is \$9,225,000, to which is to be added the sum of \$215,000 in respect of staff assessment income in connexion with both the third International Conference on the Peaceful Uses of Atomic Energy and the decisions taken by the Economic and Social Council at its 1963 sessions. The total amount of income from staff assessment thus amounts to \$9,440,000—an amount which will be credited to the Member States through the Tax Equalization Fund. Thus the net total of the 1964 budget is currently estimated at \$86.4 million, from which figure we have to deduct \$700,000, representing the unobligated balance of the 1963 appropriations for the United Nations Conference on Trade and Development and \$2,602,171 being the balance of surplus as at 31 December 1962 available for credit against the 1964 contributions of Member States. The estimated level of assessment for 1964 is therefore \$83.1 million, as compared with an approved level of assessment for 1963 of \$80.3 million.

8. I should like now, before entering into the details of the estimates, to say a few words about the general policy that has governed the preparation of the 1964 budget. This year I have had to strike a difficult balance between conflicting factors: on the one hand, there is a precarious cash position, attributable in largest part to the peace-keeping operations of the Organization; on the other, a pressing need to undertake new and expanding programmes of work in complex and evermore technical fields. For my part, I would not think it wise to go below the level which I have proposed, and I have already expressed the view that it

² *Ibid.*, Fourth Special Session, Annexes, agenda item 7, document A/C.5/974.

would be unwise to seek to redress through the regular budget a situation which has developed over the last few years from causes that are quite distinct.

9. Nevertheless, I have endeavoured, in the face of so serious a situation, to hold expenses to an absolute minimum without hampering the execution of essential programmes. To meet this objective, I have taken a rigidly conservative line, as the budget document itself attests: whatever additions it contains by comparison with the 1963 appropriations are unavoidable increments or flow from decisions taken by the General Assembly or other principal organs of the United Nations.

10. Yet it will not escape any one of us that, however necessary such conservative action may be—for, after all, we have been operating for several years under serious deficits—it is not a policy which could in other circumstances commend itself to the Members of the United Nations. The Members have demonstrated beyond the possibility of doubt that they wish our Organization to grow; they have demonstrated this in resolutions of the Assembly, the Councils, the commissions and the committees. These resolutions do no more than reflect the desire of peoples everywhere to see the work of the United Nations expand in volume and intensity and come closer to their daily lives. It is therefore a task of manifest difficulty, in the face of growing demands from all parts of the world—above all, from the developing countries—for the Secretary-General to impose the strict policy of consolidation and containment which a precarious financial situation may seem to dictate.

11. Yet for 1964 I have proposed such a policy. In large part, this has been possible because the total resources, particularly the staffing resources, authorized for 1963 have not yet been put to full use. But, as I have already reported to you, this situation is undergoing a change, and there is a progressive improvement in the rate of recruitment to established posts. We are beginning to overcome some of the difficulties that have confronted us: the need, for example, to recruit increasing numbers of specialists in scientific and technical fields, while also observing the requirements of geographical distribution. It appears therefore that this policy of containment will be of short duration, for it is surely axiomatic that with so many complex problems facing the world the United Nations must be ready to undertake new and expanding work programmes in the major fields in which it plays so prominent a role. It would, by that token, be unrealistic not to provide for a certain rate of growth in the activities of the Organization, together with a corresponding increase in the budgetary provision for coming years.

12. Clearly, however, this increase in the future level of the budget must be controlled and maintained within reasonable limits. Let me very briefly reiterate the measures for achieving this end which I outlined to this Committee last year;¹ they are co-operative measures in which the Member States and the Secretariat must play an equal part. First and foremost, we must make sure that all existing resources are used to maximum effect. For this purpose, the Secretariat must seek the co-operation of Member States and the principal organs in order to ensure that their work programmes and related conference schedules are rationalized; that the work is governed by a clear order of priorities and phased over a reasonable period of time; that the manpower available to the Secretary-General is fully util-

ized and that the end results are not only consonant with the efforts exerted by the Secretariat and the Member States but also with the level of expenditure incurred. These measures, which I have sketched in briefest outline, I consider to be indispensable if the Secretariat is to achieve and maintain the highest standards of quality in its basic research, studies and reports.

13. I would like at this point to acknowledge the valuable assistance which I have received this year from the Economic and Social Council. The Council's co-operative attitude in the matter of its work programmes, priorities and schedule of meetings is reflected in concrete terms in the estimates which are before you giving effect to its decisions. Even though the Council's discussions on these subjects at its latest sessions were affected by the special circumstances of 1964 such as the holding of the United Nations Conference on Trade and Development in Geneva and the limitation on the number of conference rooms available at Headquarters due to the reconstruction work which will take place next year, we may hope that the Council will continue to study in coming years the problems of a rational scheduling of meetings for all of its subsidiary bodies, and the establishment of guidelines for the application of priorities for its work programmes.

14. There is one other matter of policy to which I would refer at this stage, namely, the possibility of setting up a buildings fund designed to provide for the major maintenance and expansion of facilities at Headquarters, in Geneva and at other offices owned by the United Nations. I have dealt with this proposal in the foreword to my estimates, in paragraphs 41 to 48, where I suggest that, if the principle of establishing such a fund is approved, the first annual provision might be deferred until 1966. There is therefore no question of adding to the 1964 assessment on this account. I do, however, commend this proposal to your earnest consideration. The United Nations buildings represent an extremely valuable asset in which all Members have a share and it is a matter of common prudence to protect this asset by means of adequate maintenance and a full utilization of the buildings. I feel that a fund of this kind, in which reserves might accumulate from year to year, would form a useful cushion against the exceptionally heavy costs that necessarily arise from time to time in the maintenance and expansion of premises. At the present time, the most immediate problem concerns the Palais des Nations at Geneva. Although an expansion and improvement programme was carried out between 1958 and 1962 and resulted in a substantial increase in conference capacity, the growth of conference activity that has occurred since 1957 in respect both of special conferences and *ad hoc* meetings and the steady increase in the membership of international organizations using the facilities of the Palais have led to a situation in which the expectations on which the original plan was based have been far exceeded. The year 1964 will constitute a peak year in this respect. Because of the twelve-week session of the Conference on Trade and Development, it has been necessary to seek the agreement of the ILO and WHO to a re-scheduling of their annual conferences. I am indeed grateful to both organizations that despite the serious inconvenience caused by this revision of their calendar, they have given their assent; but they have naturally requested, and been given the assurance, that the 1964

arrangements will not constitute a precedent. I have already submitted to the General Assembly at the current session a separate report [A/C.5/982] on the problems at Geneva which deals with the need for certain projects of major maintenance and for a further expansion of conference room facilities. My report proposes that provision be made in 1964 to deal with two urgent matters concerning the repair of the roofs and the furnishing of a delegates' lounge and I trust you will endorse this modest request. It also contains a recommendation that the Advisory Committee should be invited to make a comprehensive examination of the situation at the Palais des Nations during the early part of 1964. This would enable the General Assembly at its next session, on the basis of the Advisory Committee's findings, to make an assessment of future needs and at the same time determine how heavy expenditure of this kind can best be met.

15. I turn next to the details of the initial estimates for 1964. The reductions recommended by the Advisory Committee amount to \$1,112,570. Admittedly, this total does not, on the face of it, appear to be unduly severe in relation to a gross expenditure figure of \$96.6 million. However, the recommended reduction, when analysed, does cause me some misgiving, for as much as 25 per cent or \$273,000 of it has been applied to three sections: section 8—Permanent equipment, section 9—Maintenance operation and rental of premises, and section 10—General expenses, in connexion with which we have experienced continuous difficulty over the years in containing expenditure within the initially authorized limits. It is pertinent to refer to our most recent experience, which is reflected in the supplementary estimates for 1963. My estimates for these sections for 1964 have again been based on past experience, and they take account of the fact that many of the expenditures in sections 9 and 10 are governed by elements wholly beyond my administrative control: for example, increases, statutory and otherwise, in local rates and prices for indispensable contractual services and supplies; fluctuations in the conference programme—I cite as an example the doubling of the length of the recent special session of the General Assembly—and the incidence of severe climatic conditions. Where section 8 is concerned, the estimates for furniture and fixtures and office equipment are based on carefully prepared programmes of acquisition or replacement. Due to the heavy reductions made to the initial estimates for the past several years, we have been compelled to defer procurement of essential items from year to year. This is not, in my opinion, a sound policy.

16. I feel that perhaps too little attention has been given to the experience of the past as well as to the peculiar factors that govern the level of expenditure in sections 8, 9 and 10. I fear that even with the application of strict controls, the factors in question may force me twelve months hence to seek once again supplementary provision under these three headings, should this Committee endorse the lower level proposed by the Advisory Committee. You will no doubt appreciate that this is something which I am most anxious to avoid. In view of what I have just said, it is not easy for me to accept the Advisory Committee's recommendations. At the same time I am naturally reluctant to contest formally these recommendations which, as I well know, are prompted by a desire to lighten the financial burden that must fall on the Member States,

which I share. I would, however, earnestly request this Committee, in arriving at a decision on the level for these sections, to give careful consideration to the reservations I have just expressed.

17. Similarly, as regards the remaining reductions which the Advisory Committee recommended, I am prepared, in view of present circumstances, not to contest them, even though I may perhaps be entitled to claim that the estimates which I have submitted are extremely conservative and take full account of the difficult financial situation of the moment. They represent an increase of no more than \$800,000 over the level appropriated for 1963 if we exclude expenditure items which are of a statutory nature—for example, the amounts required for the United Nations bond issue and compulsory payments falling under the terms of the Staff Regulations, as well as the non-recurring item for the alteration and improvement of Headquarters conference and related facilities. I may also claim that the increase is even smaller if it is remembered that the initial estimates for 1963 were reduced on the recommendation of the Advisory Committee by some \$2 million.

18. Turning now to the estimates of income, the Advisory Committee has recommended increases in the estimates under all headings with the exception of income section 2—Funds provided from extra-budgetary accounts. It has been my invariable policy to endeavour where possible to raise the level of income year by year, and in pursuance of that policy I readily accept the recommendations of the Advisory Committee even though in some cases—and I would single out income from interest and investments in section 3—General income, the Committee takes what, in the light of the evidence, would seem to be an overly optimistic view. Where the revenue-producing activities are concerned, it is likewise extremely difficult to make any precise forecast for 1964 in view of certain special circumstances which will have a direct bearing on these activities next year. In general, however, I repeat that I would not wish to contest any of the recommendations which the Advisory Committee has made in respect of the income sections.

19. Before concluding, I would like to avail myself of this opportunity to share with this Committee some of my most serious preoccupations as the Chief Administrative Officer of this Organization. In the first place I believe that today there is evidence of a collective desire to safeguard what the United Nations has so far achieved and to strengthen it in preparation for the tasks ahead. I recognize at the same time that there may be some differences as to the immediate steps, and these differences are bound to be aired in this debate. I do feel, however, that with tolerance and understanding these differences can and will be resolved in due course. I venture to hope that your forthcoming debate will be marked by this spirit of accommodation with a view to finding suitable solutions for the various administrative, financial and personnel problems facing the United Nations today.

20. I also hope that I may not be misunderstood if I remind the Committee that under the Charter the Secretariat is designated as one of the principal organs of the Organization. I do not mean to suggest that in administrative and budgetary matters the views or judgements expressed by me or my representatives should be regarded as final. I do suggest, however, that when such views and judgements are expressed

in the light of solid experience, whether in the form of budgetary or related recommendations, they should at least be weighed carefully before your Committee reaches final conclusions.

21. I have been privileged during the last two years to have worked with a truly international Secretariat upon whose willing and untiring services I have had to depend so much. Many of my colleagues in the United Nations have chosen to serve this world body out of

a spirit of dedication to the high ideals of the Charter and not merely as a means of earning a living. I am sure that they would like their services to this Organization to be regarded as something that they give to it, rather than something that may be taken for granted.

22. I thank you for your kind attention, and I wish to assure you that I remain available at all times to assist you in your deliberations.

DOCUMENT A/C.5/989

Statement made by the Chairman of the Advisory Committee on Administrative and Budgetary Questions at the 1019th meeting of the Fifth Committee

[Original text: English]
[16 October 1963]

1. I welcome this opportunity of making a few general observations before you and your colleagues by way of introduction to the report of the Advisory Committee on Administrative and Budgetary Questions [A/5507] on the Secretary-General's budget estimates for 1964.

2. I have listened with great interest and, indeed, not without satisfaction, to the statement which the Secretary-General has just made to the Committee [A/C.5/988]. It was gratifying to hear that on the whole he does not intend to contest any of the recommendations made by the Advisory Committee. I noted the reservations made by the Secretary-General who could not reasonably be expected to agree with every single detail outlined in our report. This is not surprising since budget-making is not an exact science; both the Secretary-General and the Advisory Committee have exercised their best judgement in relation to the 1964 estimates and it is now up to the Fifth Committee to draw its own conclusions and submit them to the General Assembly.

3. Throughout its examination of the 1964 estimates the Advisory Committee was fully conscious of the efforts made by the Secretary-General with a view to limiting expenditure to what he considered necessary to meet the tasks and services required by Member States through the wise and effective utilization of the over-all resources available to him. If, in its report, the Advisory Committee has recommended reductions in some of the credits requested, this is attributable not to any difference in basic philosophy, but rather to the Committee's desire to reinforce the discipline called for by the Secretary-General, in the interest of efficiency and economy. Inasmuch as there is identity of purpose as between the Secretary-General and the Advisory Committee, my task today is considerably simplified.

4. I do not propose to comment on each and every appropriation section of the 1964 estimates. But you will no doubt expect me to offer some comments on sections 8, 9 and 10, to which the Secretary-General has referred specifically. Before doing so I would like to make a few brief observations on a number of more general questions which were a matter of some concern to the Advisory Committee.

5. As you know, the Committee's summer session was held in the shadow of one of the most serious crises in the history of the Organization. At the end

of June, the deficit between its available cash assets and its current liabilities amounted, according to the Secretary-General, to some \$111.7 million. At the end of the year, the Secretary-General tells us, this deficit will amount to \$112 million. It will therefore surprise no one that, throughout its examination of the 1964 budget estimates, the Advisory Committee had this situation uppermost in its mind and that, in arriving at its recommendations, it was guided by the Secretary-General's declared policy of austerity and a desire to limit expenditure to the minimum required for the implementation of the Organization's programme.

6. Obviously, finding ways and means of redressing the acute financial situation is, in the main, the responsibility of Governments of Member States, and the savings recommended by the Advisory Committee can play only an ancillary role.

7. In the view of the Secretary-General, the policy of controlled expansion which had been introduced in 1963 should be replaced, for 1964, by a policy of consolidation and containment. Such a policy involves, in the opinion of the Advisory Committee, no increase in the Organization's over-all activities—that is to say, if new activities are added to the programme, existing ones must be correspondingly curtailed—no increase in staff, no increases in the budget other than those which are unavoidable in that they arise by virtue of statutory obligations or circumstances beyond the Secretary-General's administrative control.

8. The Advisory Committee was consequently disturbed to find that, through no fault of his, the Secretary-General was not in a position at the moment the budget was being prepared to submit estimates for a number of important activities planned later for 1964 but the precise scope of which was undefined, and that, in several parts of the budget document, he had felt obliged to utter a warning that his estimates were subject to later revision in the light of additional items of expenditure which might need to be provided for, as a result of decisions to be taken by the Economic and Social Council and the General Assembly later in the year.

9. This would not be the first time that the budget estimates, as submitted in June of a given year, were increased substantially by the end of the year. For 1960 they were increased by some \$1.2 million, for 1961 by \$5.5 million, for 1962 by \$8.5 million and for 1963 by \$7.3 million. These additions to the initial

estimates were the result, in part, of decisions taken by the Economic and Social Council at its summer session, and, in part, of decisions taken by the General Assembly itself towards the end of the year. The Advisory Committee was concerned that this somewhat unconventional budgetary process would be detrimental to the proper functioning of the Organization and would prove most inconvenient to many Member Governments in that they would be unable to obtain a clear picture of the programme and budget for the following year and of the extent of the contribution they would be called upon to make, until the closing days of December. It was also concerned that the apparent lack of discipline in the formulation of the annual programme and budget could well lead to uncontrolled expansion, dispersal of effort and a weakening of effectiveness. With particular reference to 1964, the Committee feared that substantial additions to the initial estimates would render inoperative the Secretary-General's declared policy of consolidation and containment.

10. To retain its intrinsic and original attributes, a budget once it is adopted should not be subjected to excessive variations. Legislative organs understand the usefulness, indeed the inevitability, of minor changes. But when these go into the millions, the image of the budget carried by the delegates to their respective Governments, at home, becomes so distorted in its main trends and scope as to cause surprise and perhaps embarrassment and annoyance.

11. Even with the eleventh-hour revision of the budget estimates, to which I have referred, and the appropriation by the General Assembly of the necessary funds, the budget cycle is not complete. Every year, towards the end of the fiscal period, supplementary estimates are submitted which modify the budget approved by the General Assembly, sometimes in a downward direction it is true, but in most cases upwards. In the later case, the main items for which additional funds are requested are in respect of unforeseen and extraordinary expenditures. The General Assembly provides each year for such expenditures and lays down the conditions under which commitments may be made. The Advisory Committee recognizes that the tasks entrusted to the United Nations under the Charter are so vast and so diverse that unforeseen situations requiring action are bound to arise. It does, however, feel that certain of the additional expenditures submitted each year are unforeseen only to the extent that the nature or scope of the activity has not been clearly defined by the decision-making body in good time thus making it impossible for the Secretary-General to include the item in his budget estimates.

12. The Advisory Committee would not wish to suggest that essential activities for the promotion of economic and social development should be restricted solely on budgetary grounds. At the same time, it is clear that the needs of the newly-emerged nations are so vast and complex that only by advance planning, and concentration on priority tasks, will results justify the effort and expenditure involved. The Committee considers it essential that the annual programme of all foreseeable activities should be drawn up in time for their inclusion in the initial budget estimates. It was clearly with this in mind that the General Assembly, at its fourteenth session, adopted its resolution 1449 (XIV).

13. I hope you will not consider it presumptuous of me if I suggest that this resolution is even more pertinent today than it was four years ago. Now more than ever it is necessary to ensure that the modest resources of the United Nations are put to their most effective use. This is the responsibility of Member States since it is they who initiate and decide upon the work of the Organization.

14. The Advisory Committee has singled out one aspect of the over-all problem of rationalization for special comment and has made a number of specific recommendations thereon—I am referring to the programme of conferences and meetings. It has done so because it was convinced that the proliferation of conferences and meetings was such that demands were far in excess of the resources, both human and material, available to the Secretariat.

15. In the words of the Secretary-General, "the resources which have to be devoted to the preparation of formal documentation for the meetings in many cases have come to encroach on those available for carrying out the research and evaluation studies which are of basic importance for the formulation of policy decisions by the Council's subsidiary bodies, the Council itself and the General Assembly, as well as for the support of operational activities".³ To put it more bluntly, some of the Organization's essential activities are being short-changed because so much staff time is being directed to the preparation of conferences and meetings.

16. Even so, it cannot be said that the preparation of meetings is adequate. May I, to illustrate my point, refer to the thirty-sixth session of the Economic and Social Council, the documentation for which totalled some 8,000 pages. Less than one-half of this documentation had been distributed within the time limits laid down by the Council. In these circumstances, how can Member States prepare themselves adequately and participate fully in the meetings?

17. One obvious answer to the problem is to reduce the volume of documentation. Another possibility would be to employ temporary staff to perform at least part of the work, thereby permitting the regular staff to devote their time to their normal tasks. Both of these solutions are useful in theory. However, the tendency in recent years has been for the volume of documentation to increase at an even more rapid rate than the number of meetings and whereas some Member States have stated that they are overwhelmed by the mass of paper and quite incapable of digesting it, the upward trend continues. As regards the employment of temporary staff to relieve the strain on regular staff, I can but call your attention to the fact that qualified people—be they translators, revisers, editors, précis-writers, interpreters—are in short supply and there is great competition for them from the specialized agencies and other international bodies.

18. It is the Advisory Committee's considered opinion that the programme of conferences and meetings is now such that they can no longer be adequately prepared or serviced and that a far greater proportion of the Organization's resources than is reasonable is devoted to them.

³ *Official Records of the Economic and Social Council, Thirty-fifth Session, Annexes, agenda item 17, document E/3702, para. 12.*

19. In his report on the programming of conferences for 1964⁴ the Secretary-General made a strong plea to the Economic and Social Council to reduce the number of meetings sponsored by the Council and its subsidiary bodies in 1964. The Advisory Committee urged the Council to accept the Secretary-General's suggestions, and an extract (E/3801)⁵ from its report was made available to the Council when it considered the matter in July.

20. The Advisory Committee welcomes the encouraging response made by the Council. Its realistic understanding of the basic problems will certainly ease the situation in 1964. But this is not enough. It is true that the situation is aggravated in 1964 by reason of structural changes at Headquarters which will curtail available facilities and the heavy demands that will be made on the Secretariat by the important United Nations Conference on Trade and Development which had originally been planned for 1963. The fundamental problem would, however, have existed even without these exceptional circumstances. The Advisory Committee consequently hopes that the lead which has now been taken by the Economic and Social Council is not a mere expedient but that it marks the beginning of a serious attempt to rationalize the Organization's over-all activities. It would be most unfortunate if this initiative were not to be pursued in future years. In that event, the door would once again be opened to a proliferation of unco-ordinated activities, leading to the dispersal of the Organization's efforts and a consequent decline in effectiveness.

21. In paragraph 72 of its report, the Advisory Committee has ventured to suggest, and I quote, "only if decision-making bodies are prepared to take a rational approach to future programmes, exercising the utmost restraint and making sacrifices where necessary, will meetings and conferences continue to be fully effective within the Organization's over-all activities. It is, indeed, essential that they ensure that the available resources are directed to a carefully elaborated programme of priorities rather than be dispersed over an ever-expanding *ad hoc* schedule of meetings, the preparation for which, both by the Secretariat and by Member Governments, would be inadequate, the servicing of which would be unsatisfactory, and the effectiveness incommensurate with the efforts deployed and the costs incurred".

22. The Advisory Committee does not believe that effectiveness in the formulation or implementation of work programmes increases in direct proportion to the number or duration of meetings of deliberative bodies. Admittedly, during the first few years of activity in a new field, such as industrial development at the present time, relatively frequent meetings of the competent body may be necessary in order to establish a rational long-term policy, but once this has been done, it would seem that less frequent meetings would suffice. Indeed, I should perhaps say that less frequent meetings would be essential in order that more time and effort may be devoted to the execution of the programme.

23. The Advisory Committee realizes that responsibility in this matter rests with the Governments of Member States for it is they who take the decisions. The Secretary-General can but assess the consequences of these decisions in terms of the means at his disposal

and utter a word of warning if at any time, in his opinion, demands are in excess of those means. In such cases, he can but diagnose the ailment, and suggest remedial actions. These can be translated into enforceable decisions only by Governments of Member States through the competent deliberative bodies.

24. If I have dwelt upon the question of rationalization at some length, it is because of a strong feeling in the Advisory Committee that the time has come for a serious review of work programmes and the related pattern of conferences and meetings, for a confrontation of needs with resources and the establishment of priorities. It must be evident to everyone that the needs of the developing countries today far exceed the resources available to the United Nations family of organizations and that in the circumstances these resources must be put to their most effective use. This is the challenge facing the United Nations today and it can be met only by a realistic approach to the question of what can be achieved and how it can best be achieved. So far, considering that the United Nations organizations are of recent origin and their resources limited, there is no doubt that their achievements have been substantial. Demands are increasing year by year, Governments and legislative bodies are asked from year to year to provide increased funds. I submit that it is in the best interest of all concerned to ensure that these are not spread over a wide range of unco-ordinated activities.

25. In this very important matter, the Secretary-General and the Advisory Committee are in complete agreement. You will recall that, a few moments ago, he said, and I again quote, "First and foremost, we must make sure that all existing resources are used to maximum effect. For this purpose, the Secretariat must seek the co-operation of Member States and the principal organs in order to ensure that their work programmes and related conference schedules are rationalized; that the work is governed by a clear order of priorities and phased over a reasonable period of time; that the manpower available to the Secretary-General is fully utilized, and that the end results are not only consonant with the efforts exerted by the Secretariat and the Member States but also with the level of expenditure incurred" [A/C.5/988, para. 12]. It is my submission that, if present trends of increasing work programmes continue, events beyond the control of the Secretary-General may compel the United Nations to envisage in the near future planning on a much longer term than is at present the case, for instance, planning on a five-year basis.

26. Mr. Chairman, I have concluded my general observations in relation to the 1964 budget estimates, and will now, with your permission, make a few remarks on sections 8—Permanent equipment, 9—Maintenance, operation and rental of premises and 10—General expenses, to which the Secretary-General made specific reference in his introductory statement. He stated that he had experienced continuous difficulty in past years in containing expenditures under these sections within the authorized limits. As far as two of them are concerned, sections 9 and 10, he attributed his difficulties to elements wholly beyond his administrative control and indicated that, for the year 1963, he was now obliged to request a supplementary provision which was virtually equivalent to the reductions recommended by the Advisory Committee when it examined the initial estimates in June 1962.

⁴ *Ibid.*, document E/3741.

⁵ Mimeographed. Same text as A/5507, paras. 52-81.

27. First of all, I should say that the types of expenditure provided for under sections 8, 9 and 10, for example the acquisition of new furniture and equipment, the consumption of office supplies, communications, are those which, without strict administrative controls, will have a natural tendency to rise. The Advisory Committee felt that every attempt must be made to stabilize expenditure in this area of the budget and, to this end, it took into account actual expenses in 1962, adjusted in the light of increase in costs since 1962.

28. It is true, as the Secretary-General has said, that certain of the expenditures in sections 9 and 10 are governed by factors which are beyond his administrative control—for example, increases in local rates for contractual services and severe climatic conditions. It is, indeed, such factors which have now obliged him to request additional funds for 1963 under sections 9 and 10, factors which were unforeseen both by the Secretary-General and by the Advisory Committee when the initial estimates for 1963 were submitted in June 1962. It must be borne in mind that since revised estimates were not submitted for those sections at the end of 1962, it is evident that the special factors were still unforeseen by the Secretary-General himself at that time. It is of course possible that factors which were unforeseen both by the Secretary-General and the Advisory Committee in June of this year, when the

initial estimates for 1964 were presented, may again affect the credits that will be provided under these sections. We can but hope that this will not occur.

29. This concludes my observations on the 1964 budget estimates. I shall be happy to answer any questions that the members of the Fifth Committee may wish to put to me. Before surrendering the floor, I wish to express the Advisory Committee's indebtedness to the Secretary-General, to the Controller, Mr. Turner, to the Director of General Services, Mr. Vaughan, to the Under-Secretary for Conference Services, Mr. Nosek, to the Director of Personnel, Sir Alexander MacFarquhar, to the other Heads of Departments and their collaborators and to the interpreter of the Advisory Committee. They have all greatly assisted the Committee in the discharge of its responsibilities.

30. The Committee's relations with the Controller have been particularly close and I wish to place on record our gratitude for the assistance which he so readily and generously extended to us at all times, either personally or through his able Budget Director, Mr. Kirkbride, and his associates.

31. Lastly, I wish to place on record the Committee's indebtedness to its able Secretary who served us with competence and vigour. As Chairman of the Committee, I am particularly in his debt and in that of his assistant and the secretarial staff of the Committee.

PARTICULAR QUESTIONS RELATING TO THE BUDGET

Amendments to the Pension Scheme Regulations for members of the International Court of Justice

DOCUMENT A/C.5/973

Report of the Secretary-General

[Original text: English]
[6 May 1963]

1. In 1960, at its fifteenth session, the General Assembly revised the Pension Scheme Regulations for Members of the International Court of Justice (resolution 1562 (XV)). The principal change made, as compared with the preceding scheme, was that the pension for a full term of nine years was increased to \$10,000 per annum payable from age 65, instead of one third of salary (\$6,667) payable from age 60. The actuarial value of the new pension was not greatly different from that of the old, but at the same time improvements were made in the provisions for pensions for dependants of Judges.

2. Because of other matters which were under consideration at the time, the pension entitlements of the Judges themselves in the revised scheme were fixed at United States dollar amounts, rather than the more customary "fraction of salary". The amount of \$10,000 was, however, assessed on the basis that it was one-half of the then salary of a Member of the Court. Entitlements of dependants were expressed as fractions of the pension of the Judge.

3. In 1961, however, by General Assembly resolution 1738 (XVI), the annual salary of a Member of the Court was increased to \$25,000. One consequence has been that the basic pension for a full term is now only 40 per cent of the salary.

4. Since in the meantime the various outstanding matters in connexion with the pension schemes for the staff and for the Secretary-General have been dealt with, the Secretary-General suggests that consideration be given to amending the pension scheme for Members of the Court with a view to bringing it into line with the new salaries approved in General Assembly resolution 1738 (XVI), and to expressing benefits as a percentage of salary rather than as fixed amounts. Action by the eighteenth session of the General Assembly is desirable in view of the fact that the terms of five Judges will expire on 5 February 1964.

5. New members taking office in 1964 (and their dependants) would, of course, be fully covered by any revision of the scheme, but two initial questions arise: one as regards existing Members of the Court, and the other regarding former Judges (or their dependants) already in receipt of pensions.

6. The first question, as regards existing Members, is whether pension should be based wholly on the increased rate of salary, which will have been paid to them only since 1 January 1962. Since "averaging" has never previously been used in connexion with Judges' pensions, and formed no part of any of the schemes for national judiciaries which were examined in 1960, it is suggested that the pensions of the Judges

should be related to the annual rate of salary being paid at the date of retirement.

7. As regards the second question, that of existing pensioners, it is to be noted that the revised pension scheme introduced on 1 January 1961 was applied retroactively to former Judges then in receipt of pensions. This was consistent with the action taken on the simultaneous revision of the regulations of the United Nations Joint Staff Pension Fund. However, the improvements then made did not result from improvement in salary levels as such, and any proposal that pensions of existing pensioners should be increased *pro rata* to improvements in salaries for serving Judges (or staff) involves a different principle; and a principle, moreover, which has not been accepted by the General Assembly. It is believed that the General Assembly would not at this stage wish to create a precedent in this direction, and no proposal is therefore made at present for changes in the existing pensions of former Members of the Court or of their dependants.

8. The amendments proposed to the regulations at present in force—which are contained in the annex to General Assembly resolution 1562 (XV) of 18 December 1960—which would affect only those Members retiring in 1963, or later, and their dependants, are as follows:

(a) *Article I (Retirement pension), paragraph (a)*. Replace the words “the amount of the pension shall be 10,000 dollars a year” by the words “the amount of the annual pension shall be one half of the annual salary”. The effect would be to increase pensions to \$12,500 per annum. The estimated cost is \$9,180 in 1964, and \$10,160 in 1965.

(b) *Article I, paragraph 2 (b)*. Replace the words “the amount of the pension shall be increased by 33.33 dollars a year” by the words “the amount of the pension shall be increased by 1/300 of the amount payable under paragraph 2 (a)”. The effect would be to increase the pension by \$500 a year for each year served in excess of nine, the maximum at two-thirds of the annual salary.

(c) *Article I, paragraph 2 (c)*. Replace the words “10,000 dollars” by the words “one half of the annual salary”.

(d) *Article II (Disability pension), paragraph 2*. Replace the words “5,000 dollars a year” by the words “one quarter of the annual salary”. The effect would be to raise the minimum disability pension to \$6,250.

(e) *Article III (Widow's pension)*. This article is drafted in such a way that no change seems necessary. The widows' entitlements are expressed as fractions of the pension of the Judge himself. Their value would, in the case of widows of Judges retiring under the new arrangements, if they are approved, be 25 per cent higher than at present. Cost cannot be estimated, but is unlikely to be appreciable.

(f) *Article IV (Child's benefits)*. This article is likewise drafted in such a way that the amount of the child's benefit is expressed as a fraction of a Judge's pension, except that a fixed dollar figure (\$600) is mentioned as the maximum amount of the child's benefit in cases where the widow is also entitled to a pension. It is not considered that this maximum need be changed.

(g) *Articles V (Special provisions), VI (Definitions) and VII (Miscellaneous provisions)*. These articles require no change.

(h) *Article VIII (Application and effective date)*. This article commences:

“1. The present Regulations shall be applicable as from 1 January 1961 to all who are members on or after that date . . .”.

To provide that the Members retiring in 1963 or later should be governed by the revised Regulations, while those retiring before that date should continue to be governed by the Regulations in resolution 1562 (XV), it is proposed that article VIII should be re-worded as follows:

“1. The present Regulations shall be applicable as from 1 January 1962 to all who are Members of the Court on or after that date and to their eligible beneficiaries.

“2. Former Members of the Court who left office prior to 1 January 1962, or their eligible beneficiaries, shall continue to have their entitlements governed by the Regulations approved in General Assembly resolution 1562 (XV).”

DOCUMENT A/5440

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[18 July 1963]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report (A/C.5/973) in which the Secretary-General suggests that consideration be given to amending the pension scheme for Members of the International Court of Justice with a view to bringing it into line with the new salaries approved in General Assembly resolution 1738 (XVI) of 20 December 1961 and to expressing benefits as a percentage of salary rather than as fixed amounts. The Secretary-General indicates that action by the General Assembly at its eighteenth session is desirable in view of the fact that the terms of five Judges will expire on 5 February 1964.

2. The Advisory Committee observes that it is proposed to make the new Regulations legally effective from 1 January 1962, which was the date when the

present level of salaries became effective. In practice no Members of the Court are likely to retire before the end of 1963, with the result that the new Regulations will not, in the absence of unforeseen circumstances, have practical effect until 1 January 1964.

3. The Advisory Committee believes, for reasons of general principle, that it is undesirable that the General Assembly should adopt Regulations of this nature which would have retroactive effect. The Committee suggests that the effective date should be 1 January 1964, on the understanding that if, unexpectedly, a serving Member of the Court leaves office before that date (for example, because of invalidity), steps will be taken to bring him within the scope of the new Regulations.

4. Subject to the modification mentioned in the preceding paragraph, the Advisory Committee recommends that the General Assembly should approve the

revisions of the pension scheme of the Members of the Court proposed by the Secretary-General in his report.

DOCUMENT A/5636

Report of the Fifth Committee

[Original text: English and French]
[3 December 1963]

1. At its 1043rd meeting, held on 18 November 1963, the Fifth Committee considered a report of the Secretary-General (A/C.5/973) suggesting that consideration should be given to amending the Pension Scheme Regulations for Members of the International Court of Justice. The Committee also had before it a related report of the Advisory Committee on Administrative and Budgetary Questions (A/5440).

2. In paragraphs 1 to 7 of his report the Secretary-General recited the reasons prompting his suggestion, the object of which was twofold:

(a) To reconcile the benefits under the pension scheme with the revised salaries approved for the Members of the Court in General Assembly resolution 1738 (XVI) of 20 December 1961; and

(b) To express those benefits as percentages of salary, and not as fixed amounts.

3. The amendments which the Secretary-General proposed to the Regulations at present in force—which are contained in the annex to General Assembly resolution 1562 (XV) of 18 December 1960—were contained in paragraph 8 of document A/C.5/973. It was indicated that they would affect only those members retiring in 1963, or later, and their dependants.

4. Approving generally the amendments proposed by the Secretary-General, the Advisory Committee recommended (A/5440, para. 3) the following changes:

To provide that the revised Regulations should take effect from 1 January 1964 (instead of the date of 1 January 1962 proposed by the Secretary-General), on the understanding that if a Member of the Court left office before that date, he would be brought within the scope of the amended Regulations.

The Advisory Committee considered it undesirable, for reasons of general principle, that the General Assembly

should adopt regulations of that nature having a retroactive effect.

Financial implications

5. The financial implications of the proposed amendments, as given in paragraph 8 (a) of the Secretary-General's report, were estimated in May 1963 on the assumption that the five present Members of the Court whose term of office will expire on 5 February 1964 would not serve a further term. In fact, however, one of these Members has been re-elected. The estimated cost for 1964 is therefore \$5,800 in lieu of \$9,180. Concurrently, the figure of \$47,500 appearing in paragraph 1 (b) (v) of the draft resolution relating to unforeseen and extraordinary expenses for 1964 will need to be increased by \$5,800 to \$53,300.

Decision of the Committee

6. The Committee approved without objection the recommendations of the Advisory Committee for the revision of the Pension Scheme Regulations for Members of the International Court of Justice, as set forth in paragraph 8 of the report of the Secretary-General, subject to the substitution of 1 January 1964 as the date of the entry into force of the revised regulations.

Recommendation of the Fifth Committee

7. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

AMENDMENTS TO THE PENSION SCHEME REGULATIONS
FOR MEMBERS OF THE INTERNATIONAL COURT OF
JUSTICE

[Text adopted by the General Assembly without change.
See "Action taken by the General Assembly" below.]

Architectural and engineering survey of United Nations Headquarters

DOCUMENT A/C.5/993

Report of the Secretary-General

[Original text: English]
[14 November 1963]

1. The General Assembly, at its thirteenth session, authorized the conduct of an architectural and engineering survey, the purpose of which was to develop plans for the expansion of facilities to meet the requirements arising from anticipated increases in the membership of the United Nations, as well as to evaluate the need for improvements in other physical features of the Headquarters buildings. The first part of this survey, dealing with the expansion of meeting-room and visual facilities, was completed and reported to

the General Assembly in 1960.⁶ The programme for the development of these facilities,⁷ which was approved in principle by the General Assembly at its seventeenth session (1191st plenary meeting), and which is the subject of a separate report to the current session

⁶ Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 50, document A/C.5/848.

⁷ Ibid., Seventeenth Session, Annexes, agenda item 62, document A/5334, para. 8.

of the General Assembly (A/C.5/991), was in large measure based on that study.

2. At the same time, the General Assembly approved the completion in 1963 of the architectural and engineering survey⁷ with a view to obtaining the advice of the architects on the adequacy of other facilities. This survey was intended to complement the internal study of office space to be conducted in 1963 by the Secretariat. The architects were requested to study in particular the following items:

(a) Expansion and improvement of delegates' dining facilities;

(b) Increased lounge area for delegates;

(c) Extension of the air cooling system to various working areas of the basement;

(d) Additional or enlargement of facilities such as telephone, coat room, coffee and tea services, staff facilities;

(e) Review and readjustment of safety and security installations throughout the Headquarters buildings. Additionally, the architects were invited by the Secretary-General to advise on other related matters in the course of their study.

3. The architectural firm of Harrison and Abramovitz has been employed by the Secretary-General to conduct both phases of the survey. This organization was associated with the design and construction of the Headquarters buildings, as well as the new Library building. Its extensive experience with the problems of United Nations facilities give its findings a particular importance. (See note, para. 14 below, concerning the report of the architects.)

4. The major problem to which this report is addressed is the overcrowding of the delegates' lounge and dining facilities occasioned by the continuing growth in the membership of the United Nations. Other ancillary matters arising from the general increase in the activities of the Organization have also been studied, as well as improvements needed in various servicing, security and safety facilities.

5. In respect of the first problem, the architects propose the expansion of the delegates' lounge by extending the Conference building approximately thirty feet to the north. As a part of the remodelling of the lounge, a balcony overlooking the main part of the lounge is suggested. This balcony, which would be connected with the main lounge by a circular staircase, could be used for coffee service, as well as additional lounge space. The architects consider that this arrangement would provide the most economical means of expanding the lounge without impairing the general design of the building. This extension of the Conference building would also enlarge somewhat the delegates' dining room and would provide a small amount of additional office space on the first basement and first floor levels, as well as office and related facilities for the Visitors' service, adjacent to the present ticket and dispatch counter. Space now used for the Visitors' Service offices in the first basement of the General Assembly building would be released for other use.

6. The enlargement of the delegates' dining facilities, although partially dependent upon the expansion of the Conference building to the north, would primarily be accomplished by the extension of the delegates' dining room to the south to occupy approximately one-half of the present staff cafeteria. The space thus

added to the dining room would serve, for the most part, to alleviate the present shortage of private dining rooms. Included in the redesigned delegates' dining room would be an area which could be appropriately arranged to hold State functions. With this facility it would no longer be necessary to use the delegates' lounge for this purpose. Experience has shown that the delegates' lounge does not readily lend itself to such use, particularly from the standpoint of food service, while at the same time it inconveniences the members by disrupting the normal functions of the lounge. The remainder of the present cafeteria would be utilized as a coffee shop. It should be noted that the major part of this plan for the expansion of delegates' dining facilities is dependent upon the construction of new facilities at the south end of the Conference building, which is described in paragraph 8 below.

7. These major improvements in delegates' facilities would be supplemented by the installation of three additional elevators and an escalator servicing the delegates' lounge and dining room, as well as additional telephone facilities in the delegates' lounge and a room off the lounge which could be used for a delegates' reading or quiet room. On the first floor, adjacent to the delegates' entrance, the coat room would be expanded to double its present capacity.

8. At the south end of the Conference building, the architects propose an extension, two floors in height, which would house a new cafeteria and kitchen, as well as locker room and related facilities for kitchen staff. The architects have commented, not only on the obvious need for additional cafeteria facilities, but also on the fact that the kitchen now servicing the dining room and cafeteria is inadequate to handle the volume of work efficiently. In addition to a cafeteria and kitchen, a little over half of the new extension would be devoted to office space. An interesting feature of this part of the architect's plan is that the structural steel and related framing would be so designed that, should it prove necessary at some future date to develop an additional conference room, the floor slab between the first basement and first floor levels could be removed and the office accommodation transformed into a typical conference room.

9. Other important proposals in the study include recommendations for air conditioning the second and third basements; improvement of safety and security installations; additional lighting in conference rooms 1, 2 and 3, as well as along certain driveways; and automation of the Secretariat building elevators.

10. In addition, the architects draw particular attention to the long-range space requirements of the Organization. After considering anticipated requirements for office space, the crowding of equipment and staff in the documents reproduction areas, the need for adequate staff recreational facilities, exhibition areas, storage and parking space, they suggest that early consideration be given to the development of plans for the erection of an additional building at the north end of the Headquarters site, as had been projected in the original scheme for the Headquarters. More particularly, the architects conclude that the pressures on the existing facilities of the United Nations will become more intense as the Organization continues to grow and that, from an economical and functional point of view, such pressures can in the long run best be met by the construction of such an additional building.

11. The Secretary-General is impressed by and grateful for the very careful review which the architects have undertaken to assess the needs of the organization for the next several years. As their major recommendations affect primarily the facilities and convenience of the delegates, he believes that it is for the Member States to decide to what extent they would wish to implement the proposals put forward by the architects, as well as to determine the order of priority to be followed in the timing and financing of construction. Since the proposals are extremely comprehensive and involve an expenditure in excess of \$11 million, the Secretary-General would suggest to the General Assembly, as he did in the case of the alteration, improvement and major maintenance requirements of the Palais des Nations in Geneva (A/C.5/982), that the Advisory Committee on Administrative and Budgetary Questions be asked to study the proposals of the architects during 1964 with a view to submitting its conclusions and recommendations to the General Assembly at its nineteenth session. Such a course of action would afford the Advisory Committee an opportunity to consider any views expressed by Member States and the Secretariat in the formulation of its recommendations. Furthermore, it would have the added advantage of providing at the nineteenth session of the General Assembly reports from the Advisory Committee on the needs both at Headquarters and at Geneva, and would thus permit the General Assembly to review these requirements in totality.

12. In making this suggestion, the Secretary-General realizes that any positive action on the recommendation of the architects would be postponed for a further year. Following decisions which might be taken by the General Assembly at its nineteenth session, and before any work could be commenced, it would be necessary to prepare detailed plans and specifications upon which firm estimates could be based. This, of course, could not be done until 1965. On this assumption, the commencement of any construction work could not begin before 1966. In the event that the Advisory Committee would require more detailed drawings and specifications in connexion with its study in 1964, the Secretary-General would assume that the related costs could be met, with the prior concurrence of that Committee,

under the terms of the General Assembly resolution relating to unforeseen and extraordinary expenses.

13. There are two proposals contained in the report of the architects which the Secretary-General considers to fall particularly within his province and on which he would wish to comment. Specifically, these two projects relate to (a) the extension of the air cooling system in the second and third basements in order to improve working conditions for the staff in those areas; (b) the automation of elevators in the Secretariat building which would considerably reduce annual expenditures for contractual services in future years. The Secretary-General would commend these two proposals for early consideration by the Advisory Committee in the course of its study in 1964.

14. A summary of the tentative costs of the proposals of the architects is given on page 37 of their report.⁸ [NOTE. *The report in question, entitled Architectural and Engineering Survey on Expansion of the Permanent Headquarters of the United Nations, was published, in November 1963, in a limited number of copies and circulated with the mimeographed version of document A/C.5/993.*]

⁸ This summary is as follows:

"SUMMARY OF COSTS

"I. Modification to North Lounge and Neck to increase facilities for delegates	2,938,300	
"II. Alterations to Delegates' Dining Room to increase facilities and provide a room for State functions		} 6,381,800
Alteration and additions to south end of Conference Building to provide new staff cafeteria, office space and medium size committee room		
TOTAL, items I and II		9,320,100
"III. Supplemental improvements to the building		1,316,000
"IV. Air conditioning 2nd and 3rd basements (scheme A)		565,835
"V. Alterations to Delegates' Coat Room		41,181
TOTAL		11,243,116"

Working Capital Fund for the financial year 1964

DOCUMENT A/C.5/1000

Report of the Secretary-General

[Original text: English]
[26 November 1963]

I. LIQUIDATION OF ARREARS

1. The General Assembly in resolution 1863 B (XVII) of 20 December 1962 requested the Secretary-General to explore all possible avenues to secure the liquidation of arrears and the early payment of current contributions in respect of the regular budget and to report on the efforts made by him to the General Assembly at its eighteenth session. It also decided to reconsider at its eighteenth session the level at which the Working Capital Fund should be maintained.

2. The Secretary-General, through correspondence and personal appeals to Foreign Ministers and Permanent Representatives of Member States, during the past year has continued his efforts to achieve the objectives set forth in resolution 1863 B (XVII). To assist in this effort, in January 1963 he appointed Mr. Eugene R. Black, former President of the IBRD, as a

Special Financial Advisor to the Secretary-General. Mr. Black, through correspondence or personal visits to Finance Ministers of most of the Member States, has sought their co-operation so as to assure prompt payment of arrears and early payment of current contributions.

3. At the beginning of 1963 the amount of arrears which were outstanding in respect of the Organization's regular budget totalled \$17,863,335. As at 31 October 1963, \$15,763,167 (88.24 per cent) of this total had been collected, leaving a balance then due of \$2,100,168. On the basis of recent information from a number of Governments still in arrears it is expected that the

balance due will be further reduced before the end of the year.

II. PAYMENT OF CURRENT CONTRIBUTIONS

4. The record of collections in respect of current contributions to the regular budget has not been as favourable as the collection of arrears and compares somewhat unfavourably with the record for the past several years, as may be seen from the following table which shows at the end of each quarter-year the cash receipts from Member States against current year assessments as a percentage of net contributions due:

PATTERN OF PAYMENT OF CONTRIBUTIONS TO THE REGULAR BUDGET

	1960	1961	1962	1963
31 March	8.10	17.10	10.30	7.15
30 June	22.28	28.72	25.37	28.73
30 September	73.90	65.55	69.17	58.51

Notwithstanding frequent appeals for earlier payment of current contributions to delegates and other governmental officials of Member States, recent discussions indicate there is little likelihood of any appreciable improvement in the near future in the pattern of payment of contributions to the regular budget.

III. PROPOSED LEVEL FOR THE WORKING CAPITAL FUND IN 1964

5. As stated in the previous report of the Secretary-General on the Working Capital Fund,⁹ which was

⁹ *Official Records of the General Assembly, Seventeenth Session, Annexes*, agenda item 62, document A/C.5/951.

BUDGETARY DISBURSEMENTS

	1960	1961	1962 ^a	1963 ^a
31 March	19.75	19.48	18.87	21.94
30 June	43.29	46.05	46.39	45.30
30 September	71.06	73.52	69.05	70.81

^a Disbursements as percentage of original budget appropriation.

6. The amount required in the Working Capital Fund is, of course, determined in part by the relative pace of disbursements and receipts during the year, and the size of the budget. The fact that the rate of payment of contributions to the regular budget for 1963 has failed to keep pace with the rate of disbursements during the year, when considered in conjunction with the needs as set forth in the previous report of the Secretary-General to maintain cash balances at all times at a level sufficient to meet the maximum com-

mitments necessary to meet unforeseen and extraordinary expenses, particularly those relating to peace and security, and to maintain minimum cash balances equivalent to at least one month's normal expenditure in the large number of bank accounts necessitated by the geographical spread of the Organization's activities, and the fact that the 1964 regular budgetary requirements will be greater than those for 1963, compel the Secretary-General to recommend that the Working Capital Fund be maintained in 1964 at its present level of \$40 million.

DOCUMENT A/5635

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[3 December 1963]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on the Working Capital Fund for the financial year 1964 (A/C.5/1000).

2. The Secretary-General's report was submitted in response to resolution 1863 B (XVII) of 20 December

1962 by which the General Assembly, on the suggestion of the Advisory Committee contained in its report:¹⁰ (a) requested the Secretary-General to explore all possible avenues to secure the liquidation of arrears

¹⁰ *Ibid.*, document A/5331.

and the early payment of current contributions in respect of the regular budget and to report on the efforts made by him to the General Assembly at its eighteenth session; and (b) decided to reconsider at its eighteenth session the level at which the Working Capital Fund should be maintained.

3. As regards the second point, namely the reconsideration of the level of the Working Capital Fund at the eighteenth session, it might be recalled that in making its suggestion at the seventeenth session, the Advisory Committee stated in paragraph 10 of its report that, if, as was to be hoped, the special efforts of the Secretary-General met with a good measure of success, "the General Assembly might then reconsider the whole question of the level of the Working Capital Fund in order to ascertain whether a lower level would not be warranted". It is with this possibility in mind that the Advisory Committee has considered the report of the Secretary-General.

4. It appears that, while the efforts of the Secretary-General have succeeded in reducing the balance of arrears due at 31 October 1963 to some \$2.1 million, with a further reduction anticipated by the end of the year, the record of collections in respect of current contributions to the regular budget compares somewhat unfavourably with the record of the past several years, and, according to the Secretary-General, the outlook for any improvement is not promising.

5. This is however but one of the elements relating to the regular budget which determine the amount required in the Working Capital Fund. The other main factors are: (a) the rate of budgetary disbursements during the year and, on this point, the Secretary-

General indicates that the 1963 pattern shows little change from that of past years; and (b) the size of the budget, which for 1964 is likely to exceed \$100 million.

6. In the circumstances, considering that the rate of payment of contributions to the regular budget for 1963 has failed to keep pace with the rate of disbursements, while the 1964 budgetary requirements will be greater than those for 1963, the Secretary-General feels compelled to recommend that the Working Capital Fund should be maintained in 1964 at the present level of \$40 million.

COMMENTS AND RECOMMENDATIONS OF THE ADVISORY COMMITTEE

7. At the seventeenth session, the Advisory Committee referred to the special difficulties encountered in the first half of the year when there is a delay in the receipt of contributions for the current financial year. It pointed out that, during that period, the Working Capital Fund is called upon to cover the accumulation of arrears on previous years' assessments, to finance regular budget programme of increasing magnitude, to maintain minimum working balances in a growing number of accounts all over the world, and to finance commitments under the General Assembly resolution relating to unforeseen and extraordinary expenses. In this connexion, the Advisory Committee had included in its report a table indicating the position of the Working Capital Fund at 30 June and 31 December during the previous ten years. This has now been brought up to date:

POSITION OF THE UNITED NATIONS WORKING CAPITAL FUND

	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963
<i>(In millions of United States dollars)</i>										
<i>As at 30 June</i>										
Unforeseen and extraordinary expenses	—	0.3	0.1	0.1	—	0.2	0.3	0.1	0.6	0.1
Self-liquidating purposes	0.3	0.3	0.3	0.4	0.4	0.3	0.4	0.3	0.4	0.5
Regular budgetary expenditures	15.2	15.1	17.1	18.8	19.8	21.8	21.0	19.8	22.1	19.6
Loans to specialized agencies	—	—	—	0.1	0.6	—	—	—	—	—
UNEF and ONUC	—	—	—	0.9	—	0.2	—	4.7	1.4	9.6
TOTAL, borrowed	15.5	15.7	17.5	20.3	20.8	22.5	21.7	24.9	24.5	29.8
Advances unpaid by Members	0.5	—	—	0.8	0.1	0.8	0.6	0.3	0.5	10.3
Cash and investments	5.5	5.8	2.5	0.9	1.1	0.2	2.7	—	—	—
TOTAL, Working Capital Fund	21.5	21.5	20.0	22.0	22.0	23.5	25.0	25.2	25.0	40.1
<i>As at 31 December</i>										
Self-liquidating purposes	0.3	0.3	0.4	0.3	0.3	0.3	0.3	0.5	0.5	
Regular budgetary expenditures	6.1	10.3	8.8	13.2	16.6	11.8	13.0	10.7	21.3	
Loans to specialized agencies	—	—	—	0.6	—	—	—	—	—	
UNEF and ONUC	—	—	0.6	—	0.1	2.9	11.6	10.7	3.2	
TOTAL, borrowed	6.4	10.6	9.8	14.1	17.0	15.0	24.9	21.9	25.0	
Advances unpaid by Members	—	—	—	—	—	0.1	0.3	0.1	—	
Cash and investments	15.1	10.9	10.2	7.9	5.0	8.4	—	3.2	—	
TOTAL, Working Capital Fund	21.5	21.5	20.0	22.0	22.0	23.5	25.2	25.2	25.0	

8. This table shows that the situation at 30 June 1963 as regards drawings from the Working Capital Fund to cover regular budgetary expenses had somewhat improved as compared to 1962 (\$19.6 million as against \$22.1 million), but that advances to UNEF and ONUC had increased from \$1.4 million to \$9.6 million. On the basis of comparisons at 31 December, the year-to-year trend would seem to have been the opposite, viz. the drawings for regular budgetary expenses had risen from \$10.7 million to \$21.3 million, while advances to UNEF and ONUC had been reduced from \$10.7 million to \$3.2 million.

9. The Advisory Committee felt that these apparent fluctuations in the amounts drawn from the Working Capital Fund for various purposes called for some explanation. It received the following information from the Secretary-General:

(a) The method of accounting for the uses made of the Working Capital Fund at any time during the year other than at the end of the financial year (i.e., 31 December), when the accounts are finalized, may give a somewhat misleading impression of the actual use made of the Fund and the need to maintain it at a particular level. This arises principally because of the policies and practices of the Secretariat in the maintenance of minimum operating cash balances, the maximum possible investment of any funds that may temporarily be surplus to immediate requirements, and the method and timing of effecting settlements between the various funds and accounts in respect of amounts "due to" or "due from" such funds or accounts;

(b) In the figures shown in the table above regarding the position of the Working Capital Fund as at 30 June 1963, it would appear, for example, that no part of the Working Capital Fund cash had been used to feed the Organization's operational bank accounts and that there was no cash available in the Fund to meet any unforeseen or extraordinary expendi-

tures that might be required in the future. These purposes are two of the primary tasks of the Fund to which reference is made in paragraph 5 and 6 of the Secretary-General's report on the Working Capital Fund (A/C.5/1000);

(c) The fact is that all of the cash in the Organization's operating bank accounts, amounting to approximately \$6.4 million, could be considered as Working Capital Fund cash, and, if the need had arisen to met additional unforeseen or extraordinary expenses up to approximately \$3.2 million, the necessary cash could have been made available from the Fund. In these events, the amount of \$9.6 million shown as Working Capital Fund advances for UNEF and ONUC would have been treated as expenses financed from the proceeds of the sale of United Nations bonds rather than as advances from the Working Capital Fund;

(d) The method of accounting during the year, other than at year-end, reflects the Secretariat's understanding that the proceeds from the sale of United Nations bonds are to be used only as a supplement to the Working Capital Fund and therefore not to be drawn on so long as any balance is available in the Working Capital Fund to finance any authorized expenses of the Organization.

10. The Advisory Committee would have hoped that the response to the Secretary-General's efforts would have been such as to make possible, in 1964, a reduction in the Working Capital Fund, the current level of which constitutes an added burden for Member States. However, in the light of the circumstances described in the preceding paragraphs, the Committee can but concur in the Secretary-General's proposal that the level of the Working Capital Fund be maintained at \$40 million for 1964, on the understanding that the question will be reviewed by the General Assembly at its nineteenth session on the basis of the over-all situation at the time.

Payment of taxes by the United Nations

DOCUMENT A/C.5/1005

Note by the Secretary-General

[Original text: English]
[11 December 1963]

1. In response to a request made in the course of the Fifth Committee's general discussion on the 1964 budget estimates, the Legal Counsel has prepared the attached statement on the question of the payment of taxes by the United Nations. The statement is circulated in writing for the convenience of members and with a view to supplementing, for the record, the information previously furnished the General Assembly on this subject, including, in particular, the Legal Counsel's statement before the Fifth Committee at its 982nd meeting on 20 December 1962 (A/C.5/972).¹¹

STATEMENT OF THE LEGAL COUNSEL

2. In view of observations that have been made in the Fifth Committee during the eighteenth session, as

in a number of previous sessions, it has been suggested that it might be useful if I offered some further comments on the question of the payment of taxes by the United Nations. In particular, the distinguished representative of Poland, at the 1029th meeting, referring to the large number of countries in which the United Nations has Information Centres or other offices and missions, pointed to the payment of taxes as an area in which the costs of the Organization might be reduced.

3. To put this matter in perspective, I am pleased to be able to remind the Committee that eighty-five Member States are now parties to the Convention on the Privileges and Immunities of the United Nations [General Assembly resolution 22 (I)]. This includes the great majority of those in which we have offices of any kind. In addition, States which have programmes in fields such as technical assistance, Special Fund,

¹¹ Mimeographed. For a summary of this document, see *Official Records of the General Assembly, Seventeenth Session, Fifth Committee, 982nd meeting, paras. 1-8.*

OPEX or related operations, bind themselves by a standard clause in the basic agreements, to apply the Convention, if they are not already a party, in respect of those operations.

4. Now, as the Committee knows, the Convention is categorical in the matter of direct taxes on the United Nations. Direct taxes may not be assessed against the United Nations, and no office of this Organization would have authority to pay them. While I would be foolish to pretend that there could never have been a slip, in some office somewhere, the fact is that we are simply not addressing ourselves to a serious practical problem if we worry about payment of direct taxes in United Nations offices around the world. Member States honour the Convention. Information Centres and other offices are expected to consult Headquarters whenever they are in doubt as to whether a given charge represents a tax against the Organization. Even in that minority of Member States not yet bound by the Convention, we know of no direct taxation of the United Nations. Indeed (even in the absence of adherence to the Convention) we would firmly oppose it as clearly prohibited by the well documented intent of the drafters of Article 105 of the Charter.

5. Therefore, if we do not pay direct taxes, there remains only the question of indirect taxes. Again, let me emphasize how limited is this problem. For our immediate purposes, an indirect tax is one which is not assessed directly against the purchaser but is paid by the manufacturer or vendor and then merely passed on to the purchaser as a part of the price to be paid. I remind the Committee, therefore, that the Convention does not pretend to accord to the Organization an outright exemption from such taxes. It merely states, in its section 8, that "when the United Nations is making important purchases for official use of property on which such duties and taxes have been charged or are chargeable, Members will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax". It follows that even this question can arise, in any of our offices around the world, only when an important purchase is being made. I believe that relatively few important purchases are made by small offices such as Information Centres—for the obvious reason that they have no significant procurement function and that even if they did, reasons of economy would militate in favour of concentrated purchases at other larger and more central offices. Moreover, apart from Headquarters, the Governments which are host to all of our regional offices and to our major operating agencies are all either party to the Convention or have otherwise bound themselves to a provision equivalent to the section 8 of the Convention which I have just quoted.

6. From this review, I must conclude—again leaving aside for the moment the question of the situation at Headquarters—that I fail to see any significant savings to be made by the Organization out of taxes, either direct or indirect, payable at United Nations offices in general, and this for the simple reason that we do not pay direct taxes and there are refund procedures where we have made important purchases subject to indirect taxes.

7. On earlier occasions when this question was raised in the Committee, it had been suggested that the Secretariat should undertake a study of the application of taxes to the Organization anywhere in the

world. Since it will be evident, I am sure, from what I have said, that the only taxes payable are by definition hidden taxes—those which are stated in the price of a commodity—such a study would require a detailed review of the excise tax laws in all the host countries of the world, and that study would have to be related to the particular types of purchases that might, in one year or another be made in any such territory in the world. Even this would not provide us with definite information about the savings to be made, because we could not obtain remission of the taxes so found until we determined that a specific purchase was "important" within the interpretation of section 8 of the Convention. For such an enterprise it is my own professional opinion that we would have to employ expert consultants familiar with the laws and tax systems in the many countries concerned. I have not the slightest doubt that we would have to pay more by way of stipends to the experts than we could save from the remittance of the few taxes which they might discover which had escaped our notice. For again, I ask leave to repeat that such indirect taxes, even when located, would not be subject to an exemption; we could claim their refund, by special administrative arrangements, only where the purchase was substantial.

8. Finally, I therefore return to what I have indicated in previous exchanges with the Fifth Committee. The more substantial problem arises only in the United States of America—because it is host to the Headquarters, because significant procurement naturally takes place here, and because the United States has not yet acceded to the Convention. Even here, however, I must once more emphasize that basically we are not dealing with a question of direct taxes. By federal statute the Organization is exempt from customs duties and from income, social security, transportation and other direct taxes; by New York law it is exempted from taxation on real property, sales, income and the like. As I have had occasion to mention to the Committee in earlier sessions, the only significant financial impact results from the absence in United States law of any equivalent of section 8 of the Convention or of administrative procedures for the remission of substantial indirect excise taxes. These can affect a number of commodities which from time to time are the object of United Nations procurement. Of course, when, for example, typewriters, required for Headquarters, are less expensive abroad—and even the United States excise tax can contribute to making them less expensive abroad—we import them. The purchase is then free of tax, because, as I said, we are exempt from United States duties on imports.

9. If the amount of United States excises in any given year is not usually very considerable, the principle remains important. As I have previously reported to the Committee, the Secretary-General has proposed to the United States Government two main ways of providing relief. The preference of the Organization must always be for the solution which is both the simpler one and the one more completely in accord with the frequently expressed desires of the General Assembly. I refer, of course, to accession by the United States to the Convention. The alternative which we have suggested, however, based on various United States precedents, involves a number of measures—administrative in nature but not necessarily easy of application—which would serve to put the Organization in a position not less favourable, as to excise taxes,

than the missions accredited to it. We know that each alternative has received serious consideration by the United States Government, and we remain hopeful. But there is a limit to what a Secretariat can accomplish

in dealing with a Member State, and I accordingly conclude by saying that we very much appreciate the advice, interest and support which we receive from the Fifth Committee.

Financial position of the Organization

DOCUMENT A/C.5/1007

Note by the Secretary-General

[Original text: English]
[13 December 1963]

1. The following information is provided in response to a request made at the 1058th meeting of the Fifth Committee, held on 13 December 1963.

2. The Secretary-General, in his statement of 16 October 1963 on the budget estimates for the financial year 1964, in calling attention to the financial position of the Organization stated, *inter alia*, that "...the United Nations is likely for some time to come, to continue to operate under a serious financial deficit, while the cash position outlook is causing considerable anxiety" (A/C.5/988, para. 2).

3. At that time, on the basis of the best available information, he stated that "...it now appears that at the end of 1963 the Organization will have unpaid obligations totalling \$162 million. Net cash resources at that time may be estimated at \$50 million. On this basis the deficit will be some \$112 million" (*ibid.* para. 4).

4. It now appears, however, that the cash receipts from payment of contributions in respect of the regular budget, UNEF and ONUC will not be as great as

was estimated in October. As a result it is now estimated that at the end of 1963 the Organization will have unpaid obligations of \$172.7 million. Net cash resources at that time may be estimated at \$38.5 million. On this basis the deficit will be some \$134.2 million.

5. During the early months of 1964 both the cash and deficit positions may be expected to worsen since cash disbursements required in connexion with 1964 activities and for the liquidation of some of the more pressing unliquidated obligations of prior years are likely to exceed the cash collections from the payment of 1964 assessed contributions and the payments of contributions in arrears.

6. Annexed hereto is a statement showing the United Nations bond purchases and pledges as at 13 December 1963. In order to achieve the target of \$200 million for the sale of United Nations bonds it would be necessary to obtain pledges and purchases of \$23,449,103 from Governments other than the United States of America which has agreed to match all purchases of United Nations bonds up to a total of \$100 million.

ANNEX

United Nations bonds

Bonds purchased and bonds subscribed as at 13 December 1963

Subscriber	Bonds purchased	Bonds subscribed	Subscriber	Bonds purchased	Bonds subscribed
United States dollars			United States dollars		
Afghanistan	25,000		Greece	10,000	
Australia	4,000,000		Honduras	10,000	
Austria	900,000		Iceland	80,000	
Brazil		100,000	India	2,000,000	
Burma	100,000		Indonesia	200,000	
Cambodia		5,000	Iran	250,000	250,000
Cameroon	9,569		Iraq	100,000	
Canada	6,240,000		Ireland	300,000	
Ceylon	25,000		Israel	200,000	
China	500,000		Italy	8,960,000	
Cyprus	26,175		Ivory Coast	60,000	
Denmark	2,500,000		Jamaica	20,000	
Ecuador		12,000	Japan	5,000,000	
Ethiopia		200,000	Jordan	75,000	
Federal Republic of Germany	12,000,000		Korea	400,000	
Finland	1,480,000		Kuwait	1,000,000	
Ghana	100,000		Lebanon	8,271	

ANNEX (continued)

<i>Subscriber</i>	<i>Bonds purchased</i>	<i>Bonds subscribed</i>	<i>Subscriber</i>	<i>Bonds purchased</i>	<i>Bonds subscribed</i>
	<i>United States dollars</i>			<i>United States dollars</i>	
Liberia		200,000	Sweden	5,800,000	
Libya	25,000		Switzerland	1,900,000	
Luxembourg	100,000		Tanganyika	2,800	
Malaysia	340,000		Thailand	160,000	
Mali	20,000		Togo	10,000	
Mauritania	4,082		Trinidad and Tobago		15,000
Morocco	280,000		Tunisia	485,000	
Netherlands	2,020,000		Turkey	100,000	
New Zealand	1,000,000		Uganda	10,000	
Nigeria	1,000,000		United Arab Republic		250,000
Norway	1,800,000		United Kingdom of Great Britain and Northern Ireland	12,000,000	
Pakistan	500,000		United States of America	72,069,922	4,480,975 ^a
Panama		25,000	Venezuela	300,000	
Philippines	750,000		Viet-Nam	10,000	
Saudi Arabia	20,000		Yugoslavia	200,000	
Sierra Leone	28,000				
Sudan	50,000		TOTAL	147,563,819	5,537,975

SUMMARY

	<i>Bonds purchased</i>	<i>Bonds subscribed but not yet purchased^a</i>	<i>Total</i>
Number of Governments	58 ^b	10 ^b	68
Amount (excluding United States of America)	75,493,897	1,057,000	76,550,897
United States of America	72,069,922	4,480,975	76,550,897
TOTAL	147,563,819	5,537,975	153,101,794

^a Includes \$1,057,000 for the United States of America which will become formal pledges only when other Governments actually purchase bonds pledged in that same amount.

^b Includes two Governments (Iran and United States of America) which have thus far purchased bonds in less than the full amount of their pledges.

REVISED ESTIMATES

Section 1

Revised estimates resulting from the admission of new Member States

DOCUMENT A/C.5/1003

Report of the Secretary-General

[Original text: English]
[6 December 1963]

1. The membership of the United Nations has been recently increased by the admission of Kuwait, and it is expected that Kenya and Zanzibar will be admitted during the course of the current session.

2. Under the terms of General Assembly resolution 1798 (XVII) of 11 December 1962, Member States are entitled to reimbursement of the travel costs of a maximum of five representatives or alternate representatives in respect of regular sessions of the General Assembly. Consequently, the admission of the three new Member States mentioned above will result in additional financial requirements under chapter I—The General Assembly, commissions and committees, of

section 1—Travel and other expenses of representatives, members of commissions, committees, and other subsidiary bodies—of both the 1963 and 1964 budget estimates.

3. In his report on the supplementary estimates for the financial year 1963 (A/5525), the Secretary-General had already indicated in relation to section 1 that the admission of Kuwait would give rise to additional requirements of \$6,000 in regard to the eighteenth session of the General Assembly, but that he would meet these added costs within the appropriation approved for section 1 since the requirements of a number of other bodies under chapters I, III—The

Economic and Social Council, commissions and committees, and V—Administrative advisory bodies, of that section were expected to be below the provisions made. Similarly, he would now undertake to meet the additional costs for Kenya and Zanzibar.

4. The admission of Kenya and Zanzibar as new Members by the General Assembly at its eighteenth session would give rise however to additional requirements at an average cost of \$6,000 for each country

in 1964. This average cost, which is based on the cost of first-class fares by jet aircraft between home capitals and New York City, makes allowance for the fact that full entitlements are not normally exercised by all Members States.

5. The Secretary-General therefore requests that the 1964 budget estimates for section 1 be increased by an amount of \$18,000 for these purposes.

DOCUMENT A/5649

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[9 December 1963]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (A/C.5/1003) submitting revised estimates for 1964 under section 1—Travel and other expenses of representatives, members of commissions, committees and other subsidiary bodies.

2. These estimates relate to the costs which are expected to arise as the result of the entitlement of three new Member States admitted to the Organization in the course of 1963,¹² to reimbursement of the travel costs of a maximum of five representatives or alternate representatives in respect of regular sessions of the General Assembly, under the terms of resolution 1798 (XVII) of 11 December 1962.

3. For this type of expenditure, the Secretary-General's estimates are based on an average cost of \$6,000 for each new Member State, representing the cost of first-class fares by jet aircraft between home

¹² Kuwait admitted by resolution 1872 (S-IV) of 14 May 1963; Kenya and Zanzibar, whose admission to the Organization is expected to take place before the close of the eighteenth session.

capitals and New York City, after due allowance for the fact that full entitlements are not normally exercised by all Member States.

4. With respect to 1963, in his report on the supplementary estimates (A/5525), the Secretary-General had already indicated, in relation to section 1, that the admission of Kuwait would give rise to additional requirements of \$6,000 in regard to the eighteenth session of the General Assembly, but that he would meet these added costs within the appropriation approved for section 1 since the requirements of a number of other bodies under chapters I, III—The Economic and Social Council, commissions and committees, and V—Administrative advisory bodies, of that section were expected to be below the provisions made. Similarly, he would now undertake to meet the additional 1963 costs for Kenya and Zanzibar.

5. However, as regards 1964, the Secretary-General states that special provision must be made for these additional costs in the amount of \$18,000 and he accordingly requests that the 1964 budget estimates for section 1 be increased by that amount. The Advisory Committee approval of the Secretary-General's request.

Sections 1, 2, 3, 4, 5, 7, 8, 9, 10 and 11 and income section 1

Revised estimates resulting from decision of the Economic and Social Council

DOCUMENT A/C.5/978

Report of the Secretary-General

[Original text: English]
[5 September 1963]

1. In this report the Secretary-General submits revisions to the initial budget estimates for 1964 (A/5505) in order to implement decisions taken by the Economic and Social Council at its thirty-fifth and thirty-sixth sessions, in April and July 1963, respectively. They are based on the statements of financial implications¹³ submitted to the Council in accordance with rule 34 of its rules of procedure.

2. In compiling the revised estimates, the Secretary-General has continued to adhere to the policy of con-

¹³ Official Records of the Economic and Social Council, Thirty-sixth Session, Annexes, agenda item 30, documents E/3797/Add.1 and 2.

solidation and containment as applied to the budget estimates for 1964 and has been guided by the terms of General Assembly resolution 1797 (XVII) and Economic and Social Council resolution 936 (XXXV) on an integrated programme and budget policy. General Assembly resolution 1797 (XVII) arose, on the one hand, from the recognition by Member States of the pace of growth of activities in the economic, social, and human rights fields, particularly during the United Nations Development Decade, and on the other hand, from the necessity to ensure the most efficient and economical use of available resources towards the objectives of the Development Decade. In the Secretary-General's view, the decisions taken by the Council at its thirty-

fifth and thirty-sixth sessions (see A/5503, chap. XIV) indicate its equal concern with the broad questions of work programmes and the establishment of priorities consonant with the availability of resources.

3. In the light of these decisions the Secretary-General is able to limit his present request for additional funds to those required for the implementation of the Council's resolutions on the following three items:

(a) United Nations Conference on Trade and Development;

(b) Sub-regional offices of the Economic Commission for Africa to be established in the latter part of 1963, one at Niamey, Niger, and the second at Tangier, Morocco;

(c) First session of the newly established fifteen-member Advisory Committee on the Application of Science and Technology to Development.

4. The total cost of these activities in 1964, the details of which are given in annex I below, is estimated at \$2,562,000. Of this amount, \$2,362,000 relates to the United Nations Conference on Trade and Development, \$174,000 to the sub-regional offices of ECA, and \$26,000 to the Advisory Committee on the Application of Science and Technology to Development.

5. At the same time, certain decisions of the Council in respect of its schedule of meetings and that of its functional commissions in 1964 have made it possible to effect a reduction in the initial estimates under the various sections. Specifically, during its thirty-sixth session, the Council, at its 1297th plenary meeting, endorsed the proposal contained in the report of the Secretary-General¹⁴ that, having regard to the special situation obtaining in 1964, none of the functional commissions except the Commission on Narcotic Drugs be scheduled and that the Council itself hold only one session. In anticipation of the Council's decision the Advisory Committee on Administrative and Budgetary Questions in its report on the initial estimates (see A/5507, para. 99, 149, 183 and 270) recommended a total reduction of \$123,400 consisting of \$89,400 under section 1—Travel and other expenses of representatives, members of commissions, committees and other subsidiary bodies, chapter III—The Economic and Social Council, commissions and committees; \$18,500 under section 3—Salaries and wages, chapter II—Temporary assistance for meetings; \$4,000 under section 5—Travel of staff, chapter I—Travel of staff to meetings; and \$11,500 under section 11—Printing, chapter I—Official records. As a result of the further decision taken by the Council at its 1297th meeting to shorten the duration of its session and that of the Commission on Narcotic Drugs, an additional reduction in the amount of \$33,500 can be effected, to be distributed as follows:

	<i>United States dollars</i>
<i>Section 3. Salaries and wages:</i>	
Chapter II. Temporary assistance for meetings	
(i) Reduction in the duration of the thirty-seventh session of the Economic and Social Council from six weeks to five	10,500
(ii) Reduction in the duration of the session of the Commission on Narcotic Drugs from four weeks to one	7,500

	<i>United States dollars</i>
<i>Section 5. Travel of staff:</i>	
Chapter I. Travel of staff to meetings	
Reduction in subsistence payments to staff due to reduction in duration of the thirty-seventh session of the Economic and Social Council	1,000
<i>Section 11. Printing:</i>	
Chapter I. Official records	
Reduction due to elimination of the spring session of the Economic and Social Council	14,500
TOTAL	33,500

6. After taking into account this total reduction of \$156,900 in the initial estimates, the net addition provision required to cover the three activities listed in paragraph 3 above would be in the amount of \$2,405,100. However, of this sum, \$700,000 represents the estimated unspent balance of the appropriation of \$1,317,500 under section 2—Special Meetings and Conferences for 1963 for the Conference on Trade and Development which will be surrendered at the end of 1963 and in respect of which the Secretary-General seeks reappropriation for 1964. The initial estimates for 1964 under income section 1—Income from staff assessment, would be increased by an amount of \$140,000 as a result of higher expenditures under sections 2 and 3 in regard to temporary staff for the Conference and additional staff for the sub-regional offices of ECA, offset by reduced requirements for temporary staff for meetings of the Economic and Social Council and the functional commissions.

7. Accordingly, the Secretary-General submits the following revisions to the estimates as initially presented:

	<i>United States dollars</i>	
<i>Section 1. Travel and other expenses of representatives, members of commissions, committees and other subsidiary bodies</i>		
Advisory Committee on the Application of Science and Technology to Development	26,000	
Reduction in initial estimate due to curtailment of schedule of meetings of the Economic and Social Council and the functional commissions	(89,400)	(63,400)
<i>Section 2. Special meetings and conferences</i>		
United Nations Conference on Trade and Development		2,302,000
<i>Section 3. Salaries and wages</i>		
Sub-regional offices of ECA	100,000	
Reduction in initial estimate due to curtailment of schedule of meetings of the Economic and Social Council and the functional commissions	(36,500)	63,500
<i>Section 4. Common staff costs</i>		
Sub-regional offices of ECA		24,000
<i>Section 5. Travel of staff</i>		
Sub-regional offices of ECA	14,000	
Reduction in initial estimate due to curtailment of schedule of meetings of the Economic and Social Council and the functional commissions	(5,000)	9,000

¹⁴ *Ibid.*, Thirty-fifth Session, Annexes, agenda item 17, document E/3741.

	<i>United States dollars</i>	
<i>Section 7. Buildings and improvements to premises</i>		
United Nations Conference on Trade and Development	50,000	
<i>Section 8. Permanent equipment</i>		
United Nations Conference on Trade and Development	10,000	
Sub-regional offices of ECA	12,000	22,000
<i>Section 9. Maintenance, operation and rental of premises</i>		
Sub-regional offices of ECA		10,000
<i>Section 10. General expenses</i>		
Sub-regional offices of ECA		14,000
<i>Section 11. Printing</i>		
Reduction in initial estimate due to curtailment of schedule of meetings of the Economic and Social Council and the functional commissions		(26,000)
TOTAL		2,405,100
<i>Income section 1. Income from staff assessment</i>		
Increase in staff assessment		140,000

8. The revised estimates do not provide for other activities called for by the Council and for which the estimated annual requirements are of the order of \$897,000. In line with the policy explained by the Secretary-General in his statement on the financial statement (E/3797/Add.1) and accepted by the Council at its 1302nd plenary meeting, these activities would be undertaken in 1964 from within the level of resources provided for in the initial estimates for 1964 by changes in the contemplated pace of implementation of other activities scheduled for that year. These items are described in detail in annex II below.

9. The Secretary-General takes this opportunity to welcome the positive action taken by the Council resulting in its endorsement of his proposals on the meetings schedule.¹⁵ He expresses the hope that the initiative taken by the Council in regard to its calendar for 1964 can be followed by an equally favourable decision firmly establishing for the long term a biennial pattern for the sessions of its subsidiary bodies. Such a decision would be in accord not only with the intent of General Assembly resolution 1797 (XVII) and Council resolution 936 (XXXV) but with the view expressed by the Advisory Committee in paragraph 72 of its report (A/5507) that it is essential that the decision-making bodies "ensure that the available resources are directed to a carefully elaborated programme of priorities rather than being dispersed over an ever-expanding *ad hoc* schedule of meetings, the preparation for which, both by the Secretariat and by Member Governments, would be inadequate, the servicing of which would be unsatisfactory, and the effectiveness incommensurate with the efforts deployed and the costs incurred".

10. Finally, the Secretary-General wishes to draw special attention to the action taken by the Council in its resolution 953 (XXXVI) by which it endorsed the recommendations of TAC as to the level of the appropriations for technical programmes under part V of the budget. Pursuant to General Assembly resolution 1786 (XVII), the TAC undertook a study of this

¹⁵ *Ibid.*

question and recommended that the level of appropriations for these activities be maintained at \$6.4 million. In making this recommendation, the TAC took into account the call for increases in the amounts provided under sections 15—Human rights advisory services, and 17—Narcotic drugs control, the former to provide for a doubling of the number of fellowships and the institution of an experimental regional training course and the latter for organizing an Inter-American Seminar on the Coca Leaf. The Committee further recommended that the Secretary-General, in administering the programme under part V (Technical programmes) of the budget, be authorized to make adjustments in the sectional provisions for sections 13, 14, and chapter I of section 16, within a maximum reduction of 5 per cent in any one of these sections, so as to permit the transfer of funds for the purpose of increasing one or more of the sections under part V and to report to the Advisory Committee and to the TAC on the exercise of this authority.

ANNEX I

Items for which additional budget provisions will be necessary in 1964

A. UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT (\$2,362,000)

The General Assembly, by its resolution 1785 (XVII), called for the convening of a United Nations Conference on Trade and Development as soon as possible after the thirty-sixth session of the Economic and Social Council in July 1963, but in no event later than early 1964. An appropriation of \$1,317,500 for 1963 was approved for this purpose, based on the detailed cost estimates submitted by the Secretary-General^a and reviewed by the Advisory Committee.^b The balance of the requirements for the Conference, estimated at about \$200,000 for the printing of its proceedings, was to be included in the estimates for 1964.

Subsequently, the Economic and Social Council at its thirty-sixth session, by resolution 963 (XXXVI), decided that the Conference should be held in Geneva from 23 March to 15 June 1964. This decision affects both the level of expenditures in 1963 and the requirements for 1964.

In so far as 1963 is concerned, the expenditures will be less than anticipated and are currently expected to amount to some \$617,500. These expenses, which relate *inter alia* to sessions of the Preparatory Committee and the Group of Experts on Commodity and Trade Problems of Developing Countries, the hiring of consultants, the travel of staff of the regional economic commissions for participation in meetings of the Preparatory Committee, as well as other preparatory work related to the Conference, will be described in more detail in the Secretary-General's report on the supplementary estimates for 1963 to be submitted to the General Assembly at its eighteenth session.

The requirements for 1964, which are described below, are now estimated at \$2,362,000.

It will be noted from the revised requirements for 1963 and those for 1964 that the total estimated cost of the Conference now amounts to \$2,979,500 compared with an original estimate of some \$1,517,500. This considerable increase is due to the following significant developments:

(a) The decision of the Preparatory Committee to hold its second meeting in 1963 in Geneva instead of in New York as initially provided for;

(b) The decision of the Group of Experts on Commodity and Trade Problems of Developing Countries to hold a second

^a *Official Records of the General Assembly, Seventeenth Session, Annexes*, agenda items 12, 34, 35, 36, 37, 39 and 84, document A/C.5/947.

^b *Ibid.*, document A/5320.

meeting which had not been foreseen and to choose Geneva instead of New York as its venue;

(c) The need to retain the Conference secretariat for a longer period as a result of the decision to defer the Conference until 1964;

(d) The decision of the Economic and Social Council, in its resolution 963 (XXXVI), that the Conference should extend over a period of about twelve weeks instead of six as originally provided for and that there should be more detailed basic documentation.

Accordingly the Secretary-General requests the provision of a total amount of \$2,362,000 for 1964, of which an estimated amount of \$700,000 represents the reappropriation of the unspent portion of funds made available for 1963 and \$1,662,000, the balance of the total estimated cost of the Conference as a whole.

As already approved by the General Assembly at its seventeenth session, the Secretary-General would intend to administer that portion of the budget of the Conference which falls under section 2 as one unit, thus preserving a degree of flexibility which is essential in view of the necessarily tentative nature of some of the basic assumptions underlying the estimates.

The estimated requirements for the Conference set out in this paper are based on a review of the estimates presented to the thirty-sixth session of the Economic and Social Council (E/3818)^c in the light of the discussions in the Council. The plans in respect of the printing of the Conference proceedings have been reviewed by the Publications Board.

SUMMARY OF ESTIMATED COSTS IN 1964

	<i>United States dollars</i>
<i>Section 2</i>	
I. Staff costs:	
(a) Secretary-General of the Conference and his immediate staff	108,000
(b) Other short-term substantive staff, and expert consultant services	59,000
(c) Electronic compilation of basic data	25,000
(d) Technical and language staff	946,000
	1,138,000
II. Travel on official business	44,000
III. Translation and reproduction of pre-Conference documentation	293,000
IV. General expenses	326,000
V. Public information requirements	69,000
VI. Printing of the Conference proceedings	429,000
VII. Official hospitality	3,000
	3,138,000
<i>Section 7</i>	
Construction of four broadcasting studios in the Palais des Nations, Geneva	50,000
<i>Section 8</i>	
Permanent equipment	10,000
	60,000
GRAND TOTAL	2,362,000

^c Mimeographed.

Details of estimated costs

I. Staff costs \$1,138,000

Provision is made for salaries and related costs of the Secretary-General of the Conference and other staff to the end of June 1964. While some of this staff may need to be retained somewhat longer to assist in the completion of operations, it is felt that the related requirements can be met from within the level of these estimates.

Details of the estimates follow:

(a) *Secretary-General of the Conference and his immediate staff*—\$108,000

Provision is made for the salary, allowances, and common staff costs of the Secretary-General (Under-Secretary), the Executive Assistant (D-2), the Secretary of the Conference (D-2), the Assistant Secretary of the Conference (D-1), a Special Assistant (P-4), an Executive Officer (P-4), and seven General Service staff. Seven other executive assistants will be drawn from the existing senior staff of the Secretariat.

(b) *Other short-term substantive staff and expert consultant services*—\$59,000

The estimate covers thirty-six man-months of substantive staff at the P-5 level and eighteen man-months of secretarial assistance required through June 1964 to assist in the preparation of the pre-Conference documentation. This staff will serve in various capacities including that of secretary or assistant secretary to the various committees during the Conference and will supplement the regular staff of the Department of Economic and Social Affairs and the regional secretariats who have already been diverted, to the maximum possible extent, to the work of the Conference. The credits may also have to be utilized in part to provide temporary replacements for regular Secretariat staff who may be detailed to work on the Conference secretariat for the duration.

(c) *Electronic compilation of basic data*—\$25,000

The estimate provides for contractual rental of electronic data processing equipment for the compilation of trade data.

(d) *Technical and language staff*—\$946,000

The requirements for servicing the third session of the Preparatory Committee to be held in New York for two weeks from 3 February 1964 will be met from within the resources of the Secretariat. Technical and language staff required to service the Conference at Geneva for the period 23 March to 15 June 1964 will have to be recruited in part on a temporary assistance basis.

During the Conference the staff will be required to service a maximum of seven committee meetings a day, each meeting having an average of twenty pages of summary records to be issued in both provisional and final mimeographed form, and other in-session documentation to be translated and reproduced in the three working languages. Selected documentation will also need to be translated into Russian upon request. Each meeting will be provided with simultaneous interpretation in the four official languages of the Conference. The regular staff of the Organization will be used to the maximum extent possible.

The requirements under this heading, including the estimated cost of temporary assistance (items (i) to (ix)), overtime and night differential (item (x)) and travel and subsistence of Headquarters conference servicing staff (item (xi)), may be summarized as follows:

	<i>Total number of staff</i>	<i>Staff detailed from Headquarters</i>	<i>Temporary assistance</i>	<i>Estimated cost</i>
	<i>United States dollars</i>			
(i) Five teams of 8 interpreters each, which will cover seven meetings a day as well as such working groups as may be established	40	20	20	84,000

	<i>Total number of staff</i>	<i>Staff detailed from Head- quarters</i>	<i>Temporary assistance</i>	<i>Estimated cost</i>
				<i>United States dollars</i>
(ii) Four teams of translator/précis-writers (26 each for English, French and Spanish and 12 for Russian) to prepare and translate the summary records of the main committees and to translate the in-session documentation, including policy statements to be incorporated in the final proceedings	90	40	50	170,000
(iii) Senior translators to revise the material under (ii) above	31	16	15	40,000
(iv) Editors and editorial assistants for a period of four months for the preparation of the final version of the summary records in all languages after corrections have been made by delegations	9	6	3	10,000
(v) Typists for the translators, précis-writers, revisers and editors	126	34	92	130,000
(vi) One editor for each language version of a mimeographed daily journal and two typists	5	—	5	15,000
(vii) Reproduction and distribution staff: 25 mimeograph operators, 25 assemblers, 22 distribution clerks, 2 printers, 2 platemakers, and 8 worker-supervisors	84	—	84	88,000
(viii) Building management staff: huissiers, cleaners, manual workers, telephone operators, sound technicians, recording technicians, store-keepers, and chauffeurs	70-80	—	70-80	76,000
(ix) Conference management group, comprising conference officers, documents officers, administrative assistants, personnel clerks, finance clerks. Part of this group will have to be appointed at least a month prior to the opening of the Conference in order to undertake recruitment of staff and for other preparatory arrangements	29	—	29	68,000
(x) Overtime and night differential for General Service staff in reproduction, distribution, typing, and building management				50,000
(xi) Travel and subsistence of Headquarters conference servicing staff (20 interpreters, 40 translator/précis-writers, 16 revisers, 6 editors, 34 typists) to be sent to Geneva to service the Conference. It is assumed that about a third of this number will be on home leave and will draw only subsistence. It is also intended to send from Headquarters a limited number of supervisory staff for reproduction and distribution activities				
				215,000
TOTAL				946,000

II. *Travel on official business* \$44,000

(a) Travel of European office staff to supervise and coordinate work at translation centres outside Geneva where translation work is put out on a contract basis (\$4,000);

(b) Participation in the Conference by regional economic commissions; travel by the staff of these commissions to attend the third session of the Preparatory Committee at New York;

travel by senior staff and consultants for purposes of coordinating the preparation of studies and reports and obtaining data (\$30,000);

(c) Travel by the Secretary-General of the Conference and his immediate staff (one trip to African countries, one to Latin American countries and two trips to Europe for consultations with specialized agencies concerned) (\$10,000).

III. *Translation and reproduction of pre-Conference documentation* \$293,000

The estimate is based on the assumption that documents to be prepared for the Conference by Governments, specialized agencies and the Secretariat (including regional economic commissions) will not exceed a total of 4,500 pages, and will require to be translated from the original into the other three official languages. While this work will be undertaken partly by recruiting a temporary staff of translators/revisers and partly on a contractual basis, it is assumed for the purposes of estimating that it will be done on a contractual basis at the cost of \$10 per page per language. The total cost of translation is thus estimated at \$135,000. The control of this work will require a small unit consisting predominantly of clerical staff which will function as a documents-control unit and is estimated to cost \$8,000. The documents will be reproduced in an average of 1,500 copies in each of the four official languages, which will result in 30 million page units after allowing for a 10 per cent increase in the length of documents in languages other than English. On the assumption that the work can be done internally at Headquarters and Geneva, the cost is estimated at \$150,000, at the average rate of \$5,000 per million page units.

IV. *General expenses* \$336,000

(a) *Rental of outside office space*—\$125,000

The Conference service staff, which will number some 600 people, will require outside office space to be rented prior to and during the Conference. The need for outside offices will vary, but may well reach 250 offices during the period of the Conference itself.

(b) *Moving expenses*—\$30,000

The furniture, equipment and records of Geneva staff who are displaced by the Conference staff will have to be moved to offices outside the Palais. A shuttle service will have to be established between such offices and the Palais. It will also be necessary to relocate the staff remaining within the Palais des Nations and temporarily enlarge other facilities in the Palais.

(c) *Utilities*—\$5,000

This estimate covers additional costs which will arise for heat, light, water and power to be consumed at the Palais during the Conference.

(d) *Rental and maintenance of equipment*—\$27,000

These expenses will include the hiring of 100 typewriters for some 150 secretaries and typists employed by the Conference, the rental of sound equipment for some of the conference rooms, the rental of equipment for recording all meetings, the rental of dictaphone and miscellaneous office machines, and maintenance of all equipment.

(e) *Communications costs*—\$73,000

These will include telephone installations in the amount of \$22,000; local and long-distance call, \$6,000; cables, postage and diplomatic pouches, \$15,000; freight, including the shipment of documents and the printed records of the proceedings, \$30,000.

(f) *Miscellaneous supplies and services*—\$19,000

These include stationery and office supplies, \$5,000; laundry, \$2,000; library books, maps and supplies, \$2,000; printing of handbooks, invitations, internal sign cards, badges and notices for staff and other miscellaneous items, \$10,000.

(g) *Reproduction supplies*—\$47,000

This estimate covers the cost of stencils, paper, ink and other supplies for the reproduction in the various languages of the summary records (provisional as well as final) and of other in-session documentation.

(h) *Office equipment*—\$10,000

This estimate covers the provision of shelving for documentation. Since the shelving will be an addition to the office

furniture and equipment of the Palais the provision in question should be included in section 8 of the budget.

V. *Public information requirements* \$119,000

The requirements for public information are for press coverage and radio, television, and film coverage, including ancillary production costs.

The staff for press coverage will comprise 1 chief press officer, 5 press officers and 3 editors in English, and 2 press officers and 1 editor in French, or a total of 12 professional staff of which 6 will be provided from Headquarters, 4 from Geneva, and 2 recruited on a temporary basis.

The staff for radio-visual coverage will comprise 1 supervisor, 1 television-film producer, and 4 radio producers/writers for programmes in Arabic, English, French, Russian and Spanish, or a total of 6 professional staff to be provided from the regular establishment (2 from Headquarters and 4 from Geneva). The press and radio professional staff will require the employment on a temporary basis of 12 General Service staff of secretaries, typists, mimeograph operators, and messengers.

The total cost of salaries of temporary staff is estimated at \$20,500 and travel and subsistence of Headquarters staff at \$16,500, or a total of \$37,000.

The lease of radio circuits, the production of radio documentaries in fifteen languages, the contractual costs of film and television camera crews, and the costs of developing and distributing films amounts to \$21,000.

General expenses are estimated at \$5,000 for communications and \$6,000 for printing a twenty-four-page general information pamphlet on the Conference, or a total of \$11,000.

It will be necessary to expand the facilities in the Palais by the addition of four broadcasting studios. The requirements are estimated at \$50,000. Since this is an item of capital nature permanently improving the facilities in the Palais, it is appropriate that the related provision be made in section 7 of the budget.

VI. *Printing of the proceedings of the Conference* . . . \$429,000

The estimates for printing are based on the following plans which have been reviewed and endorsed by the Publications Board in accordance with the suggestions made by the Advisory Committee on Administrative and Budgetary Questions at the sixteenth session regarding the printing of proceedings of special conference.⁴

The proceedings will be published in the four official languages of the Conference and will contain: the basic documentation submitted by Governments, specialized agencies, and the Secretariat, estimated not to exceed 4,500 mimeographed pages in total; the policy statements made at the ministerial level at the Conference; a complete report of each of the main committees to the plenary session of the Conference; and the programme of the Conference, the list of participants, a comprehensive table of contents, and the final act of the Conference.

It is estimated that the foregoing items would amount in volume to approximately 7,500 mimeographed pages, which would reduce to 3,000 printed pages in English. This will mean between seven to ten volumes depending on the grouping of topics. For estimating purposes it is assumed that there will be eight volumes and that each volume will contain no more than 15 per cent of statistical tabulations, charts, graphs, and similar illustrations. On the further assumption that the printing will be arranged in low cost areas, the cost of preparation and publication is estimated at \$429,000 as shown below:

(a) Pre-editing and preparation of the documentation for publication will require the use of temporary professional (editorial) and clerical assistance to supplements existing resources.

⁴ *Official Records of the General Assembly, Sixteenth Session, Supplement No. 7, paras. 67-69.*

Provision will need to be made for some eighteen man-months of professional and eighteen man-months of clerical assistance at a cost of some \$25,000;

(b) The cost of printing of seven to ten volumes, arranged according to the major topics covered, is estimated at \$314,700 as follows:

Number of pages	Language	Total press run	Number of copies for sale	United States dollars
3,000	English	3,500	2,500	105,000
3,300	French	1,500	1,000	86,500
3,300	Spanish	500	400	69,500
3,450	Russian	400	200	53,700
			TOTAL	314,700

(c) Copy preparation, proof-reading, etc., will require the use of 8 professional proof-readers and 6 General Service staff (4 copy holders, 1 secretary and 1 clerk) for a period of about eight months, at an estimated cost of \$65,500;

(d) The preparation of layouts of charts, diagrams, graphs will require the use of 1 professional officer and 4 technicians for four months at an estimated cost of \$8,800;

(e) An amount of \$15,000 will be required for the preparation of the certified true copies of the final act itself, assuming 300 printed pages in the four languages, including pages for signatures.

VII. Official hospitality \$3,000

This provision is proposed to cover an official reception to be organized towards the close of the Conference.

B. ECONOMIC COMMISSION FOR AFRICA (\$174,000)

The early establishment of sub-regional offices of the Commission in Niamey, Niger, and Tangier, Morocco has been called for by ECA resolution 64 (IV) of 3 March 1962.^e The office in Niamey will cover western Africa while that in Tangier will cover Africa North of the Sahara. The host Governments have agreed, in principle, to provide office space free of rent at both locations. The Government of Niger is proceeding with plans for the construction of buildings (with ancillary conference facilities) by the end of 1964. In both cases arrangements call for opening the sub-offices during the last part of 1963 in temporary accommodations provided by the host Government.

In order to lay the groundwork for the future organization of these new sub-regional offices of the Commission, it is necessary to provide each of them with a nucleus of one Principal Officer (D-1) to be the head of the office, an administrative officer (P-4), and four General Service staff. The cost in 1964 of these staff resources is estimated at \$62,000 for each office.

In addition, an amount of \$25,000 is required for each office to cover official travel in the region and to Addis Ababa; general expenses including office supplies and equipment, communications (including cables, postage, and freight); local transportation; and maintenance and operation of premises and equipment.

These sub-regional offices will promote and provide support for regional activities and will, as necessary, be strengthened by temporary assignments of staff from Addis Ababa.

The costs for the two sub-regional offices in 1964 would thus amount to some \$174,000 distributed as follows:

	United States dollars
Section 3. Salaries and wages	100,000
Section 4. Common staff costs	24,000
Section 5. Travel of staff	14,000
Section 8. Permanent equipment	12,000

^e See *Official Records of the Economic and Social Council, Thirty-fourth Session, Supplement No. 10*, part III.

	dollars United States
Section 9. Maintenance, operation and rental of premises	10,000
Section 10. General expenses	14,000
TOTAL	174,000

C. ADVISORY COMMITTEE ON THE APPLICATION OF SCIENCE AND TECHNOLOGY TO DEVELOPMENT (\$26,000)

By resolution 980A (XXXVI), the Economic and Social Council decided to establish the Advisory Committee on the Application of Science and Technology to Development composed of fifteen members to be appointed by the Council, on the nomination of the Secretary-General after consultation with Governments, on the basis of their personal qualifications, knowledge or experience in this field, with due regard to equitable geographical representation. The members of the Committee are to be appointed at the resumed thirty-sixth session of the Council and the first report of the Committee is to be submitted to the Council in 1964 at its thirty-seventh session.

Assuming that the members of the Committee will serve without honorarium, and that the Organization would be required to pay only their travel to attend its meetings and subsistence for the duration of the meetings, the cost of holding the first session of the Committee at Headquarters for a period of two weeks in early 1964 is estimated at \$26,000. These costs will arise in section 1, chapter III of the budget.

ANNEX II

Items which would be undertaken within the level of budget appropriations for 1964

SUMMARY

Item	Estimated costs in 1964 United States dollars
A. Recommendations of the Population Commission	97,000
B. Recommendations of the Committee on Housing, Building and Planning	272,000
C. Recommendations of the Committee for Industrial Development	427,000
D. Human Rights Advisory Services	50,000
E. Recommendations of the Commission on Narcotic Drugs	38,000
F. Decisions of the Economic Commission for Latin America	13,000
G. Fourth United Nations Regional Cartographic Conference for Asia and the Far East	—
H. Economic Commission for Africa	—
TOTAL	897,000

A. POPULATION COMMISSION (\$97,000)

Council resolution 933 C (XXXV), adopted in response to the report of the Population Commission on its twelfth session,^a called for an intensification of demographic studies, research and training. The resolution specifically requested the Secretary-General to: (a) accelerate work on technical manuals on the analysis of census data, on methods of estimating fundamental demographic measures, on methods of projecting the economically active population, school enrolment, rural and urban population, and the number of households; (b) hasten the completion of the revised edition on *The Determinants and Consequences of Population Trends* for use in connexion with the 1965 World Population Conference; and (c) study the uses of electronic computers in the analysis of demographic data.

An acceleration of the foregoing work would call for the addition of 2 temporary Professional and 2 General Service posts at a cost of \$36,000 and the employment of consultants for a total of twelve months at a cost of \$24,000. If two additional manuals were to be completed in 1964, their translation costs would be \$6,000 (150 pages each at \$10 a page for two languages) and their printing costs in three languages would be \$6,000.

Council resolution 933 A (XXXV) endorsed the programme of work contained in annex I of the Commission's report which included a proposal that an *ad hoc* group of experts be convened in 1964 to advise the Secretary-General on the long-range work programme in the field of population. Ten experts meeting for twelve days without payment of fee would require \$15,000 for travel and subsistence expenses.

B. COMMITTEE ON HOUSING, BUILDING AND PLANNING (\$272,000)^b

The Council, by resolution 976 B (XXXVI), endorsed the recommendation of the Committee on Housing, Building and Planning in its report on its first session^c that the Secretary-General be requested, to strengthen the staff resources allotted to the field of housing, building and planning. It was reported to the Committee that the activities called for would require the equivalent of six man-years at Headquarters and six to eight man-years divided among the regional economic commissions. The relevant annual salary and common staff costs at an average level of P-4 are estimated at \$267,000, to which should be added \$5,000 for travel on official business.

C. COMMITTEE FOR INDUSTRIAL DEVELOPMENT (\$427,000)

In resolution 968 (XXXVI), the Council endorsed the programme of work contained in the report of the Committee for Industrial Development on its third session.^d The Committee agreed that the resources allotted were inadequate in the light of the real needs of developing countries. The Committee was informed that for the implementation of the approved work programme, the staff of the Industrial Development Centre would need to be increased by 17 Professional and 17 General Service staff members at an additional annual cost of \$443,000; for the first year, allowing for delays in recruitment, the cost is estimated at \$301,000. In addition, \$30,000 would be required for travel of senior officials for consultations with field offices and \$96,000 for the employment of consultants.

D. HUMAN RIGHTS ADVISORY SERVICES (\$50,000)

The Commission on Human Rights on its report on its nineteenth session^e recommended that the Secretary-General be

^a *Ibid.*, Thirty-fifth Session, Supplement No. 2.

^b The statement of financial implications submitted to the Committee foresaw that this expenditure might be phased over more than one year in accordance with the programme of action adopted by the Council.

^c *Official Records of the Economic and Social Council, Thirty-sixth Session, Supplement No. 13.*

^d *Ibid.*, Supplement No. 14 and corrigendum.

^e *Ibid.*, Supplement No. 8.

requested to organize, on an experimental basis and preferably within the level of appropriations for technical programmes financed from the regular budget, one regional training course in human rights in 1964 and a second in 1965. The Secretary-General had indicated to the Human Rights Commission that each such training course would entail expenditures of the order of \$50,000.

At its thirty-fifth session the Council decided to refer this recommendation, without comment, to its Technical Assistance Committee, which in terms of General Assembly resolution 1768 (XVII) had been charged with the study on the optimum level of appropriation for technical programmes financed from the regular budget.

Based on the recommendations of the Technical Assistance Committee, the Council, by resolution 959 (XXXVI), decided that consideration could be given to the organization of one or more regional training courses from savings available under part V of the budget, in accordance with the usual criteria for assigning priority to projects requested under the United Nations technical assistance programme.

E. COMMISSION ON NARCOTIC DRUGS (\$38,000)

The Commission on Narcotic Drugs in its report on its eighteenth session,^f recommended two draft resolutions for action by the Council. In one resolution it recommended an exceptional appropriation for 1964 of sufficient funds for an inter-American seminar on the coca leaf, in addition to the \$75,000 regularly appropriated for narcotic drugs control under section 17—Narcotic drugs control, of the budget, in so far as the additional sum required could not be obtained from savings from other appropriations. The second recommendation related to a survey of the economic and social requirements of an opium-producing region in Burma with a view to facilitating the abolition of poppy cultivation and addiction. The inter-American seminar on the coca leaf would have entailed expenditures of the order of \$25,000, and the Burma survey about \$13,000.

By its resolution 962 B II (XXXVI) the Council agreed with the recommendations of the Technical Assistance Committee that the survey of the economic and social requirements of an opium-producing region in Burma could, if requested by the Government concerned, be accommodated under the Expanded Programme for Technical Assistance. In the case of the seminar on the coca leaf, the Council, by its resolution 962 B I (XXXVI) requested that consideration be given to the organization of such a seminar from savings available under part V of the budget, and in accordance with the usual criteria for assigning priority to projects requested under the United Nations Technical assistance programme.

F. ECONOMIC COMMISSION FOR LATIN AMERICA (\$13,000)

At its tenth session the Economic Commission for Latin America adopted resolution 223 (X) which requested the Secretariat to set up an *ad hoc* advisory group of experts on economic information and publicity to draw up a programme of action to publicize regional efforts in the field of economic development and co-operation. A meeting of five experts for one week would require \$3,000 for the payment of travel and subsistence expenses.

By resolution 238 (X) the Commission requested the Secretariat to continue and expand its current demographic activities in order to promote a better understanding of population problems. Such intensification of demographic work would involve the addition of one demographer (P-3) to the Mexico Office of the Commission at a cost of \$10,000 in the initial year and \$13,000 in the subsequent year. The Council by its resolution 947 (XXXVI) endorsed the programme of work and priorities recommended by the Commission at its tenth session and contained in its fourteenth annual report.^g

^f *Ibid.*, Supplement No. 9.

^g *Ibid.*, Supplement No. 4.

G. FOURTH UNITED NATIONS REGIONAL CARTOGRAPHIC
CONFERENCE FOR ASIA AND THE FAR EAST

In resolution 928 (XXXV) the Council requested the Secretary-General, upon confirmation of the offer of the Government of the Philippines to act as host, to convene in Manila during the last quarter of 1964 a fourth United Nations Regional Cartographic Conference for Asia and the Far East. The host Government would, under the terms of General Assembly resolution 1202 (XII), be responsible for defraying, after consultation with the Secretary-General as to their nature and possible extent, the additional costs involved in meeting away from the headquarters of the Commission. Since confirmation is not likely to be received from the Philippine Government until early 1964 and the extent of the extra costs can only be determined at that time, the Secretary-General intends to establish a special account to which these costs would be charged and to which the offsetting payment from the Government would be credited.

H. ECONOMIC COMMISSION FOR AFRICA

At its fifth session in February-March 1963 the Commission considered the financial implications of various pro-

posals which dealt with the problems connected with the arrangement of an African trade fair, training courses for small retail traders, the possibilities of establishing a clearing system within a payments union, a plan for an all-African telecommunications network, and the adoption of an international road transport convention. These programmes are generally of a nature to lend themselves to technical assistance financing.

The all-African telecommunications network project has, in fact, been already commenced with a contingency grant from the Expanded Programme of Technical Assistance under the auspices of the International Telecommunications Union. Negotiations are currently under way to determine which of the other projects may be provided for from technical assistance funds available to the United Nations or the international organization with primary competence in the specified activity. Projects not eventually provided for under technical assistance could attract funds, in accordance with their relative priority, from the consultant provision in the regular budget of the Commission.

DOCUMENT A/5529

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[23 September 1963]

1. The Advisory Committee on Administrative and Budgetary Questions considered the report of the Secretary-General (A/C.5/978), containing revisions of the initial estimates for 1964 (A/5505) under a number of budget sections as a result of the decisions taken by the Economic and Social Council at its thirty-fifth and thirty-sixth sessions, in April and July 1963, respectively. In paragraph 2 of his report the Secretary-General expressed the view that these decisions indicate on the part of the Council "an equal concern with the broad questions of work programmes and the establishment of priorities consonant with the availability of resources".

2. In the light of the Council's decisions, the Secretary-General has been able to limit his current request to the additional funds required for the implementation of its resolutions on the following three items:

	<i>United States dollars</i>
(a) United Nations Conference on Trade and Development	2,362,000
(b) Sub-regional offices of the Economic Commission for Africa at Niamey (Niger) and Tangier (Morocco)	174,000
(c) First session of the newly established fifteen-member Advisory Committee on the Application of Science and Technology to Development	26,000
TOTAL	2,562,000

3. During its thirty-sixth session, the Economic and Social Council, at its 1297th plenary meeting, accepted the recommendations contained in the report of the Secretary-General¹⁶—which the Advisory Committee had strongly endorsed in a special submission to the Council (E/3801)¹⁷ for a curtailment of the schedule

of meetings in 1964. In anticipation of the Council's decision, the Committee, in its report on the initial estimates (see A/5507, paras. 99, 149, 183 and 270) had recommended a total reduction \$123,400 consisting of \$89,400 under section 1—Travel and other expenses of representatives, members of commissions, committees and other subsidiary bodies, chapter III—The Economic and Social Council, commissions and committees; \$18,500 under section 3—Salaries and wages, chapter II—Temporary assistance for meetings; \$4,000 under section 5—Travel of staff, chapter I—Travel of staff to meetings; and \$11,500 under section 11—Printing, chapter I—Official records. As a result of the further decision taken by the Council at its 1297th meeting to shorten the duration of its single session and that of the Commission on Narcotic Drugs, an additional reduction in the amount of \$33,500 can be effected, to be distributed as follows:

	<i>United States dollars</i>
<i>Section 3. Salaries and wages:</i>	
Chapter II. Temporary assistance for meetings	
(i) Reduction in the duration of the thirty-seventh session of the Economic and Social Council from six weeks to five	10,500
(ii) Reduction in the duration of the session of the Commission on Narcotic Drugs from four weeks to one	7,500
<i>Section 5. Travel of staff:</i>	
Chapter I. Travel of staff to meetings	
Reduction in subsistence payments to staff due to reduction in duration of the thirty-seventh session of the Economic and Social Council.	1,000
<i>Section 11. Printing:</i>	
Chapter I. Official records	
Reduction due to elimination of the spring session of the Economic and Social Council	14,500
TOTAL	33,500

¹⁶ *Ibid.*, *Thirty-sixth Session, Annexes*, agenda item 17, document E/3741.

¹⁷ Mimeographed. Same text as A/5507, paras. 52-81.

4. After taking into account this total reduction of \$156,900 in his initial estimates, the Secretary-General indicates that the net additional provision required to cover the costs of the three activities listed in paragraph 2 above would be in the amount of \$2,405,100.

5. On the other hand, it should be noted that, of this sum, \$700,000 represents the estimated unspent balance of the appropriation of \$1,317,500 under section 2—Special meetings and conferences for 1963 for the Conference on Trade and Development, which will be surrendered at the end of 1963 and in respect of which the Secretary-General seeks reappropriation for 1964. Moreover, the initial estimates for 1964 under income section 1—Income from staff assessment would be increased by an amount of \$140,000 as a result of higher expenditures under sections 2 and 3 in regard to temporary staff for the Conference and additional staff for the sub-regional offices of ECA, partly offset by reduced requirements for temporary staff for meetings of the Economic and Social Council and the functional commissions.

COMMENTS BY THE ADVISORY COMMITTEE GENERAL

6. In the present case, the Advisory Committee sees two encouraging developments, concerning respectively the pattern of meetings and the establishment of priorities. In the first instance, the Committee wishes to associate itself with the Secretary-General in welcoming the positive action taken by the Council as regards the meetings schedule, and in expressing the hope that the decision of the Council concerning its calendar for 1964 marks the beginning of a trend towards a rationalization of the programme of conferences, including the adoption of a biennial pattern for its functional commissions and other subsidiary bodies. While it is true that the situation will be particularly difficult in 1964 in view of the major construction programme at Headquarters and the extremely heavy demands on the Secretariat's resources which will be made by the United Nations Conference on Trade and Development, the need for such rationalization will be no less in the future. Indeed, as the Advisory Committee has stated in paragraph 72 of its report (A/5507), "only if decision-making bodies are prepared to take a rational approach to future programmes, exercising the utmost restraint and making sacrifices where necessary, will meetings and conferences continue to be fully effective within the Organization's over-all activities. It is, indeed, essential that they ensure that the available resources are directed to a carefully elaborated programme of priorities rather than being dispersed over an ever-expanding *ad hoc* schedule of meetings, the preparation for which, both by the Secretariat and by Member Governments, would be inadequate, the servicing of which would be unsatisfactory, and the effectiveness incommensurate with the efforts deployed and the costs incurred".

7. The Advisory Committee is of the opinion that the multiplication of meetings of deliberative bodies is not necessarily conducive to effectiveness in the formulation or implementation of work programmes. It would seem that well-established programmes in certain fields do not call for annual review by policy-making bodies; indeed, repeated changes in basic policies may well inhibit the actual execution of the work, and there

is little doubt that the preparation and servicing of annual sessions of functional and other subsidiary organs occupy a large number of staff who could be employed in the furtherance of the tasks given to the Secretariat by the organs concerned. The Committee readily recognizes that there may be exceptions. During the first few years of activity in a completely new field, for instance industrial development at the present time, relatively frequent meetings of the competent deliberative body may be necessary to establish a rational long-term policy; thereafter, less frequent meetings may suffice.

8. The second development which the Committee finds encouraging is that the Council has accepted the principle of a rearrangement of the work programme in the economic and social field which would make it possible to carry out a number of additional tasks called for by the Council within the initial appropriation requested for 1964.

9. The cost of these additional tasks in 1964 is estimated at \$897,000, comprising the following items: (a) recommendations of the Population Commission, \$97,000; (b) recommendations of the Committee on Housing, Building and Planning, \$272,000; (c) recommendations of the Committee for Industrial Development, \$427,000; (d) Human Rights Advisory Services, \$50,000; (e) recommendations of the Commission on Narcotic Drugs, \$38,000; (f) decisions of the Economic Commission for Latin America, \$13,000. Furthermore, no estimates can be submitted at this time with respect to two items which would not, in any case, be a charge against the regular budget, namely: (a) the fourth United Nations Regional Cartographic Conference for Asia and the Far East (all additional costs involved in holding the Conference away from the headquarters of ECAFE would be borne by the host Government); and (b) various projects recommended by the Economic Commission for Africa (these would be financed from technical assistance funds; projects not eventually provided for under technical assistance would be financed, in accordance with their relative priority, from the consultant provision allocated to the Commission in the regular budget).

10. While the acceptance by the Council of the suggestions of the Secretary-General is evidence of its understanding of the realities of the situation, the Advisory Committee hopes that it is only the beginning of a firm policy of continuous review of the relative importance and urgency of the numerous projects included in the work programmes of the various organs in the economic and social field, aiming at the establishment of priorities and the rationalization of those programmes long advocated by the Advisory Committee and the Secretary-General. It would be unfortunate if this effort were not to be pursued in future years, and if the door were once more opened to a proliferation of unco-ordinated activities, leading to duplication, overlapping and unjustifiable dispersal of already limited resources.

11. At this stage, the Advisory Committee would point out that, although it appears possible, through an adjustment in the work programme, to undertake almost \$900,000 of new activities in 1964 within the initial estimates, these same activities will, for the most part, be a recurrent charge against the budgets of later years as may be at least some of the projects which have been deferred. If the same restraint were not exercised by the Economic and Social Council with

regard to 1965 and subsequent years, the policy of containment might be succeeded by one of large-scale budgetary expansion. Nothing has been brought to the attention of the Advisory Committee which would in any way lead it to believe that the financial situation and prospects of the Organization would change so completely as to make such a policy of expansion wise and realistic.

12. In conclusion, the Advisory Committee trusts that the positive action taken by the Council as regards both the schedule of meetings and the rearrangement of the over-all programmes of work in the economic and social field, marks the first step towards the goal of rationalization and that it is not considered merely as having required by exceptional circumstances due to *force majeure* in 1964.

UNITED NATIONS CONFERENCE ON TRADE AND
DEVELOPMENT

13. In annex I of his report, the Secretary-General gives detailed estimates of the provisions required to cover the costs in 1964 of the United Nations Conference on Trade and Development. The following table gives a summary distribution of these costs by budget sections:

	<i>United States dollars</i>
<i>Section 2</i>	
I. Staff costs:	
(a) Secretary-General of the Conference and his immediate staff	108,000
(b) Other short-term substantive staff, and expert consultant services	59,000
(c) Electronic compilation of basic data	25,000
(d) Technical and language staff	946,000
	1,138,000
II. Travel on official business	44,000
III. Translation and reproduction of pre-Conference documentation	293,000
IV. General expenses	326,000
V. Public information requirements	69,000
VI. Printing of the Conference proceedings	429,000
VII. Official hospitality	3,000
	2,302,000
<i>Section 7</i>	
Construction of four broadcasting studios in the Palais des Nations, Geneva	50,000
<i>Section 8</i>	
Permanent equipment	10,000
	2,362,000

14. The Conference was originally to be held in 1963 and an appropriation of \$1,317,500 was approved for this purpose, to which was added an expenditure of about \$200,000 in 1964 for the printing of the proceedings of the Conference. At its thirty-sixth session, the Economic and Social Council decided in its resolution 963 (XXXVI) that the Conference should be held in Geneva from 23 March to 15 June 1964.

15. Consequently, the expenditures for 1963 will be less than anticipated and should leave on unobligated balance of \$700,000 for which the Secretary-General would seek appropriation in 1964, thus reducing to

\$1,662,000 the net amount of additional funds to be provided in 1964.

16. The Advisory Committee must call attention to the fact that, on the basis of these revised requirements for 1963 and those for 1964, the total estimated cost of the Conference now amounts to \$2,979,500 or almost twice the original estimate of \$1,517,500. This is ascribed by the Secretary-General to the following developments:

(a) The decision of the Preparatory Committee to hold its second meeting in 1963 in Geneva instead of in New York as initially provided for;

(b) The decision of the Group of Experts on Commodity and Trade Problems of Developing Countries to hold a second meeting which had not been foreseen and to choose Geneva instead of New York as its venue;

(c) The need to retain the Conference secretariat for a longer period as a result of the decision to defer the Conference until 1964;

(d) The decision of the Economic and Social Council, in its resolution 963 (XXXVI), that the Conference should extend over a period of about twelve weeks instead of six as originally provided for and that there should be more detailed basic documentation.

17. This doubling of the estimates raises a serious problem. It would seem reasonable to assume that the financial implications of a decision should be an essential element to be taken into consideration when the adoption of that decision is contemplated. In this instance, when the Assembly by its resolution 1785 (XVII), approved the convening of the United Nations Conference on Trade and Development, it did so on the basis of a total estimate of some \$1.5 million. Thereafter, various decisions were taken by subsidiary bodies which have resulted in a doubling of this estimate. The Advisory Committee would once again express the view that bodies which decide to convene conferences should define the scope of such conferences in sufficient detail so that the Secretary-General could produce realistic cost estimates, thus enabling those bodies to decide in full knowledge of the facts. Furthermore, a more careful and precise drafting of the terms of reference of a particular conference would preclude any subsequent interpretations of subsidiary organs involving considerable increases in the original cost estimate.

18. As to the detailed provisions requested by the Secretary-General, the Advisory Committee believes that the largest item, staff costs, representing nearly half of the total Conference budget, could be somewhat reduced by detailing more staff from the regular establishment to serve on the Conference secretariat. In particular, savings should be possible under item I (a), Secretary-General of the Conference and his immediate staff (\$108,000), since, thanks to the drastic curtailment in 1964 of the programme of meetings in its field of activity, the Department of Economic and Social Affairs will certainly be in a position to assign to the Conference more personnel from its regular establishment.

19. This Conference will be the largest operation of its kind, except for the regular sessions of the General Assembly, which the Organization has ever undertaken, and its servicing staff will comprise no less than 600 people. While it is planned to detail from New York a considerable part of the technical and language staff, the Advisory Committee believes

that, following the cancellation of the 1964 sessions of virtually all functional commissions, the Secretary-General will be in a position to assign an even greater number of permanent staff to the Conference, thus reducing the provision required for temporary personnel. This is a point which will be further dealt with in connexion with the over-all pattern of conferences for 1964.

20. Apart from the financial implications of an operation of this scope, the recruitment of a large number of interpreters, translators, revisers and technicians required for the Conference is bound to raise some difficult problems. In this regard, the Committee was informed that arrangements have already been made to secure the necessary personnel in good time, and it would seem possible that the translating of pre-Conference documentation could be started before the end of 1963, using the services of free-lance translators whose term of duty with the Conference would begin in November or December 1963. This would correspondingly reduce the expenditure to be incurred in 1964.

21. Further, as regards the translation and reproduction of pre-Conference documentation for which an estimate of \$293,000 is submitted, the Committee would recall that, in the case of the first and second International Conferences on the Peaceful Uses of Atomic Energy and the United Nations Conference on the Application of Science and Technology for the Benefit of Less Developed Areas, some Governments which submitted papers also provided translations of such papers. Savings would undoubtedly accrue if the same procedure were followed in the case of the Conference on Trade and Development. The Secretary-General might also approach the specialized agencies and suggest that they provide the translations of their submissions.

22. The Advisory Committee is also convinced that the estimate of \$326,000 for general expenses, including such items as \$30,000 for moving expenses, \$73,000 for communications, \$27,000 for rental and maintenance of equipment, etc. is on the generous side.

23. As for the amount of \$119,000 requested for public information requirements, the Committee is not convinced of the need for 12 Press officers, 6 radio television officers and 12 General Service staff. It has been represented to the Committee that the Conference is considered as one of the most important undertakings of the United Nations; it would, therefore be reasonable to expect that the information media of all the participating countries will give the Conference the extensive coverage corresponding to the great interest those countries have in the Conference. Therefore, staff costs for public information might be somewhat reduced.

24. The cost of printing the proceedings of the Conference is estimated at \$429,000; the basis for this estimate has been reviewed and endorsed by the Publications Board in accordance with the suggestions made by the Advisory Committee at the sixteenth session on the printing of proceedings of special conferences.¹⁸ The Committee does not have any comments to make as regards the printing programme but, in view of its magnitude, it doubts that the whole pro-

gramme can be completed before the end of 1964. The balance of the work might have to be postponed until 1965, thus reducing the expenditure level in 1964.

25. In the light of these considerations, the Advisory Committee recommends that the total cost for the United Nations Conference on Trade and Development for 1964 be limited to \$2,250,000 or a reduction of \$112,000 in the revised estimate submitted by the Secretary-General.

26. As regards the provision of \$50,000 requested for the construction of four broadcasting studios in the Palais des Nations at Geneva, the Committee would, as a matter of principle, question the propriety of charging the cost of a permanent asset against the budget of a conference.

ECONOMIC COMMISSION FOR AFRICA

27. The Secretary-General recalls that the early establishment of sub-regional offices of the Economic Commission for Africa at Niamey (Niger) and Tangier (Morocco) has been called for by the Commission resolution 64 (IV) of 3 March 1962.¹⁹ The host Governments have agreed, in principle, to provide office space free of rent at both locations and present arrangements call for opening the offices during the last part of 1963 in temporary accommodations provided by the host Government.

28. It is the Secretary-General's contention that each of these requires the immediate assignment of a nucleus staff comprised of one Principal Officer (D-1) to be the head of the office, an Administrative Officer (P-4), and four General Service staff. The cost in 1964 of these staff resources is estimated at \$62,000 for each office. In addition, an amount of \$25,000 is said to be required for each office to cover official travel in the region and to Addis Ababa; general expenses including office supplies and equipment, communications, local transportation, and maintenance and operation of premises and equipment.

29. The costs for the two sub-regional offices in 1964 would thus amount to some \$174,000 distributed as follows:

Section	<i>United States dollars</i>
3. Salaries and wages	100,000
4. Common staff costs	24,000
5. Travel of staff	14,000
8. Permanent equipment	12,000
9. Maintenance, operation and rental of premises	10,000
10. General expenses	14,000
	TOTAL 174,000

30. The Advisory Committee notes that the decision of the Commission to establish branch offices is within its terms of reference, as approved by the Council in resolutions 671A (XXV), which provides that "the Commission may in due course also establish such regional sub-offices as it may find necessary". While the particular needs of the African continent may make such arrangements desirable, the realities of the situation as regards the financial and staff resources

¹⁸ *Official Records of the General Assembly, Sixteenth Session, Supplement No. 7, paras. 67-69.*

¹⁹ *See Official Records of the Economic and Social Council, Thirty-fourth Session, Supplement No. 10, part III.*

of the Organization would seem to call for very careful consideration before any increase in the number of branch offices is approved, the Advisory Committee believes that administrative expenses should be kept at the lowest possible level in order that the maximum resources may be used for the direct benefit of the African States.

31. The Advisory Committee was given to understand that the substantive staff of the two sub-regional offices would be provided as needed from the regular establishment of the Commission at Addis Ababa, but that there were no D-1 posts available in the manning table for the heads of the offices and that the acute shortage of administrative personnel at ECA headquarters precluded the secondment of the P-4 administrative officers. The Committee would, however, recall that recruitment to professional posts at ECA has met with serious difficulties ever since the establishment of the Commission and that the number of vacancies is certainly not negligible. It would therefore suggest that consideration might be given to utilizing some of the unfilled ECA posts for the sub-regional offices, at least during the initial period where vacancies still exist. Such a procedure should make it possible to reduce the additional funds requested.

32. The estimates submitted for other items such as travel of staff, permanent equipment, maintenance and operation of premises and general expenses should also be susceptible of reduction.

33. For these reasons, the Advisory Committee recommends that the costs for the two sub-regional offices of the ECA for 1964 be limited to \$160,000, or a reduction of \$14,000 in the estimate submitted by the Secretary-General.

ADVISORY COMMITTEE ON THE APPLICATION OF SCIENCE AND TECHNOLOGY TO DEVELOPMENT

34. By resolution 980 A (XXXVI), the Economic and Social Council decided to establish the Advisory Committee on the Application of Science and Technology to Development composed of fifteen members to be appointed by the Council, on the nomination of the Secretary-General after consultation with Governments, on the basis of their personal qualifications, knowledge or experience in this field, with due regard to equitable geographical representation. The members of the Committee are to be appointed in December 1963 at the resumed thirty-sixth session of the Council and the first report of the Committee is to be submitted to the Council in 1964 at its thirty-seventh session.

35. Assuming that the members of the Committee will serve without honorarium, and that the Organization would be required to pay only their travel to attend its meetings and subsistence for the duration of the meetings, the costs of holding the first session of the Committee at Headquarters for a period of two weeks in early 1964 are estimated at \$26,000. These costs will arise in section 1, chapter III of the budget.

36. The Advisory Committee recommends approval of this estimate.

RECAPITULATION

37. As explained in the previous paragraphs, the Advisory Committee recommends a total reduction of \$126,000 in the cost estimates submitted by the Secretary-General for the three activities for which he is requesting additional appropriations in his report (A/C.5/978). The following table gives a summary breakdown:

	<i>Cost estimates submitted by the Secretary-General</i>	<i>Cost estimates recommended by the Advisory Committee</i>	<i>Reduction</i>
	<i>(United States dollars)</i>		
(i) United Nations Conference on Trade and Development	2,362,000	2,250,000	112,000
(ii) Economic Commission for Africa: Sub-regional offices	174,000	160,000	14,000
(iii) Advisory Committee on the Application of Science and Technology to Development.	26,000	26,000	—
	2,562,000	2,436,000	126,000
(iv) Reduction made possible by curtailment of 1964 conference programme	(156,900) ^a	(33,500) ^b	—
TOTAL	2,405,100	2,402,500	126,000 ^b

^a Total reduction due to the Council's decisions on the 1964 conference programme (see para. 3 above).

^b Excludes reduction in the amount of \$123,400 already made by the Advisory Committee in anticipation of the Council's decisions, in its recommendations on the initial estimates for 1964 (see para. 3 above).

38. The Advisory Committee would leave it to the Secretary-General to allocate between the relevant budget sections the reduction recommended in this report.

Sections 1 and 5

Extra session of the Advisory Committee on Administrative and Budgetary Questions in Geneva

DOCUMENT A/C.5/998

Report of the Secretary-General

[Original text: English]
[18 November 1963]

1. In his report on the alteration, improvement and major maintenance of the Palais des Nations, Geneva (A/C.5/982), the Secretary-General recommended that a comprehensive examination of all relevant factors be made by the Advisory Committee on Administrative and Budgetary Questions during the early part of 1964. Should the General Assembly approve the Secretary-General's proposal, additional credits would be required in 1964 to cover the cost of a further meeting of the Committee, since the initial budget estimates (A/5505) provide only for the two regular sessions of the Committee in New York. The additional costs are estimated at \$19,100 covering the following items:

	<i>United States dollars</i>
(a) Travel and subsistence of members.....	17,200
(b) Travel and subsistence of staff.....	1,900
TOTAL	19,100

2. The estimates are based on a three-week session of the Committee to be held in March of 1964. It is assumed that the European Office will provide from within its normal establishment any additional staff necessary to service the Committee, such as interpreters and secretarial assistance.

3. The estimate under travel and subsistence of members provides for first-class round-trip air fares for

the twelve members of the Committee and subsistence at the authorized rate of \$23 per day.

4. The estimate under travel and subsistence of staff covers the costs of round-trip air fare New York/Geneva for one staff member, and subsistence for two staff members for the period during which their presence will be required in Geneva. Travel for one staff member will be in conjunction with home leave.

5. Therefore, should the General Assembly approve the proposal that the Advisory Committee hold an extra session in Geneva in 1964, the Secretary-General would request additional appropriations as follows:

	<i>United States dollars</i>
Section 1. Travel and other expenses of representatives, members of commissions, committees and other subsidiary bodies	
Chapter I. The General Assembly, commissions and committees	
Item (ii). Travel and other expenses of members of commissions, committees and other General Assembly bodies	17,200
Section 5. Travel of staff	
Chapter I. Travel of staff to meetings.....	1,900
TOTAL	19,100

DOCUMENT A/5623

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[22 November 1963]

1. In his report on the alteration, improvement and major maintenance of the Palais des Nations, Geneva (A/C.5/982), the Secretary-General has recommended that a comprehensive examination of all relevant factors be made by the Advisory Committee on Administrative and Budgetary Questions during the early part of 1964. Should the General Assembly approve the Secretary-General's proposal, additional credits would be required in 1964 to cover the cost of a further meeting of the Committee, since the initial budget estimates (A/5505) provide only for the two regular sessions of the Committee in New York.

2. In his report (A/C.5/998), the Secretary-General estimates that a three-week session of the Committee in Geneva would cost \$19,100, covering the following items:

	<i>United States dollars</i>
(a) Travel and subsistence of members.....	17,200
(b) Travel and subsistence of staff.....	1,900
TOTAL	19,100

3. The Advisory Committee believes that it would be able to complete the proposed task in rather less than three weeks, thus permitting a reduction of \$1,350 in the estimate submitted by the Secretary General.

4. Accordingly, should the General Assembly approve the proposal that the Advisory Committee hold an extra session in Geneva in 1964, the Committee would recommend additional appropriations as follows:

	<i>United States dollars</i>
Section 1. Travel and other expenses of representatives, members of commissions, committees and other subsidiary bodies	
Chapter I. The General Assembly, commissions and committees	
Item (ii). Travel and other expenses of members of commissions, committees and other General Assembly bodies	17,200
Section 5. Travel of staff	
Chapter I. Travel of staff to meetings.....	1,900
TOTAL	19,100

Section 2

Third International Conference on the Peaceful Uses of Atomic Energy

DOCUMENT A/C.5/997*

Report of the Secretary-General

[Original text: English]
[11 November 1963]

1. By resolution 1770 (XVII) the General Assembly requested the Secretary-General, with the assistance of the United Nations Scientific Advisory Committee, in co-operation with the International Atomic Energy Agency and in consultation with interested specialized agencies:

(a) To prepare plans and proceed with arrangements for a third International Conference on the Peaceful Uses of Atomic Energy to be held in Geneva for ten calendar days in the autumn of 1964;

(b) To provide for a conference considerably more limited in size and cost than those held in 1955 and 1958 and at a minimum expense to the United Nations;

(c) To report to the General Assembly at its eighteenth session so that the necessary funds for such a conference might be approved for inclusion in the United Nations budget.

2. A *pro memoria* provision only was included in the initial 1964 estimates, pending consultations with the Scientific Advisory Committee, and the IAEA and preparation of detailed cost estimates.

PURPOSE AND ORGANIZATION OF THE CONFERENCE

3. The purpose of the Conference is given in the preamble and the first two operative paragraphs of General Assembly resolution 1770 (XVII) as follows:

"The General Assembly,

"Noting that the General Conference of the International Atomic Energy Agency, on 26 September 1962, expressed the belief that a third International Conference on the Peaceful Uses of Atomic Energy should be held,

"Recalling the benefits that have flowed from the two International Conferences on the Peaceful Uses of Atomic Energy, organized by the United Nations and held at Geneva in 1955 and 1958,

"Believing that the expeditious and effective application of atomic energy to peaceful purpose should be actively promoted,

"Recognizing that international meetings provide effective opportunities for the dissemination of scientific information on the application of atomic energy to peaceful purposes,

"Noting that, by 1964, six years will have elapsed since the last International Conference on the Peaceful Uses of Atomic Energy,

"Recalling the report of the Secretary-General²⁰ evaluating the second United Nations International Conference on the Peaceful Uses of Atomic Energy in relation to the holding of similar conferences in the future, and in particular the views expressed by the

United Nations Scientific Advisory Committee in paragraph 15 of that report,

"Convinced that, because of improved dissemination of knowledge of the peaceful uses of atomic energy, a technical conference considerably more limited in size and cost than those held in 1955 and 1958 would be adequate,

"Believing that such a conference would now be desirable,

"1. Declares its continued interest in promoting the application of atomic energy to peaceful purposes;

"2. Declares that a third International Conference on the Peaceful Uses of Atomic Energy would be advantageous in achieving these objectives and should accordingly be convened under the aegis of the United Nations".

4. The resolution then requests the Secretary-General to prepare plans and proceed with arrangements for the Conference within the framework described in the first paragraph of this report.

5. In accordance with a recommendation of the United Nations Scientific Advisory Committee, the Conference is scheduled to be held at the Palais des Nations, Geneva, in 1964 during the period 31 August to 9 September inclusive.

6. A provisional topical agenda constituting the general programme for the conference has been prepared by the Scientific Advisory Committee with the co-operation of the IAEA (see A/5491). Having regard, *inter alia*, to the more limited size and cost of the Conference in 1964 envisaged by the General Assembly resolution, the Conference programme has been restricted to nuclear reactors and the associated question of nuclear power production.

7. In the preparation of the budget estimates and in the formulation of other arrangements for the Conference, consultations have been held on a continuing basis between the United Nations and the Director-General of IAEA and, having regard particularly to the major contributions to the Conference being made by IAEA (as further detailed in paragraph 9 below) these close working arrangements will continue for the period up to and through the Conference and in the post-conference period covering the publication of the proceedings.

8. It is expected that apart from the formal opening and closing plenary sessions, the work of the Conference will be carried out partly in general sessions and partly in technical sessions and possibly in some evening lectures, for a total of about forty meetings during the Conference. All States Members of the United Nations and of the specialized agencies have been invited to include among their representatives individual experts competent in the areas of the peaceful application of atomic energy covered by the agenda. In addition, non-governmental organizations in con-

* Incorporating document A/C.5/997/Corr.1.

²⁰ Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 25, documents A/4391 and Add.1.

sultative status with the United Nations and the IAEA which may be deemed to have particular interests in the fields to be covered by the conference are being invited to designate representatives to the Conference.

SOCIAL CONTRIBUTION OF IAEA

9. As will be clear from the foregoing and from the annex hereto, the IAEA occupies not only a special substantive position in relation to the Conference but by the adjustment of its own programme for 1964 has been able to offer material contributions in services and towards other costs of the Conference, more particularly in the provision of Scientific Secretaries and supporting staff prior to the Conference, during the Conference, and following the Conference in relation to the editing of the documents and records; by provision of administrative and public information staff; in the nature of translation and reproduction of pre-conference documentation; the provision of interpreters, précis-writers and other Conference servicing staff; and indirectly by the provision of space, supplies, etc. during these periods.

10. In preparing the cost estimates for the Conference, the Secretary-General has drawn on the experience gained in the organization of the first two International Conferences on the Peaceful Uses of Atomic Energy held in Geneva in 1955 and 1958, and upon the experience more recently gained with the United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas held in Geneva in 1963.

FINANCIAL IMPLICATIONS

11. In accordance with the specific directive of the General Assembly in its resolution 1770 (XVII) and following the consultations with the United Nations Scientific Advisory Committee, the Secretary-General submits herewith for the consideration of the General Assembly estimates based on two alternative forms of Conference documentation as recommended by the Committee. The total costs of the Conference to the United Nations are therefore estimated at \$1,355,400 or at \$1,046,200 depending on the alternative selected by the General Assembly. These estimates take into account the contribution to be made by the IAEA which is approximately \$300,000. By comparison, the cost of the two previous Conferences in 1955 and 1958 amounted to \$2,348,000 and \$3,493,000 respectively.

12. The estimates are based on the following assumptions:

(a) The Conference will be held in Geneva for the period from 31 August to 9 September 1964;

(b) The travel and subsistence expenses of the participants at the Conference will be borne by the respective Governments, organizations or institutions;

(c) The Conference will comprise about forty meetings including plenary, general and technical sessions;

(d) The maximum number of meetings to be held simultaneously will be three;

(e) Simultaneous interpretation into English, French, Russian and Spanish will be provided;

(f) The proceedings of the Conference will be recorded on tape, to provide a basis for the subsequent compilation of summaries of the discussions to be included in the Conference proceedings;

(g) In-session documentation will be limited to a daily journal, a Conference (information) handbook, a list of delegations and a list of Conference papers;

(h) No verbatim or summary records will be circulated; total contributions to the Conference will be limited to 750 papers not exceeding 15 typed pages (5,000 words), including tables, charts and figures, together with a summary abstract of each paper of approximately 500 words each;

(i) Papers and abstracts will be submitted in the languages of the Conference, namely, English, French, Russian or Spanish. Of the 750 full-length papers, 350 to serve for oral presentation as general sessions papers will be selected by the Scientific Secretariat of the Conference.

(j) The Scientific Advisory Committee has proposed two alternative methods for both the distribution of the pre-conference documentation and the publishing of the final proceedings as follows:

Alternative I

(i) Pre-Conference documentation

Under this alternative the 750 abstracts would be translated, reproduced and distributed in all four languages of the Conference. The 750 full papers would be distributed in the original language of submission.

(ii) Final proceedings

The form of publication would follow that used in regard to the second Conference held on 1958. There would be an integral English edition consisting of all the 750 papers in English together with a summary of the discussions. There would be French, Russian and Spanish editions comprising in each case: (i) the general sessions papers translated into the appropriate language; (ii) all other papers originally submitted in the language concerned (French, Russian or Spanish); (iii) a small number of selected papers translated into the appropriate language; (iv) abstracts in the language concerned of the remaining papers; and (v) the summary of the discussions. All language editions will be printed externally by letterpress.

The cost of this alternative is estimated at \$1,355,400.

If the 750 full papers were also distributed before the Conference in a second official language of the Conference—the translation to be provided by the participant concerned—the additional costs for reproduction and distribution would be \$102,000. Thus the total cost of alternative I would be increased to \$1,457,400.

Alternative II

(i) Pre-conference documentation

Under this alternative the 750 abstracts would be translated, reproduced and distributed in all four languages of the Conference. The 750 full papers would be distributed in the original language of submission and in a second official language of the Conference, the translation to be provided by the participant concerned.

(ii) Final proceedings

There would be a single edition comprising: (i) all the 750 papers in their first language of submission; (ii) abstracts of all the 750 papers in the four languages; and (iii) a summary of discussions in all the four languages.

The estimated costs of this alternative are \$1,046,200.

13. Since the Conference would conclude on 9 September 1964 and since it is intended that the editing and preparation of the documents and records for inclusion in the printed proceedings should commence prior to the Conference and continue during that period and immediately afterwards, it would be hoped to proceed with publication at the earliest date possible

following the Conference. It is, however, certain that a part of this work would necessarily carry over into 1965; the estimated United Nations budget costs may need to be divided between the two years carrying into 1965, approximately \$500,000 or \$250,000 of provisions for printing, depending on the alternative chosen by the General Assembly.

14. A summary of the estimated costs and detailed explanations of the several items are presented in the annex. All the expenses would fall under section 2—Special meetings and conferences, of the budget estimates. The Secretary-General would propose to administer the Conference budget as one unit, thus preserving a degree of flexibility for transfer between the amounts approved for the individual items comprising the budget, since the manner in which the

preparations for the Conference and the Conference itself will develop cannot be foreseen with exactitude at this time.

EXHIBITION BUILDING

15. As in the case of the second Conference in 1958, it is proposed to hold a scientific exhibition in connexion with the Conference, which will be directly related to the subject of the Conference. Arrangements for the exhibition, which will be held in the Palais des Expositions, are being worked out. Participation will be limited to States taking part in the Conference and the financial arrangements will be similar to those which obtained in 1958. Under these arrangements participating exhibitors will be charged with their portion of the expenses related to the exhibition.

ANNEX

Third International Conference on the Peaceful Uses of Atomic Energy

SUMMARY OF COSTS

	<i>Alternative I</i>	<i>Alternative II</i>
	<i>(United States dollars)</i>	
1. United Nations Scientific Advisory Committee	15,000	15,000
2. Staff costs:		
(a) Substantive staff	96,000	96,000
(b) Conference serving staff	107,500	107,500
3. Travel (including travel of IAEA staff and Scientific Secretariat to the Conference)	67,500	67,500
4. Public information services	14,500	14,500
5. General expenses	100,000	100,000
6. Hospitality	3,500	3,500
7. Translation, reproduction and distribution of pre-conference documentation	135,000	237,000
8. Printing of the proceedings	816,400	405,200
TOTALS	1,355,400	1,046,200

DETAILS OF COSTS

1. United Nations Scientific Advisory Committee—\$15,000

It is envisaged that the United Nations Scientific Advisory Committee will meet twice for one week (or once for a longer period) in 1964 to review and concert the detailed plans for the organization of the Conference. The estimate provides for transportation, plus subsistence, for the seven members for two meetings.

2. Staff Costs:

(a) Substantive Staff—\$96,000

The main substantive staff required for the Conference, namely the services of up to 15 Scientific Secretaries, together with supporting General Service staff, will be provided by IAEA (for periods of up to 6 months) first to assist with the selection and preliminary editing of the papers and abstracts

prior to their reproduction as pre-conference documents, secondly to be in attendance at Geneva from early August 1964 in connexion with the final arrangements for and the servicing of the Conference, and during this period and later for the clarification and final editing of the papers and summaries of discussions for the purposes of the printing of the proceedings of the Conference. This staff contribution is estimated at \$125,000.

The estimates shown under this heading allow for supplementing the services to be provided by IAEA, by a maximum of 48 additional man-months of scientific secretary/expert services, together with an equal number of man-months of General Service supporting staff. The estimates include provision for recruitment travel and subsistence, and the payment of fees in some cases. However, it is hoped that for the most part Governments will be willing to provide these experts free of cost to the Conference.

(b) Conference servicing staff—\$107,500

<i>Category of staff</i>	<i>Total number</i>	<i>Headquarters and European Office staff</i>	<i>IAEA staff</i>	<i>Temporary assistance</i>
<i>Pre-conference staff:</i>				
(i) <i>Administrative Unit.</i>				
Three professional officers and two General Service staff to assist the substantive officers of IAEA associated with the Conference	5	—	5	—

Category of staff	Total number	Headquarters and European Office staff	IAEA staff	Temporary assistance
<i>(ii) Registry Unit.</i>				
Four General Service staff to assure an orderly processing of the papers submitted from time of receipt through the period of handling by the Scientific Secretaries, translation, reproduction and distribution..	4	—	3	1
<i>(iii) Conference Management Group</i>				
Chief conference officer ^a	1	—	—	1
Finance officer ^a	1	—	—	1
Personnel officer ^b	1	—	—	1
Administrative assistants ^c	2	—	—	2
Secretaries ^c	3	—	—	3
Clerks ^c	3	—	—	3
	11	—	—	11
<i>Direct Conference Serving Staff</i>				
Interpreters	24	16	8	—
Précis-writers and editors.....	10	1	9	—
Translators	8	8	—	—
Supporting General Service staff for translators, précis-writers and editors... ..	18	18	—	—
Professional officers for the Journal.. .. .	4	4	—	—
Supporting General Service staff for the Journal	6	6	—	—
Conference officers	4	—	3	1
Simultaneous and sound recording operators....	12	—	—	12
Visual aid operators	6	—	—	6
External liaison officer.....	1	—	1	—
Reproduction and distribution staff.....	12	—	—	12
Registration of delegates, information desk, delegates' aids, protocol, files and general assistance to delegates, staff for housing, transportation and visas.....	22	—	—	22
Messengers and car park attendants	15	—	—	15
Cleaners and other servicing staff.	15	—	—	15
	157	53	21	83
TOTAL	177	53	29	95

^a 1 January-31 December 1964.

^b 4 months.

^c 4 to 8 months.

	<i>United States dollars</i>
It is estimated that the above staff contribution by IAEA in dollar value would amount to \$40,000. The only additional costs for the remainder of the professional staff assigned to this Conference would be for subsistence payments to Headquarters staff estimated at	9,000
No travel costs are involved since the Headquarters staff would be in Europe in conjunction with other conference assignments.	
The estimates for temporary assistance include travel, salaries and subsistence for non-local staff estimated at	61,500
Salaries for local staff are estimated at.....	17,000
It is estimated that the overtime for General Service staff would be.....	20,000
TOTAL	107,500

	<i>United States dollars</i>
ence Secretary-General, the Under-Secretary for Economic and Social Affairs, other senior United Nations officials, the Conference Officer, and technicians from the Publishing Service and other areas of the Secretariat. Such travel will be undertaken between Vienna-Geneva, New York-Geneva and New York-Vienna.....	39,000
(b) Travel and subsistence of one staff member from the European Office to be loaned to the IAEA, for working with the conference-papers Registry Unit during the pre-conference period; travel and subsistence for the Scientific Secretaries and supporting staff and for the members of the Vienna (IAEA) Administrative Unit for attending the Conference in Geneva.....	28,500
TOTAL	67,500

3. *Travel—\$67,500*

The estimate allows for:

(a) **Travel in respect of the Conference by the United Nations Secretary-General, the Confer-**

4. *Public information services—\$14,500*

It is anticipated that any public information services required before 1 August 1964 will be provided by IAEA.

Estimated requirements for the pre-conference period from 1 August and the Conference period at Geneva, are as follows:

Category of staff	Total number	Headquarters and European Office staff	IAEA staff	Temporary assistance
<i>Pre-conference and conference period:</i>				
Officer-in-charge (6 weeks)	1	—	1	—
Press officer (3 weeks)	1	3	2	—
Radio officer (3 weeks)	1			
Visual information officer (3 weeks)	1			
Press officers (2 weeks)	2			
General Service supporting staff (2 weeks)	4	—	—	4
<i>Conference period:</i>				
Projectionists	3	—	—	3
Studio operators	3	—	—	3
General Service supporting staff	3	—	—	3
TOTAL	19	3	3	13

	<i>United States dollars</i>		<i>United States dollars</i>
It is estimated that the above staff contribution by IAEA in dollar value would amount to \$3,000. It is assumed that the remaining professional officers (3) noted above would be provided by the European Office. The estimates for temporary assistance include travel, salaries and subsistence for non-local staff estimated at	4,000	(b) Reproduction of the 750 abstracts in the four languages (assuming 12 million page-units at \$6,000 per million page-units) ..	72,000
Salaries for local staff are estimated at	500	(c) Reproduction of the 750 papers, at an average of 15 pages each, in the language of submission (assuming 17 million page-units at \$6,000 per million page-units) ..	102,000
Public information supplies (including \$5,000 for printing) are estimated at	10,000	Contribution from IAEA in terms of services calculated in money terms at	(65,000)
TOTAL	14,500	TOTAL	135,000

5. *General expenses—\$100,000*

(a) Provision is made in the estimates for: Expenses related to the premises, additional light, water, power and laundry, relocation of staff, installing and removing special seating in the conference rooms, rental and maintenance of office machines, rental or equipment for recording of meetings, and rental of visual aids equipment, internal reproduction supplies, stationery and office supplies, sign cards, advertising for staff, and other miscellaneous supplies and services	40,000
(b) Communications, including cables, telephone installations and services, postage, pouches and freight (including an estimated \$3,000 for shipment to Geneva for distribution of the Conference papers being reproduced in Vienna, and \$10,000 for shipment of the printed records of the proceedings)	40,000
(c) Paper and other supplies and printing costs of the daily journal, Conference (information) handbook, list of Conference papers, and list of delegations	20,000
TOTAL	100,000

6. *Hospitality—\$3,500*

Provision is made for a reception to be given for all the participants in the Conference, at an estimated cost of \$3,500.

7. *Translation, reproduction and distribution of pre-conference documentation: alternative I—\$135,000; alternative II—\$237,000*

Alternative I

The costs are related to:

(a) Translation of 750 abstracts of 500 words each in three languages	26,000
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Alternative II

The costs are related to:

(a) Translation of 750 abstracts of 500 words each in three languages	26,000
(b) Reproduction of the 750 abstracts in the four languages	72,000
(c) Reproduction of the 750 papers, at an average of 15 pages each, in the two languages of submission	204,000
	302,000
Contribution from IAEA in terms of services calculated in money terms at	(65,000)
TOTAL	237,000

8. *Printing of the proceedings: alternative I—\$816,400; alternative II—\$405,200*

Alternative I

Under this alternative, it is necessary to provide for the translation of the papers and the summaries of the discussions into the various languages, before they are printed. The estimates are consequently set out below separately for translation, for printing, and for editing and copy-preparation.

(a) Translation—\$132,000	
(i) Translation into English (assuming that 55 per cent of the 750 papers will be submitted in English, and that only the remaining 45 per cent will have to be translated)	39,000
(ii) Translation into French (assuming that 23 per cent of the 350 general sessions papers will be submitted in French, and that the rest will require to be translated)	31,000

	<i>United States dollars</i>		<i>United States dollars</i>
(iii) Translation into Spanish (assuming that 10 per cent of the 350 general sessions papers will be submitted in Spanish and that the rest will require to be translated)	36,200	of discussions and 350 abstracts, or the equivalent of 2,800 printed pages)	70,000
		TOTAL	489,400
(iv) Translation into Russian (assuming that 12 per cent of the 350 general sessions papers will be submitted in Russian and that the rest will require to be translated)	30,800	(c) Editing and copy-preparation of the material in the four languages—\$195,000	
		(i) Editing for letterpress printing	50,000
		(ii) Retyping of edited material	30,000
(v) Translation into the three other languages of the summaries of the discussions (500 mimeographed pages)	12,000	(iii) Copy-preparation, proof-reading and presentation	60,000
	149,000	(iv) Contractual indexing	55,000
		TOTAL	195,000
(vi) Reduction to be applied for papers submitted by the participants in a second language (thereby reducing the translation workload)	(17,000)	<i>Summary</i>	
		(a) Translation	132,000
TOTAL	132,000	(b) Printing	489,400
(b) Printing—\$489,400		(c) Editing and copy-preparation	195,000
		TOTAL	816,400
(i) English at \$42 per page including engraving, binding and paper (assuming 750 paper averaging 15 page each, 500 pages of summaries of discussions, or the equivalent of 4,700 printed pages)	197,400	<i>Alternative II</i>	
(ii) French at \$40 per page including engraving, binding and paper (assuming 350 general sessions papers, 50 other selected papers, 500 pages of summaries of discussions and 350 abstracts, or the equivalent of 2,800 printed pages)	111,000	Under this alternative the 750 papers will be printed in the language of submission, along with abstracts in the four languages, and summaries of the discussions also in the four languages. The costs, thus, are:	
(iii) Spanish at \$40 per page including engraving, binding and paper (assuming 350 general sessions papers, 50 other selected papers, 500 pages of summaries of discussions and 350 abstracts, or the equivalent of 2,800 printed pages)	111,000	(a) Translation of 500 pages of summaries of discussions into the other three languages	12,000
(iv) Russian at \$25 per page including engraving, binding and paper (assuming 350 general sessions papers, 50 other selected papers, 500 pages of summaries		(b) Printing of 19,250 manuscript (or 7,700 printed) pages—at an average rate of \$42 per printed page inclusive of engraving, binding and paper	323,200
		(c) Editing and copy preparation of the material:	
		(i) Editing for letterpress printing	20,000
		(ii) Retyping of edited material	10,000
		(iii) Copy-preparation, proof-reading and presentation	20,000
		(iv) Contractual indexing	20,000
		TOTAL	405,200

DOCUMENT A/5613

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[19 November 1963]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (A/C.5/997), containing revised estimates for section 2—Special meetings and conferences, with respect to the third International Conference on the Peaceful Uses of Atomic Energy which, under the terms of General Assembly resolution 1770 (XVII), is to be held at Geneva for ten calendar days in the autumn of 1964.

2. A *pro memoria* provision only was included in the initial 1964 estimates (A/5505), pending consultations with the United Nations Scientific Advisory Committee and the IAEA, and preparation of detailed cost estimates.

3. The Scientific Advisory Committee has now recommended that the Conference be held at the Palais des Nations during the period 31 August to 9 September 1964 inclusive. It has also prepared, with

the co-operation of the IAEA, a provisional topical agenda constituting the general programme for the Conference (see A/5491). Having regard, *inter alia*, to the more limited size and cost of the Conference in 1964 envisaged by the General Assembly resolution, the Conference programme has been restricted to nuclear reactors and the associated question of nuclear power production.

4. Following consultations with the Scientific Advisory Committee, the Secretary-General has submitted estimates based on two alternative forms of conference documentation as recommended by the Committee. The total costs of the Conference to the United Nations are therefore estimated at \$1,355,400 or at \$1,046,200 depending on the alternative selected by the General Assembly. These estimates take into account the contribution to be made by the IAEA which is approxi-

mately \$300,000. By comparison, the cost of the first two International Conferences on the Peaceful Uses of Atomic Energy held in 1955 and 1958, amounted to \$2,348,000 and \$3,493,000 respectively.

5. The Secretary-General makes clear that the estimates are based on specific assumptions regarding: the date and duration of the Conference; the travel and subsistence expenses of the participants (none of these expenses would be borne by the United Nations); the total number of meetings and the maximum number of meetings to be held simultaneously, including plenary, general and technical sessions; the services to be provided, including simultaneous interpretation, sound recording of the proceedings; and the volume of documentation, e.g., no verbatim or summary records would be circulated, total contributions to the conference (to be submitted in the languages of the conference, namely, English, French, Russian or Spanish) would be limited to 750 papers not exceeding fifteen typed pages (5,000 words), together with a summary abstract of each paper of approximately 500 words each.

6. With respect to the distribution of the pre-conference documentation and the publishing of the final proceedings, the Scientific Advisory Committee has proposed two alternative methods, as follows:

(a) *Alternative I*

(i) *Pre-conference documentation*

Under this alternative the 750 abstracts would be translated, reproduced and distributed in all four languages of the Conference. The 750 full papers would be distributed in the original language of submission.

(ii) *Final proceedings*

The form of publication would follow that used with regard to the second Conference held in 1958. There would be an integral English edition consisting of all the 750 papers in English together with a summary of the discussions. There would be French, Russian and Spanish editions comprising in each case: (i) the general sessions papers translated into the appropriate language; (ii) all other papers originally submitted in the language concerned (French, Russian or Spanish); (iii) a small number of selected papers translated into the appropriate language; (iv) abstracts in the language concerned of the remaining papers; and, (v) the summary of the discussions. All language editions will be printed externally by letterpress.

The cost of this alternative is estimated at \$1,355,400.

(b) *Alternative II*

(i) *Pre-conference documentation*

Under this alternative the 750 abstracts would be translated, reproduced and distributed in all four languages of the Conference. The 750 full papers would be distributed in the original language of submission and in a second official language of the Conference, the translation to be provided by the participant concerned.

(ii) *Final proceedings*

There would be a single edition comprising: (i) all the 750 papers in their first language of submission; (ii) abstracts of all the 750 papers in the four languages; and (iii) a summary of discussions in all the four languages.

The estimated costs of this alternative are \$1,046,200.

7. The Secretary-General indicates that, while it is to be hoped that publication could begin at the earliest date possible following the Conference, it is certain that a part of this work would necessarily carry over into 1965. Accordingly the estimated costs to be charged against the United Nations budget may need to be divided between the two years, carrying into 1965 approximately \$500,000 or \$250,000 of provisions for printing, depending on the alternative chosen by the General Assembly.

8. The total costs of the Conference as estimated by the Secretary-General can be summarized as follows:

	<i>Alternative I</i>	<i>Alternative II</i>
	<i>(United States dollars)</i>	
1. United Nations Scientific Advisory Committee	15,000	15,000
2. Staff costs:		
(a) Substantive staff	96,000	96,000
(b) Conference servicing staff...	107,500	107,500
3. Travel (including travel of IAEA staff and scientific secretariat to the Conference)	67,500	67,500
4. Public information services.....	14,500	14,500
5. General expenses	100,000	100,000
6. Hospitality	3,500	3,500
7. Translation, reproduction and distribution of pre-conference documentation	135,000	237,000
8. Printing of the proceedings.....	816,400	405,200
TOTAL	1,355,400	1,046,200

OBSERVATIONS OF THE ADVISORY COMMITTEE

GENERAL

9. Having regard to the Advisory Committee's observations contained on paragraphs 52 to 74 of its report (A/5507) concerning the rationalization of the over-all programme of conferences and meetings, and to the fact that a major *ad hoc* conference—the United Nations Conference on Trade and Development—is to be held in Geneva from 23 March until mid-June 1964, consideration might have been given to the possibility of a postponement of the third International Conference on the Peaceful Uses of Atomic Energy. The Committee was informed, however, that invitations to the Conference had been sent on 31 July 1963 and that preparations were already at an advanced stage. Furthermore, it was given to understand that postponement would result in a substantial increase in expenditure, *inter alia*, because, first, it was by no means certain that the important contribution to be made by the IAEA in 1964 would be available in 1965 and, second, the Conference would not benefit in 1965 from the presence in Geneva of a substantial number of staff sent there for the Conference on Trade and Development.

THE ESTIMATES

10. The table in paragraph 8 above shows that the only difference between alternatives I and II concerns the costs under items 7 and 8 relating to pre-conference documentation and printing of the proceedings, which the Advisory Committee has therefore considered separately (see paras. 16 and 17 below).

11. The first six items, totalling \$404,000 cover the costs of the Conference proper and, except for \$100,000 under item 5 (General expenses), they all relate to personnel costs (salaries and wages, common staff costs, travel and hospitality).

12. The proposed manning table shows that, out of a total of 177 conference servicing staff, 95 are to be provided under temporary assistance. While both the United Nations and IAEA will make a substantial contribution as far as Professional staff is concerned, it would seem that a very large number of General Service and similar personnel will have to be recruited outside. In fact, out of 12 sound recording operators required, not one seems to be available from the regular staff. The same is true of 6 visual aid operators, 12 reproduction staff, 22 clerks, 15 messengers and 15 cleaners. The Advisory Committee would have expected the European Office to be able to provide at least some of the foregoing from its regular manning table.

13. Further, the Advisory Committee observes that all 11 members of the Conference Management Group are to be provided under temporary assistance. It would have seemed reasonable to assume that at least part of a unit, comprising 1 conference officer, 1 finance officer, 1 personnel officer, and 8 supporting or clerical staff could be detailed from the regular establishment. Indeed, these categories of staff are typical components of the secretariats of international organizations and some should be available to service a conference at a time when there is normally a lull in the programme of international meetings.

14. In the case of the public information services, while the IAEA and the United Nations will provide 6 professional officers, it is proposed to engage 13 General Service staff under temporary assistance for two weeks. The brevity of the period during which these employees will be required is such that the Advisory Committee would have thought it possible for some of them to be assigned to the Conference from the permanent establishment without adversely affecting the execution of their regular tasks.

15. For all these reasons, and in the expectation that an effort will be made to reduce expenditure for temporary assistance, the Advisory Committee would recommend that the relevant estimate be reduced by \$30,000, or from \$404,000 to \$374,000.

16. As regards the documentation of the Conference either of the two alternatives set forth in paragraph 6 above would be acceptable to the Scientific Advisory Committee. Each alternative is, however, composed of two elements (pre-conference documentation required for the conduct of the Conference itself, and publication of the proceedings and papers), and these two elements are independent of each other, i.e., the nature of the

pre-conference documentation is not dependent on the nature and extent of the publication of the proceedings. As regards pre-conference documentation, the Advisory Committee was given to understand that either of the two alternatives, described in paragraph 6 above, would, in the view of the Scientific Advisory Committee, enable the Conference to conduct its work in a satisfactory manner. Accordingly, mindful of the necessity to reduce expenditure at a time when the Organization is faced with many claims on its resources while its financial position remains a matter for concern, the Advisory Committee would recommend to the General Assembly the adoption of:

(a) Alternative I, as regards the translation, reproduction and distribution of pre-conference documentation (\$135,000) as described in paragraph 6 (a) above;

(b) Alternative II, for the printing of the proceedings (\$405,200), as described in paragraph 6 (b) above.

17. In making this recommendation, the Advisory Committee realizes that, if alternative I had been adopted for printing the proceedings of the Conference, appreciable revenue might have been derived from the sale of the volumes. However, it does not seem likely to the Committee that such revenue would compensate for the difference in cost between the two alternatives which amounts to \$309,200. Nevertheless, should the Secretary-General find that, by negotiating favourable contracts with various printers²¹ and taking into account guaranteed revenue from sales, the net cost to the Organization would be no higher with alternative I than with alternative II, then the Advisory Committee would agree that the printing of the proceedings should be undertaken according to the plan outlined in alternative I.

CONCLUSION

18. In the light of the foregoing observations, the Advisory Committee recommends a total estimate of \$914,200 for the cost of the third International Conference on the Peaceful Uses of Atomic Energy, representing a reduction of \$132,000 as compared with the estimate submitted by the Secretary-General under alternative II. This reduction would comprise \$30,000 on staff costs for the servicing of the Conference and \$102,000 on documentation by substituting alternative I for alternative II as regards the translation, reproduction and distribution of pre-conference documentation.

19. In view of the fact that only part of the printing programme can be completed before the end of 1964 (see para. 7 above), the Advisory Committee would recommend that an amount of \$250,000 be carried forward to 1965. Accordingly, the General Assembly would be invited to approve an appropriation of \$664,200 under section 2 of the 1964 budget for the third International Conference on the Peaceful Uses of Atomic Energy.

²¹ In particular, the Committee has in mind the type of contract which was negotiated by the Secretary-General with a French firm for the printing of the French version of the proceedings of the United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas.

Sections 3, 4 and 20 and income section 1

Salary scales for General Service and manual worker staff at Geneva

DOCUMENT A/C.5/995

Report of the Secretary-General

[Original text: English]
[11 November 1963]

1. In his report to the General Assembly on the supplementary estimates for 1963 (A/5525), the Secretary-General made reference to increases in the salary scales of staff in the General Service and manual worker categories at Geneva which were granted on 1 March 1963 and on 1 September 1963, after full consultation and agreement with the specialized agencies concerned. Each of these increases, full details of which were made available to the Advisory Committee on Administrative and Budgetary Questions, amounted to 4.6 per cent of the net salary rates established on 1 January 1962, and were based on movements of 5 per cent in the official Swiss wage index, commonly known as the "OFIAMT²² Index".

2. The additional costs in 1963 of both the increases referred to above were included in the supplementary estimates for that year, as approved by the Fifth Committee at its 1013th meeting. At the time of preparation of the initial estimates for 1964 (A/5505), however, only the increase of 1 March 1963 was taken into account. Provision has therefore to be made for the second increase which became effective on 1 September

²² Office fédéral de l'industrie, des arts et des métiers et du travail.

1963. In addition, following the revision of the salary scales of staff in the General Service and manual worker categories, increases have also been authorized, effective 1 July 1963 and 1 January 1964, in the rates of pay of temporary conference staff at Geneva.

3. As a consequence of the foregoing, additional costs in 1964 are estimated as follows:

	<i>United States dollars</i>
Section 3. Salaries and wages.....	150,000
Section 4. Common staff costs.....	16,500
Section 20. Office of the United Nations Commissioner for Refugees.....	18,500
TOTAL	185,000
Estimated increase in income from staff assessment	33,400

4. In order to meet these additional costs, the Secretary-General requests approval by the General Assembly to an upward revision of \$185,000 in the budget appropriations for 1964, together with a related increase in staff assessment income of \$33,400.

DOCUMENT A/5610

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[15 November 1963]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General relating to the salary scales for General Service and manual worker staff at Geneva (A/C.5/995).

2. In his report, the Secretary-General recalls that two increases, each amounting to 4.6 per cent of the net salary rates established on 1 January 1962, were granted to the General Service and manual worker staff at Geneva on 1 March 1963 and 1 September 1963 respectively.²³ These increases, full details of which were made available to the Advisory Committee, were

²³ Annex I, paragraph 7 of the Staff Regulations of the United Nations states:

"The Secretary-General shall fix the salary of staff members in the General Service category and the salary or wage rates for manual workers, normally on the basis of the best prevailing conditions of employment in the locality of the United Nations office concerned, provided that the Secretary-General may, where he deems it appropriate, establish rules and salary limits for payment of a non-resident's allowance to General Service staff members recruited from outside the local area."

granted after consultation and in agreement with the specialized agencies concerned.

3. The additional costs of both increases in 1963 were included in the supplementary estimates for that year and approved by the Fifth Committee at its 1013th meeting. As regards 1964, however, only the increase of 1 March 1963 was taken into account in the preparation of the initial budget estimates (A/5505), since the second increase, that of 1 September, had not then taken place. In addition, consequent increases have also been authorized, effective 1 July 1963 and 1 January 1964, in the rates of pay of temporary conference staff at Geneva.

4. The Secretary-General therefore requests an additional appropriation of \$185,000 for 1964, comprising \$150,000 under section 3—Salaries and wages; \$16,500 under section 4—Common staff costs; and \$18,500 under section 20—Office of the United Nations High Commissioner for Refugees. There would be a consequential increase of \$33,400 in income from staff assessment.

5. The Advisory Committee recommends approval of the Secretary-General's request.

Section 7

Alteration, improvement and major maintenance of the Palais des Nations, Geneva

DOCUMENT A/C.5/982

Report of the Secretary-General

[Original text: English]
[26 September 1963]

I. ALTERATION AND IMPROVEMENT OF PREMISES

1. On the basis of decisions²⁴ taken by the General Assembly at its eleventh, fourteenth, and sixteenth sessions, a programme for the expansion and improvement of meeting room and related facilities was carried out during the period 1958 to 1962 at the Palais des Nations at Geneva at a total approved cost of \$2,081,000. At its sixteenth session the General Assembly also approved²⁵ the construction, at a cost of \$120,000, of some thirty-three new offices on the top floor of the Assembly Hall block, designed to meet partially the acute shortage of offices for conference use. Finally, at its seventeenth session it authorized²⁶ the replacement of the inadequate telephone exchange system of the Palais at an estimated cost of some \$500,000.

2. When authorized in 1957, the programme was designed as a modernization plan bearing in mind that the Palais was built between 1929 and 1937 and was conceived in the light of the special requirements of the League of Nations. Since 1946, when the building was taken over by the United Nations, it had become to an increasing extent a major conference centre used by virtually the entire United Nations family, in addition to housing important segments of the United Nations Secretariat, including the Economic Commission for Europe, as well as the headquarters of the High Commissioner for Refugees and of the World Health Organization. By 1957 it had become apparent that the Palais was not capable of meeting the demands of major modern conferences, such as the second International Conference on the Peaceful Uses of Atomic Energy in 1958, especially when such conferences coincided with other meetings of various descriptions as was normally the case.

3. The plans approved by the General Assembly in 1957 and subsequent years were confined to the improvement of conference facilities and related services. In particular, a new committee room, some thirty-three new offices, and a new cafeteria were constructed in the Assembly building; the Assembly Hall and three of the previously existing fifteen committee rooms were enlarged and rearranged; modern simultaneous interpretation systems were installed in the Assembly Hall and six of the committee rooms; several new ancillary areas were created, including a vestibule under the Assembly Hall and a foyer; a number of elevators in the conference area were modernized; a new air-conditioning plant was installed in the Assembly building; lighting and heating were improved in all areas

where modernization work took place; additional storage space was provided; and a limited measure of improvement of car parks and access roads were effected.

4. The present capacity of the Palais to accommodate a major conference can be evaluated by reference to the information given in the following points:

(a) The Assembly Hall can, under normal conditions, accommodate up to 120 delegations on the basis of four representatives per delegation at the table and four advisers sitting behind (if necessary, this figure can be raised to 132 through special installations); there would remain a few additional seats on the floor, 386 seats in the Press galleries, and 382 seats in the public galleries. This Hall can also be used as a conference room since all tables are fitted with microphones.

(b) Conference rooms XII, XV and XVI can accommodate a maximum of approximately 140 participants seated at the tables, each with one adviser behind; accommodation of this maximum number would mean that no appreciable number of seats would be available for Press or public. Room XV, however, is a former reading room located in the Library Building, remote from the vicinity of the Assembly Hall; for this reason it has been treated at most as a reserve, and improvements have been limited to a minimum.

(c) Conference rooms V and VII can, respectively, accommodate 108 and 96 participants at the tables, each with one adviser behind, but under crowded conditions and with very little provision for Press and public.

(d) Conference rooms I, II, III, VI, VIII, IX, X, XI and XIV are small to medium-sized rooms of varying seating capacity and, consequently, of limited usefulness.

(e) The Council Chamber affords facilities for only about 50 participants at the table, with a similar number of advisers behind.

5. While a substantial increase in conference capacity has undoubtedly been achieved as compared with the facilities available in earlier years, it must be recognized that the growth of conference activity at the Palais since 1957 and the steady increase in the membership of international organizations using its facilities have considerably exceeded the expectations on which the original plan was based. The requirements of special conferences constitute only one aspect of the problem; expanded memberships and higher ratios of participation are causing bodies such as ECE, the Economic and Social Council, GATT and several of the specialized agencies to express concern over the present limitations in conference room size.

6. The following table illustrates the increase during the period 1954 to 1962 in the annual number of conferences, meetings and participants:

²⁴ General Assembly resolutions 1101 (XI) of 27 February 1957, 1447 (XIV) of 5 December 1959, and 1737 (XVI) of 20 December 1961.

²⁵ See *Official Records of the General Assembly, Sixteenth Session, Annexes*, agenda item 54, document A/5075, para. 51.

²⁶ *Ibid.*, *Seventeenth Session, Annexes*, agenda item 62, document A/5391, paras. 48-51.

Year	Number of meetings	Number of participants		Year	Number of meetings	Number of participants	
		Representatives	Secretariat			Representatives	Secretariat
1954	1,941	7,708	1,184	1961	2,945	12,400	1,663
1955	2,570*	14,000*	2,000*	1962	3,247	13,160	1,840
1956	2,754	8,800	1,500				
1957	2,635	10,600	2,000				
1958	3,593*	17,000*	1,650*				
1959	2,838	8,825	1,246				
1960	2,735	10,251	1,455				

* Higher figures due to International Conference on the Peaceful Uses of Atomic Energy.

7. The monthly pattern of meetings during the same period was as follows:

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
1954	100	55	85	74	191	440	159	107	127	249	206	148
1955	175	200	82	196	210	460	186	289	169	234	254	115
1956	160	163	182	185	307	508	194	171	251	293	219	85
1957	170	69	142	350	310	567	172	82	119	302	256	96
1958	171	466	287	355	370	570	253	106	318	337	262	98
1959	120	281	245	366	256	583	197	59	162	200	211	158
1960	182	119	199	213	284	583	227	120	224	238	217	129
1961	86	113	246	238	214	625	235	210	232	319	251	176
1962	158	234	242	210	347	671	315	164	221	282	268	135

8. In the light of the demonstrated increase in the regular conference load which the Palais must currently bear all the year round, a particular problem is created by the tendency to convene in Geneva an increasing number of major conferences of an *ad hoc* nature which not only coincide with regular scheduled meetings but normally involve the use of a large number of committee rooms for a variety of purposes other than for formal meetings.

9. A particularly complicated situation arose during May 1963 when the conferences of the World Health Assembly and the General Agreement on Tariffs and Trade met simultaneously. It was necessary on occasion to switch the meetings of the plenary session or of main committees of these bodies from one room to another at short notice; this undoubtedly impeded the rhythm of the work of the meetings of the two organs.

10. The difficulties became even more apparent when it was necessary in July 1963 to formulate plans for the World Health Assembly, the International Labour Conference, and the United Nations Conference on Trade and Development to hold their respective sessions during the period March to mid-July 1964. By long-standing agreement and established tradition, the World Health Assembly meets annually in May and the International Labour Conference begins annually on the first Wednesday in June. On account of the limited facilities available in the Palais des Nations, it was not possible to arrange any two such conferences simultaneously. In order to be able to convene the United Nations Conference on Trade and Development for the required period of twelve weeks from 23 March to mid-June, it therefore became necessary to seek the agreement of WHO to meet more than two months earlier than its scheduled opening date and of the ILO to postpone its meeting for two weeks. In recognition of the particular difficulties and inconvenience involved, the assurance was given that this rescheduling of the conferences would not constitute a precedent.

11. In paragraphs 40 to 45 of his foreword to the budget estimates for 1964 (A/5505), the Secretary-General made certain preliminary comments on the problem of conference facilities in Geneva. He stated,

in particular, that if the recent trend towards holding an increasing number of international conferences in Geneva was to continue, there would inevitably be a need for a further expansion of existing facilities. The matter was subsequently discussed in some detail with the Advisory Committee on Administrative and Budgetary Questions during its summer session. The Secretary-General believes that the General Assembly will wish to consider what further action is called for. This is a policy matter in which the factors to be weighed are the potentialities of the Palais des Nations and the extent to which Governments desire to use its facilities in the coming decade. To this end the Secretary-General recommends that a comprehensive examination of all relevant factors be made by the Advisory Committee during the early part of 1964. It would thus be possible for the General Assembly at its nineteenth session to undertake a more pertinent assessment of future needs and the most appropriate manner in which they might be met.

12. There is one item, however, which the Secretary-General would bring to the attention of the General Assembly for possible action at its present session. There have been increasing complaints about the absence of a delegates' lounge in the Palais. As thousands of representatives attend meetings each year, the lack of these facilities is indeed unjustifiable. The cost of equipping one of the available areas for this purpose is estimated at \$50,000 and would provide for the following items:

	United States dollars
Service area for the bar:	
Extension (building work)	5,000
Ventilation	9,000
Bar (counter and related facilities)	11,500
Information desk:	
Desk and related facilities	4,500
Telephone installations	1,000
Furniture (armchairs, tables, carpets, curtains)	19,000
TOTAL	50,000

13. Should the General Assembly approve the implementation of this project in 1964, an additional provision of \$50,000 would be required under section 7—Buildings and improvements to premises.

II. MAJOR MAINTENANCE OF PREMISES

14. In paragraphs 43 to 45 of his foreword to the budget estimates for 1964, the Secretary-General drew special attention to the present state of repair of the premises in Geneva and indicated that it would be necessary to undertake a substantial programme of major rehabilitation at an early stage.

15. The Palais was built between 1929 and 1937 and is therefore well over twenty-five years old. Since the United Nations took over in 1946, expenditures for maintenance have been confined to normal cleaning, painting, and minor preventive repairs and replacements. Apart from the work done in connexion with expansion and improvement of the conference area, no major projects of maintenance and repair of the premises as a whole have been undertaken. As a consequence there are now a number of matters requiring urgent attention. In the first instance all the roofing of the Palais should be thoroughly examined, tested, and repaired. Unless this is attended to without delay, there is a risk of extensive structural damage due to leakage. Other matters of some priority are the replacement of obsolete and inefficient elevators; large-scale repair and re-covering of all flooring; the repair and improvement of the central heating and air-conditioning systems, which have been overloaded as a result of the increased use of the Palais and its expansion in the conference area; the replacement of boilers and fuel storage tanks; the replacement of worn and defective simultaneous interpretation equipment; the resurfacing of roadways and car-parks throughout the grounds; the improvement of lighting on roadways, courtyards, and car-parks; the repair and maintenance of the ancillary buildings "La Pelouse," "La Fenêtre," "Le Bocage," and "Les Feuillantines."

16. In his budget estimates for 1963²⁷ the Secretary-General proposed that a start be made in 1963 in respect of the most pressing of these projects, and an amount of \$79,000 was approved under section 7 for this purpose. Furthermore, the Secretary-General has requested a similar provision for 1964 in the amount of \$100,000. These two amounts are just sufficient to cover the costs of replacing the two blocks of main elevators which service the Assembly building.

17. Since the initial estimates for 1964 were prepared, it has become evident that it would be prudent

to commence the reconditioning of the roofing with the minimum of delay in view of increasing leakage. This project might be undertaken over a period of three years starting with the areas in the most serious condition. At current prices, allowing a small margin for subsequent increases, the total cost of the project is estimated at \$220,000. The Secretary-General recommends that this work commence in 1964. If approved, this would require the appropriation of an additional amount of \$115,000 under section 7. The balance could be included in the budget estimates for 1965 (\$70,000) and 1966 (\$35,000).

18. As far as the other projects listed in paragraph 15 above are concerned, the Secretary-General suggests that they be examined by the Advisory Committee in conjunction with its review of conference facilities, as recommended in paragraph 11 above.

III. METHODS OF FINANCING

19. In this report the possibility has been raised of a further programme of expansion and improvement of the conference facilities of the Palais des Nations, as well as a phased plan for major repairs and rehabilitation of the premises as a whole.

20. The Secretary-General's proposals for action in 1964 have been limited to the provision of a delegates' lounge at an estimated cost of \$50,000 (para. 12 above) and the commencement of work on the repair of all roofing at a cost in 1964 of \$115,000 (para. 17 above). He has proposed, furthermore, that the General Assembly request the Advisory Committee to undertake an examination of all further requirements in the Palais and to report to the General Assembly at its nineteenth session (para. 11 above).

21. It is conceivable that a year hence the General Assembly might be required to take decisions involving substantial expenditures in Geneva over a period of time. The Secretary-General would invite attention to the comments he has made in paragraphs 46 to 48 of the foreword to the budget estimates for 1964 in regard to the need for a long-term approach to the question of the full exploitation of the potential of all United Nations buildings and the protection of these valuable assets by proper maintenance. In particular, he suggested the appropriation of an annual lump-sum amount for such purposes and the establishment of a buildings fund in which unspent amounts would accumulate to form a reserve against unusually heavy costs in the future. The Secretary-General trusts that the General Assembly will wish to revert to this proposal at its nineteenth session when it considers the financing of any programme it might approve in respect of the Palais des Nations.

²⁷ *Ibid.*, *Seventeenth Session, Supplement No. 5.*

DOCUMENT A/5600

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[6 November 1963]

1. The Advisory Committee on Administrative and Budgetary Questions considered the report of the Secretary-General on the alteration, improvement and major maintenance of the Palais des Nations at Geneva. (A/C.5/982).

2. The Secretary-General's report, which comprises three sections: I. Alteration and improvement of premises; II. Major maintenance of premises; and III. Methods of financing, is essentially an interim one. While the Secretary-General calls attention to the

magnitude of the programme, he limited himself to requesting at this time the General Assembly's approval—and the relevant appropriations—for the implementation of two specific projects in 1964.

(a) Installation of a delegates' lounge, requiring an additional provision of \$50,000 under section 7—Buildings and improvements to premises.

(b) Reconditioning of those parts of the roofing which are in the most serious condition, requiring an additional appropriation of \$115,000, also under section 7. The balance of the total cost of reconditioning the roofing would be included in the budget estimates for 1965 (\$70,000) and 1966 (\$35,000).

3. Apart from these two concrete proposals, the Secretary-General's report contains, in section I, a brief historical summary of the modernization plan and other related projects carried out at a cost of some \$2,201,000 at the Palais des Nations, which was built between 1929 and 1937 and conceived in the light of the special requirements of the League of Nations. Furthermore, at its seventeenth session, the General Assembly authorized²⁸ the replacement of the telephone exchange of the Palais, at an estimated cost of some \$500,000.

4. In paragraph 4 of his report, the Secretary-General indicates what is the present capacity of the Assembly Hall, the Council Chamber, and the conference rooms. In the subsequent paragraphs, he recalls the growing difficulties faced at the Palais as a result of the trend towards holding an increasing number of international conferences in Geneva, adding that there would inevitably be a need for a further expansion of existing facilities if that trend were to continue. The Secretary-General believes that the time has come to consider what further action is called for. This is a policy matter in which the factors to be weighed are the potentialities of the Palais des Nations and the extent to which Governments desire to use its facilities in the coming years. To this end, the Secretary-General recommends that a comprehensive examination of all relevant factors should be made by the Advisory Committee during the early part of 1964, thus enabling the General Assembly at its nineteenth session, to undertake a more detailed assessment of future needs and the most appropriate manner in which they might be met.

5. As regards maintenance, the Secretary-General recalls in section II of his report that, in paragraphs 43 to 45 of his forward to the budget estimates for 1964 (A/5505), he drew special attention to the present state of repair of the premises in Geneva and indicated that it would be necessary to undertake a substantial programme of major rehabilitation at an early stage. Indeed, since the United Nations took over the Palais in 1946, expenditures for maintenance have been confined to normal cleaning, painting and minor preventive repairs and replacements; apart from the work done in connexion with the expansion and improvement of the conference area, no major projects of maintenance and repair of the premises as a whole have been undertaken. As a consequence, there are, according to the Secretary-General, a number of matters requiring urgent attention, *inter alia*, complete inspection and repair of all roofing, replacement of obsolete elevators, repair and recovering of flooring,

heating and air-conditioning, replacement of boilers and fuel storage tanks, of worn and defective simultaneous interpretation equipment, resurfacing and improvement of lighting of roadways, etc., repair and maintenance of the villas belonging to the United Nations.

6. With the exception of the roofing repairs which should, as indicated in paragraph 2 above, be started in 1964, all other maintenance projects listed in the preceding paragraph might, in the opinion of the Secretary-General, be examined by the Advisory Committee in conjunction with its review of conference facilities, as recommended in paragraph 4 above.

7. Lastly, in section III of his report, the Secretary-General, after recalling the two specific provisions required for 1964 (see para. 2 above) states that it is conceivable that, at its nineteenth session, the General Assembly may have to take decisions involving substantial expenditures in Geneva over a period of time. He suggests that the Assembly may see some merit in considering a long-term approach to the financing problem and, in particular, envisage the possibility of appropriating an annual lump-sum amount for such purposes and establishing a buildings fund in which unspent amounts will accumulate to form a reserve against unusually heavy costs in the future, as suggested in paragraphs 46 to 48 of the forward to the 1964 budget estimates. The Secretary-General trusts that the Assembly will wish to revert to this proposal at its nineteenth session when it considers the financing of any programme it might approve with respect to the Palais des Nations.

COMMENTS BY THE ADVISORY COMMITTEE

8. Aside from the two requests for budgetary appropriations for 1964, on which it comments in paragraphs 11 and 12 below, the Advisory Committee took the opportunity of the presence in New York of the Deputy Director of the European Office, to discuss also the long-term aspects of the question. The Committee was informed that, should the General Assembly approve the Secretary-General's suggestion that the Committee go to Geneva, the Secretary-General would prepare detailed documentation, including where appropriate, alternative solutions to the existing problems. It would be the Secretary-General's intention to make his submission as comprehensive as possible so as to anticipate needs for a good number of years and thus put an end to the piecemeal approach followed up to now, and about which the Committee expressed concern in paragraph 209 of its report (A/5507) on the budget estimates.

9. The programme of alterations and possible expansion of the Palais des Nations will depend on the use which is to be made of the Palais in the future, and specifically on whether the trend towards holding an increasing number of conferences in Geneva continues.

10. Although the problems which have arisen with the agencies, as far as 1963 and 1964 are concerned, are mainly conflicts of dates regarding the scheduling of conferences, the fact remains that some of these agencies have stated that existing facilities in the Palais des Nations are not completely adequate. It would, therefore, appear that the question of the adequacy of these facilities for the major conferences of the specialized agencies is also a point which must

²⁸ See *ibid.*, *Seventeenth Session, Annexes*, agenda item 62, document A/5391, paras. 48-51.

be taken into consideration in arriving at a decision on future plans with respect to meeting rooms and ancillary installations at the Palais des Nations. The Committee was given to understand that the availability of suitable conference facilities was a prerequisite for the continuation of the use of the Palais as a common conference centre by the various agencies in the United Nations family, as was the assurance that henceforth they would be able to hold their major conferences each year at their accustomed dates.

11. The Advisory Committee would not contest the need for the installation of a delegates' lounge in the Palais des Nations. However, since it appears that, in any case, the work could only be completed in the latter part of 1964, it would seem to the Committee that the matter should be considered along with the comprehensive examination of the total requirements in the Palais, which the Secretary-General has recom-

mended that the Advisory Committee be invited to undertake in early 1964.

12. The second specific request of the Secretary-General concerns the reconditioning of the roofing of the Palais. As explained in paragraph 5 above, this is now becoming most urgent owing to the fact that major maintenance has been deferred for a number of years. When it met in Geneva in 1962, the Committee was able to appreciate the need for these repairs and it would therefore recommend that the General Assembly approve the Secretary-General's proposal. It is estimated that the implementation of this project, which would be spread over the next three years, starting with the areas in the most serious condition, would cost some \$220,000, \$115,000 of which would be required in 1964. Accordingly, the Committee recommends that the General Assembly should approve an additional appropriation of \$115,000 under section 7 of the 1964 budget.

Major maintenance and capital improvement at United Nations Headquarters

DOCUMENT A/C.5/991

Report of the Secretary-General

[Original text: English]
[25 October 1963]

1. At its 1191st plenary meeting, the General Assembly approved the decisions taken by the Fifth Committee and contained in its report²⁹ authorizing the Secretary-General (a) to proceed with the development of plans for the expansion of meeting-room facilities at Headquarters; (b) to prepare a comprehensive plan for the development of the basement area of the General Assembly Building so as to provide for the optimum use of this area not only for additions to television and other visual facilities but also for office space, and to provide detailed estimates for this work; and (c) to complete in 1963 an architectural survey of the Headquarters buildings. A sum of \$100,000 was appropriated for the purposes under items (a) to (c) above. Of these items, (a) and (b) are dealt within this report. Item (c) will be the subject of a separate report to the General Assembly (A/C.5/993).

I. EXPANSION OF MEETING-ROOM FACILITIES

2. The General Assembly, having considered several alternative methods of providing for the expansion of meeting-room facilities, decided that the General Assembly Hall and Conference rooms 1, 2, 3, and 4 should be remodelled to provide for the permanent seating of up to 126 delegations. In order to provide additional facilities for committee meetings, the General Assembly also concluded that the Trusteeship Council Chamber should be converted into a regular conference room and that the General Assembly Hall should be so equipped as to permit committees to meet there as necessary. To accomplish these ends, the following reconstruction plans were adopted in principle:

General Assembly Hall

The total number of seats for each delegation was to be reduced from 10 to 6 at the desks in the centre of the Hall

and 4 to 5 seats for each delegation were to be provided in the galleries at the sides and rear of the Hall;

Conference rooms

(a) The existing horseshoe arrangement was to be retained, but the size of the tables reduced;

(b) Accommodation for advisers was to be reduced as follows: conference rooms 1 and 2: from 2 to 1 seat; conference rooms 3 and 4: from 3 to 2 seats.

Additional seats for advisers were to be provided in the present Press area.

Trusteeship Council Chamber

The Chamber was to be converted into a regular conference room seating 126 delegations.

3. Early in 1963 the Secretary-General engaged the architectural firm which had developed the original plans for and supervised the construction of the Headquarters buildings to prepare detailed construction drawings and plans. On the basis of these plans firm estimates have been obtained, and the services of a general contractor have been negotiated.

4. In the report of the Fifth Committee at the seventeenth session, the tentative cost for the projects described in paragraph 2 of this report was estimated at \$1,556,000. Based on the contractor's guaranteed price, the maximum cost has now been fixed at \$1,673,300. This amount would provide for the completion of all of the work authorized in principle by the General Assembly at its seventeenth session. The difference of \$117,300 between the tentative estimate provided in 1962 and the cost as now established may be ascribed to the following factors:

(a) More accurate estimates based on actual detailed plans and specifications as confirmed by contractual bids received;

(b) Necessary changes in construction details which became apparent in the course of the development of the plans;

²⁹ *Ibid.*, document A/5334.

(c) Price increases for certain labour and materials since October 1962.

5. The original plans were based on the assumption that the existing sound amplification and interpretation equipment could be supplemented to meet the requirements of the additional seating. Engineering studies conducted during the past year, however, have determined that this is not possible. A substantial part of the equipment in question was salvaged from the original installations at Lake Success and Flushing Meadows. After seventeen years of use this equipment is no longer entirely dependable either for normal meeting requirements or for broadcasting and television use and would have to be replaced in any event in two to four years.³⁰ Furthermore, the engineers have ascertained that comparable units are no longer manufactured. As a consequence the only way to obtain additional units compatible with the existing equipment would be to have them specially constructed. This would be clearly uneconomical. The Secretary-General therefore sees no alternative to the replacement of the existing sound amplification and interpretation equipment in the General Assembly Hall, the Trusteeship Council Chamber, and conference rooms 1, 2, 3, and 4 at an additional estimated cost of \$117,700. The total estimate for the expansion of the meeting-room facilities would thus amount to \$1,791,000.

6. In the course of the development of the detailed plans, the Secretary-General gave careful attention to two matters which were of particular concern to the General Assembly in 1962. In the first instance, as had been suggested, he has consulted with the Danish architect who developed the original interior design of the Trusteeship Council Chamber, and his complete agreement to the necessary changes has been obtained. Secondly, as for measures necessary to adapt the General Assembly Hall for committee meetings, the Secretary-General has provided for the installation of plug-in microphones at delegation tables. However, he has reconsidered the question of installing a removable bureau table and remains of the opinion that the technical and practical disadvantages outweigh the possible advantages of such a facility.

7. While the cost of undertaking all the projects authorized in principle by the General Assembly in 1962 has been established at an amount of \$1,791,000, the Secretary-General feels obliged to call the attention of the General Assembly to the following additional items which were not included in the estimates provided to the General Assembly at that time. These items have arisen subsequently either through recommendations of the architects or the *Ad hoc* Committee on the Improvement of Methods of the General Assembly (see A/5423), or have been suggested by members of delegations and the Secretariat. The Secretary-General seeks the guidance of the General Assembly as to whether any of these items should be included as part of the construction programme.

(a) *Installation of glass partitions and doors at the sides of the General Assembly* \$65,000

It has been proposed that glass partitions and entrance doors should be installed behind the outer row of seats on each side of the General Assembly Hall. The purpose of these installa-

³⁰ It should be noted that even though the Security Council Chamber and the Economic and Social Council Chamber are not under immediate consideration, the engineers advise that similar equipment in these rooms will also require replacement within two to four years.

tions would be to isolate the Hall from the noise and congestion which at present develops in the open corridor areas on each side of the Hall and which has been a constant source of complaint by delegates. The doors and partitions would also permit more effective security arrangements.

(b) *Seating modifications for alternate representatives and the Press in the General Assembly Hall* \$62,370

The tentative plans developed by the Secretary-General in 1962 provided for the representatives of the Press to use the same type of seats in the press area of the General Assembly Hall as are provided for the public. They also provided for seats at the rear of the Hall of the same type as are now installed in the rows behind the delegates' desks for the use of advisers to delegates. Arrangements of this nature would keep to a minimum the reconstruction necessary in the balcony area. The Secretary-General, however, has been strongly urged to provide special seats with writing arms for the Press, as well as seats for the delegates' advisers which would be similar to those already provided at the sides of the Hall for special guests and observers. As a consequence of using this type of seat for the advisers, it would be possible to increase the number of seats for advisers in the Hall, as had been requested by many members.³¹ These revisions would entail the relocation of the stairways, as well as substantial rewiring of telecommunications facilities and the reupholstering of existing seats. However, increased costs for furniture would not arise since existing units would be re-used.

(c) *Alterations to documents rooms and additional changes to the seating for advisers in the Press area in conference rooms 1, 2, 3 and 4* \$27,625

These alterations envisage the relocation of the documents rooms in conference rooms 2 and 3 in order to permit the location of conference officers' tables on the same side of the room as that occupied by the Chairman and the bureau table. In the light of experience, it is considered that this arrangement would permit the staff to service the meetings more efficiently. As regards the changes in the advisers' seating, these contemplate an additional stair and readjustment of the seating arrangement in the balcony to provide better access to the floor for advisers utilizing the seats in the former Press area.

(d) *Replacement of wiring and listening devices in the public areas of the General Assembly Hall, Trusteeship Council Chamber and conference rooms 1, 2, 3 and 4* \$134,250

The present wiring and earphone equipment installed in the public areas of these rooms consists almost entirely of material salvaged from Lake Success and the General Assembly Hall at Flushing Meadows. The engineers, after reviewing its performance as well as maintenance cost have recommended its complete replacement.³² It has been noted that, not only are approximately 25 per cent of the switches defective, but the earphones are particularly susceptible to damage. In consequence, the repair and maintenance costs for this equipment are especially high. The engineers have developed a new type of switch and ear-piece which have been proven to be successful in an experimental installation in conference room 4.

(e) *Installation of electrical voting equipment in one conference room and preparatory work for its possible later installation in one other room and the General Assembly Hall* \$67,100

In its report (A/5423) to the General Assembly the *Ad Hoc* Committee on the Improvement of the Methods of Work of the General Assembly recommended that, subject to further examination of the financial considerations involved, the Sec-

³¹ The number of advisers' seats which would be located in front of the Press area would be increased from 318 to 472 under this proposal.

³² The same applies in the case of the Security Council and Economic and Social Council Chambers. The present estimate, however, does not include any provision for replacements in these areas.

retary-General should explore the possibility of trying experimentally an electric system of voting for one or two years in one or more conference rooms. In reviewing the report of the *Ad Hoc* Committee, the Advisory Committee on Administrative and Budgetary Questions recommended (A/5442) that, should the General Assembly decide to approve the suggestions of the *Ad Hoc* Committee on this matter, an electric voting system should be introduced on an experimental basis for one year in one conference room. The Advisory Committee noted that the installation of the electric voting system would require certain basic wiring and modifications to the floors, walls and furniture, and it would therefore appear to be advantageous to undertake this preliminary work within the framework of the meeting-room modification programme in 1964. The Advisory Committee further pointed out that the General Assembly may wish to consider whether, in addition to equipping completely one conference room, some essential work of a preparatory nature should be carried out in the General Assembly Hall and one other conference room, so as to permit, if the experiment were successful, an eventual expansion of the system without undue expense. The installation of an electric voting system in one conference room is estimated to cost \$40,700. If it were decided to carry out preparatory work in the General Assembly Hall and in one other conference room there would be an additional cost of \$26,400. These figures do not include the annual cost of rental and maintenance of the equipment, estimated at \$38,000 for one room, which would need to be provided for under section 10—General expenses, chapter II—Rental and maintenance of equipment, of the budget.

8. A summary of the estimates is as follows:

	<i>United States dollars</i>
(a) Expansion of meeting-room facilities as approved in principle by the General Assembly at its seventeenth session (see para. 2 above)	1,791,000
(b) Additional items (see para. 7, sub-paras. (a) to (d) above)	289,245
(c) Installation of electrical voting equipment in one room (see para. 7 (e) above)	40,700
(d) Preparatory work for installation of electrical voting equipment in two additional rooms (see para. 7 (e) above)	26,400
TOTAL	2,147,345

9. Accordingly, the Secretary-General requests an appropriation of \$1,791,000 under section 7 of the budget for 1964 for the expansion, as approved in principle by the General Assembly at its seventeenth session, of the seating facilities for delegates in the General Assembly Hall, the Trusteeship Council Chamber, and conference rooms 1, 2, 3, and 4. In addition, the Secretary-General would seek the guidance of the General Assembly with respect to the additional items which have been described in paragraph 7 above. For reasons of economy certain other items have not been included in the proposed programme, such as the repainting of the General Assembly Hall and conference rooms, which might normally be undertaken as part of such a major reconstruction project. The consideration of these items might be deferred to a future date and form part of the major maintenance programme to which reference was made in the foreword to the budget estimates for 1964 (A/5505).

10. A work schedule for the expansion of meeting-room facilities has been established which provides for the initiation of construction immediately following the conclusion of the current session of the General Assembly and calls for the completion of all work before the opening of the nineteenth session. This

schedule will require severe limitation of the meetings scheduled at Headquarters in 1964 since not more than three conference rooms will be available at any one time during the period 1 January to 1 September of next year. Any deviation in the schedule of meetings which would interfere with the construction time-table will inevitably affect both the cost of the work and the availability of the rooms for the nineteenth session of the General Assembly. Furthermore, the cost estimates are based on the assumption that the work schedule will not be interrupted for any cause. To the extent that the United Nations could be held responsible for such interruptions, the actual cost of the work could reasonably be increased by the contractor. The estimates contain no contingency for this eventuality.

II. DEVELOPMENT OF THE BASEMENT AREA OF THE GENERAL ASSEMBLY BUILDING

11. In his report at the seventeenth session on major maintenance and capital improvement at Headquarters,³³ the Secretary-General proposed the following construction programme³⁴ for the development in two stages of the basement area of the General Assembly building for television and other visual services:

Stage I \$525,000

Installation of basic structural steelwork, plumbing, heating, ventilation, air conditioning, dust control, fire protection equipment, and electrical work for the entire basement area.

Construction of technical area approximately 45 feet (13.71 metres) by 75 feet (22.86 metres) consisting of rooms for recording, printing and processing.

Construction of studio area approximately 55 feet (16.76 metres) by 90 feet (27.43 metres).

Stage II (deferred until later date for reasons of economy)

Construction of additional studio with public gallery suitable for use as briefing and screening room, approximately 80 feet (24.38 metres) by 110 feet (33.52 metres).

12. In respect of this proposal, the Advisory Committee, in paragraph 21 of its report³⁵ recommended as follows:

(a) The additional visual facilities to be provided should be limited to stage I;

(b) The Secretary-General should be invited to undertake, as a matter of urgency, as part of the internal survey of office space by the Administrative Management Service of the office of the Controller a study to determine the optimum use to be made of the remainder of the basement area. This study would need to be completed before any work began on stage I, since the details of that work might well partly depend on the specific use to be made of the rest of the area. The Advisory Committee would be ready to consider a report by the Secretary-General, including definite space utilization proposals as soon as such a report could be made available. It should then be possible for the Secretary-General to present an overall plan and revised estimates for work on the basement area as a whole, which could be considered by the

³³ *Official Records of the General Assembly, Seventeenth Session, Annexes*, agenda item 62, document A/C.5/928.

³⁴ The programme was based on the architectural and engineering survey of the Headquarters buildings conducted in 1960. See *Official Records of the General Assembly, Fifteenth Session, Annexes*, agenda item 50, document A/C.5/848.

³⁵ *Official Records of the General Assembly, Seventeenth Session, Annexes*, agenda item 62, document A/5267.

General Assembly, together with the timing of any approved capital expenditure.

13. These recommendations of the Advisory Committee were approved by the General Assembly at its 1191st plenary meeting on 11 December 1962.

14. In the light of this decision the Administrative Management Service studied the problem as a part of its survey utilization of office and related space in the Secretariat building. The Advisory Committee has already been informed of the conclusions of this study which indicate that a substantial portion of the basement area of the General Assembly building should be allocated for use as office space. The Administrative Management Service has indicated that this space, comprising some 11,000 square feet (1,022 square metres), is the only area available for office expansion at Headquarters with the possible exception of some 3,110 square feet (289 square metres) of sub-standard space on the 39th floor.

15. As a result of this study, the Secretary-General has completely revised his 1962 plans for the development of this area and has determined that as much of the space as possible should be utilized to alleviate the present critical shortage of office accommodation. The revised plan as now proposed provides that approximately one-half of the area would be utilized for office space and the other for television and other visual services. The new main new features are the following:

(a) The available space would be utilized to the maximum by the sub-division of the entire area into two floors;

(b) To that end, the television studio would be re-designed to be one rather than two storeys high, and the briefing and screening room for visitors has been eliminated;

(c) Office space amounting to 5,342 square feet (496 square metres) would be created at the first basement level and 5,895 square feet (547 square metres) at the second basement level.

These areas would be finished as typical office space and would be comparable to other office space currently provided in adjacent areas of the General Assembly building.

16. It has been agreed by the Office of Public Information and the Office of General Services that the plan as now proposed would meet the requirements of the television and other visual services.

17. The new concept requires substantial changes in the basic construction in the area as compared with the previous plan. By installing an intermediate floor throughout the General Assembly building basement, the requirements for structural steel work, air conditioning, lighting, plumbing, and other facilities are considerably greater. Although final architectural plans and specifications have not yet been prepared, pending a decision by the General Assembly on the details of the project, the costs of the plan as now proposed based on reliable estimates of the contractor are as follows:

	<i>United States dollars</i>
(a) Construction, including 15 per cent contingency	998,000
(b) Contractor's and architect's fees	155,000
(c) Equipment and installations	40,000
TOTAL	1,193,000

18. This cost estimate is based on the assumption that; firstly, construction and working drawings would be prepared early in 1964; secondly, work would be carried out in conjunction with the expansion of meeting-room facilities; and thirdly, the major portion of the work would be completed in 1964. This schedule would require expenditures of \$900,000 in 1964 and \$293,000 in 1965. The estimate includes provision for essential processing and technical equipment which is required to make the area operational.

19. Bearing in mind the severe financial difficulties of the Organization, the Secretary-General has also obtained from the contractor estimates as to the anticipated costs if the area were to be developed in stages. Although estimates of this nature must be considered very tentative, depending as they do on so many unknown factors arising from the possible time lag between stages, they nevertheless provide a sufficient basis for judgement as to the feasibility of such a programme. On the basis of the contractor's estimate, the development of the area in stages would cost not less than \$350,000 and depending upon circumstances as much as \$600,000 more than if the work were carried out in conjunction with the expansion of meeting-room facilities. It is clear from this estimate that the development of the area in stages cannot be recommended.

20. Under the circumstances the Secretary-General would propose that the basement area of the General Assembly building be developed in 1964 and 1965 along the lines described in paragraph 12 above at an estimated cost of \$1,193,000. In making this recommendation, the Secretary-General is particularly conscious of the need to find office space within the Headquarters buildings, and this project, though not a solution to the long-range requirements for office space, would seem to offer the most practical immediate relief. In the absence of this expansion the increasing requirements for office space will probably require by 1966 the rental of outside premises. The rental of an equal amount of space would cost in a modern office building in New York \$65,000 to \$75,000 annually.

21. The proposal also gives effect to the intentions of the General Assembly, that the television and film production and processing facilities should be augmented and improved. While not repeating the reasons which led the General Assembly to arrive at this conclusion in 1962, the Secretary-General would wish to mention that in the intervening period they have lost none of their cogency and that in fact the situation has become even more urgent.

III. RECAPITULATION

22. The total cost of projects recommended by the Secretary-General can be summarized as follows:

	<i>United States dollars</i>
(a) Expansion of permanent seating facilities in the General Assembly Hall and conference rooms 1, 2, 3, and 4 and conversion of the Trusteeship Council Chamber to a conference room	1,791,000
(b) Development of the basement area of the General Assembly building to provide for office space and television and film production and processing facilities	1,193,000
TOTAL	2,984,000

23. In addition, the General Assembly is requested to give specific guidance with respect to the inclusion of the following items in the meeting room expansion project:

	<i>United States dollars</i>
(a) Installation of glass partitions and doors at the sides of the General Assembly Hall	65,000
(b) Seating modifications for alternate representatives and the Press in the General Assembly Hall	62,370
(c) Alterations to documents rooms and additional changes to the seating for advisers in the Press area in conference rooms 1, 2, 3, and 4.	27,625
(d) Replacement of wiring and listening devices in the public areas of the General Assembly Hall, Trusteeship Council Chamber, and conference rooms 1, 2, 3, and 4.	134,250
(e) Installation of electrical voting equipment in one room	40,700

	<i>United States dollars</i>
(f) Preparatory work for future installation of electrical voting equipment in two additional rooms	26,400
TOTAL	356,345

24. The initial budget estimates for the financial year 1964 provide under section 7—Buildings and improvements to premises, chapter IV—Alteration, improvement and major maintenance of premises and facilities at Headquarters, New York, and Geneva, an amount of \$2,081,000, representing the tentative estimate for the construction project as conceived in 1962 and as approved in principle by the General Assembly at its seventeenth session. This amount will require to be revised in the light of decisions taken by the General Assembly at its current session in regard to the proposals contained in this report. Similarly, the initial estimates under chapter II of section 10 will need to be revised should the General Assembly approve the proposals for the installation of electrical voting equipment as described in paragraph 8 of this report.

DOCUMENT A/5604*

Expansion of meeting-room facilities

Report of the Advisory Committee on Administrative and Budgetary Questions

*[Original text: English]
[12 November 1963]*

1. The Advisory Committee on Administrative and Budgetary Questions considered the report on major maintenance and capital improvement at United Nations Headquarters (A/C.5/991) which the Secretary-General submitted in response to the decision taken by the Fifth Committee³⁶ and approved by the General Assembly at its 1191st plenary meeting authorizing him:

(a) To proceed with the development of plans for the expansion of meeting-room facilities at Headquarters;

(b) To prepare a comprehensive plan for the development of the basement area of the General Assembly Building so as to provide for the optimum use of this area not only for additions to television and other visual facilities but also for office space, and to provide detailed estimates for this work; and

(c) To complete in 1963 an architectural survey of the Headquarters buildings.³⁷

2. In the present report, the Advisory Committee deals only with item (a) above, relating to expansion of meeting-room facilities. Item (b) will be the subject of a separate report (A/5615).

3. It may be recalled that, at its seventeenth session, the General Assembly approved, in principle, a tentative estimate of \$1,556,000 for the expansion of meeting-room facilities. This amount has been included in section 7—Buildings and improvements to premises, chapter IV—Alteration, improvement and major maintenance of premises and facilities at Headquarters, New York, and Geneva, of the initial budget

estimates for 1964. In response to the instructions of the General Assembly, the Secretary-General engaged an architectural firm to prepare detailed construction drawings and plans. On the basis of these plans, firm estimates have been obtained and the services of a general contractor have been negotiated. It now appears that the amount of \$1,556,000 is insufficient to provide for the completion of all the work authorized in principle by the General Assembly. The cost of such work has now been fixed at \$1,673,300. The difference of \$117,300 between the tentative estimate provided in 1962 and the cost as now established is ascribed by the Secretary-General to the following factors:

(a) More accurate estimates based on actual detailed plans and specifications as confirmed by contractual bids received;

(b) Necessary changes in construction details which became apparent in the course of the development of the plans;

(c) Price increases for certain labour and materials since October 1962.

4. The Advisory Committee was informed that the figure of \$1,673,300 was the lowest of a number of bids submitted for the work approved by the Assembly and that this was a “contractor’s guaranteed price”, that is to say, the maximum cost to the Organization provided the United Nations fulfilled its obligations to the contractor and, *inter alia*, did not cause the work to be delayed for any reason. It was also informed that, whereas this estimate would be a maximum, it was possible that actual expenditure would not reach that level. Accordingly, while the Committee recommends approval of the figure of \$1,673,300, it expects the Secretary-General to make every effort to keep actual costs below this level.

* Incorporating document A/5604/Corr.1.

³⁶ *Ibid.*, document A/5334.

³⁷ Item (c) is the subject of a separate report by the Secretary-General (A/C.5/993).

5. In paragraph 5 of his report, the Secretary-General indicates that an additional amount of \$117,700 is required to replace sound amplification and interpretation equipment. The Advisory Committee inquired at some length into the reasons why the existing installations could not be kept in use with suitable additions to meet the requirements of the expanded seating. It was informed that the basic equipment of the control booths—including consoles, power supplies, pre-amplifiers and amplifiers—which had been repeatedly modified to handle previous temporary expansions of seating facilities, offered no further margin for serving additional seats and had therefore to be replaced. As for the balance of the equipment, such as microphones, speakers and switches, many units were defective, and all were of an obsolete type and no longer manufactured. Accordingly, any addition would be uneconomical. The engineers therefore strongly recommended complete replacement. On the basis of the evidence thus provided, the Advisory Committee would recommend approval of the Secretary-General's estimate of \$117,700 for the replacement of this equipment.

6. In the light of the foregoing considerations, and subject to the observations made in paragraph 4 above, the Advisory Committee recommends approval of a total estimate of \$1,791,000 for the expansion of the meeting-room facilities as originally envisaged by the General Assembly.

7. In paragraph 7 of his report, the Secretary-General, without formally requesting corresponding appropriations, calls the attention of the General Assembly to five items which were not included in the estimates submitted to it in 1962. These items have arisen subsequently either through recommendations of the architects or the *Ad Hoc* Committee on the Improvement of the Methods of Work of the General Assembly (see A/5423) or have been suggested by members of delegations and the Secretariat. The Secretary-General seeks the guidance of the General Assembly as to whether any of these items should be included as part of the construction programme.

8. The first of these items concerns the installation of glass partitions and doors at the sides of the General Assembly Hall, at an estimated cost of \$65,000. At a time when Member States are called upon to provide considerable funds for major reconstruction work deemed essential to the proper functioning of the Organization, the Advisory Committee believes that no other capital project should be contemplated unless it is evident that it would meet some well-established requirement and that any postponement would adversely affect the Organization. It would appear to the Advisory Committee that the installation envisaged does not fall into this category. Nor is it convinced that the proposed installation of partitions is the only solution to the problem of noise in the corridor areas on the sides of the General Assembly Hall. In the Committee's opinion, certain administrative measures, together with a solemn request by the President of the General Assembly to all concerned for their co-operation and understanding, would go a long way towards solving the problem. Consequently, the Advisory Committee would recommend that consideration of this proposal be deferred.

9. The second item relates to seating modifications for alternate representatives and the Press in the General Assembly Hall, at an estimated cost of \$62,370.

As regards the Press seats, the Committee notes that the Secretary-General has been strongly urged to provide special seats with writing arms for the Press, and it would concur in this particular project. The second part of the provision would make it possible to increase the number of seats for advisers in the General Assembly Hall from 318 to 472. In view of the fact that the number of seats per delegation on the floor will be reduced from 10 to 6, the Advisory Committee sees merit in this proposal which would substantially compensate for this loss of seating. It would therefore recommend approval of the estimate of \$62,370 for the purposes stated in this paragraph.

10. The third item concerns alterations to documents rooms and additional changes to the seating for advisers in the former Press area in conference rooms 1, 2, 3 and 4, at an estimated cost of \$27,625. It would not appear that the suggested alterations to documents rooms and re-location of the conference officers' tables in conference rooms 2 and 3 present any special urgency which would justify the expenditure of some \$7,000 in 1964. Consideration of this item should therefore be deferred. However, for reasons similar to those stated in the preceding paragraph, the Advisory Committee would see some advantage in the proposed readjustment of the seating arrangements in the balcony to provide better access to the floor for advisers utilizing the seats in the former press area. It should be recalled that the total number of seats per delegation on the floor of conference rooms 1 and 2 will be reduced from 3 to 2, and in conference room 3 and 4 from 4 to 3. The Advisory Committee would accordingly recommend approval of this project, at an estimated cost of \$20,000.

11. The fourth item relates to the replacement of wiring and listening devices in the public areas of the General Assembly Hall, Trusteeship Council Chamber, and conference rooms 1, 2, 3 and 4, at an estimated cost of \$134,250. While it is true that most of the equipment at present installed in the public areas consists of material transferred from Lake Success and Flushing Meadows, the Advisory Committee has been given to understand that, with reasonable maintenance, the major part of this equipment is still serviceable and can be kept in use for a few more years. Total replacement of the equipment does not therefore have to take place in 1964 and the Committee would recommend deferment of this project.

12. The fifth item in the Secretary-General's report concerns the installation of electrical voting equipment in one conference room and preparatory work for its possible later installation in one other room and in the General Assembly Hall, at an estimated cost of \$67,100. The work involved and the estimated cost are described in the report of the Advisory Committee (A/5442). After having reviewed the report of the *Ad Hoc* Committee on the Improvement of the Methods of Work of the General Assembly (A/5423), the Advisory Committee recommended that, should the General Assembly decide to approve the suggestions of the *Ad Hoc* Committee concerning the adoption of an electrical system of voting in the United Nations, such a system should be introduced on an experimental basis for one year in one committee room and that, for technical reasons, it would be desirable to undertake this work at the same time as the meeting-room modification programme in 1964. The Advisory Committee further suggested that, for the same technical reasons, the

General Assembly may wish to consider whether, in addition to equipping completely one conference room, some essential work of a preparatory nature should be carried out in the General Assembly Hall and one other conference room so as to permit, if the experiment were successful, an eventual expansion of the system without undue expense. As stated in its report the Advisory Committee therefore recommends that, should the General Assembly decide to adopt the electrical system of voting on a trial basis, an additional appropriation of \$67,100 should be approved, under section 7 of the 1964 budget, comprising \$40,700 for the complete installation in one room and \$26,400 for the initial preparation of two other rooms.

RECAPITULATION

13. In the light of the considerations and comments set forth in the preceding paragraphs, the Advisory Committee would recommend approval of the following appropriations under section 7 of the 1964 budget:

(a) \$1,791,000 for carrying out the programme of expansion of meeting-room facilities, as originally approved in principle by the General Assembly at its seventeenth session, it being understood that the Secretary-General would spare no effort to keep actual costs below the maximum "contractor's guaranteed price" (see paras. 4 and 5 above);

(b) \$62,370 for seating modifications for alternate representatives and the Press in the General Assembly Hall (see para. 9 above);

(c) \$20,000 for additional changes to the seating for advisers in the Press area in conference rooms 1, 2, 3 and 4 (see para. 10 above);

(d) Should the General Assembly decide to adopt an electrical voting system on a trial basis, \$67,100 for the installation of equipment in one conference room and preparatory work for possible later installation in one other room and the General Assembly Hall (see para. 12 above).

14. The total appropriation required for all these purposes would thus amount to \$1,940,470.

DOCUMENT A/5615

Development of the basement area of the General Assembly building

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[20 November 1963]

1. In document A/5604 the Advisory Committee on Administrative and Budgetary Questions considered part I of the Secretary-General's report on major maintenance and capital improvement at United Nations Headquarters (A/C.5/991), relating to the expansion of the meeting-room facilities. In the present report, it deals with part II concerning the development of the basement area of the General Assembly building.

2. In his report at the seventeenth session on major maintenance and capital improvement at Headquarters,³⁸ the Secretary-General proposed a construction programme for the development in two stages of the basement area of the General Assembly building for television and other visual services:

(a) Stage I, comprising (i) installation of basic structural steelwork, plumbing, heating, ventilation, air conditioning, dust control, fire protection equipment, and electrical work for the entire basement area; (ii) construction of a technical area consisting of rooms for recording, printing and processing; and (iii) construction of a studio area;

(b) Stage II: construction of an additional studio with public gallery suitable for use as a briefing and screening room. At that time, the Secretary-General proposed that stage II be deferred for reasons of economy.

3. In respect of this proposal, the Advisory Committee made the following recommendations,³⁹ which were endorsed by the General Assembly at its 1191st plenary meeting on 11 December 1962:

(a) The additional visual facilities to be provided should be limited to stage I;

(b) The Secretary-General should be invited to undertake, as a matter of urgency, as part of the internal survey of office space by the Administrative Management Service of the Office of the Controller a study to determine the optimum use to be made of the remainder of the basement area. This study would need to be completed before any work began on stage I, since the details of that work might well partly depend on the specific use to be made of the rest of the area. The Advisory Committee would be ready to consider a report by the Secretary-General, including definite space utilization proposals as soon as such a report could be made available. It should then be possible for the Secretary-General to present an over-all plan and revised estimates for work on the basement area as a whole, which could be considered by the General Assembly, together with the timing of any approved capital expenditure.

4. During the first half of 1963, the Administrative Management Service studied the problem as a part of its survey of the utilization of office and related space in the Secretariat building, and the Advisory Committee wishes to place on record its appreciation of the detailed and comprehensive report which was submitted to it at its summer session. Apart from adjustments already carried out after a floor-by-floor survey, the report concludes that the only prospect of providing any appreciable amount of additional office space, short of major new construction, lies in the development of the General Assembly basement area along the lines now proposed by the Secretary-General (see para. 5 below). This space, comprising some 11,000 square feet (1,022 square metres), is said to be at the present time the only area available for office expansion at Headquarters with the possible exception of some 3,110 square feet (289 square metres) of sub-standard space on the 39th floor.

³⁸ Official Records of the General Assembly, Seventeenth Session, Annexes, agenda item 62, document A/C.5/928.

³⁹ Ibid., document A/5267, para. 21.

5. As a result of this study, the Secretary-General has completely revised his 1962 plans for the development of this area and has determined that as much of the space as possible should be utilized to alleviate the present critical shortage of office accommodation. The revised plan as now proposed provides that approximately one-half of the area would be utilized for office space and the balance for television and other visual services. The main new features are the following:

(a) The available space would be utilized to the maximum by the sub-division of the entire area into two floors;

(b) To that end, the television studio would be re-designed to be one rather than two storeys high, and the briefing and screening room for visitors would be eliminated;

(c) Office space, amounting to 5,342 square feet (496 square metres) would be created at the first basement level and 5,895 square feet (547 square metres) at the second basement level.

These areas would be finished as typical office space and would be comparable to other office space currently provided in adjacent areas of the General Assembly building.

6. The Advisory Committee expects that the plan as now proposed would meet the long-term requirements of the television and other visual services.

7. In Paragraph 17 of his report (A/C.5/991), the Secretary-General indicates that the new concept requires substantial changes in the basic construction in the area as compared with the previous plan and that, by installing an intermediate floor throughout the General Assembly building basement, the requirements for structural steel work, air conditioning, lighting, plumbing, and other facilities are considerably greater. Although final architectural plans and specifications have not been prepared, pending a decision by the General Assembly on the details of the project, the costs of the plan now proposed are estimated to be as follows:

	<i>United States dollars</i>
(a) Construction, including 15 per cent contingency	998,000
(b) Contractor's and architect's fees	155,000
(c) Equipment and installations	40,000
TOTAL	1,193,000

8. Particular attention is called to the fact that this cost estimate is based on the assumption that: first, construction and working drawings would be prepared early in 1964; secondly, work would be carried out in conjunction with the expansion of meeting-room facilities; and thirdly, the major portion of the work would be completed in 1964. This schedule would require expenditures of \$900,000 in 1964 and \$293,000

in 1965. The estimate includes provision for essential processing and technical equipment which is required to make the area operation.

9. The Advisory Committee has observed that, bearing in mind the severe financial difficulties of the Organization, the Secretary-General envisaged the possibility of developing this area in stages. He ascertained, however, that this would cost not less than \$350,000 and, depending upon circumstances, as much as \$600,000 more than if the work were carried out as a single operation and in conjunction with the expansion of meeting-room facilities. It would therefore appear that the development of the area in stages cannot be recommended.

10. Accordingly, the Secretary-General proposes that the basement area of the General Assembly building be developed in 1964 and 1965 along the lines described in paragraph 5 above at an estimated cost of \$1,193,000. The Advisory Committee notes that, in making this recommendation, the Secretary-General is particularly conscious of the need to find office space within the Headquarters buildings. The Committee agrees with the Secretary-General's view and considers that, in the circumstances, the present project, although it involves substantial expenditure, is a practicable one and the most economical method of providing additional office space at an early date.

RECOMMENDATIONS OF THE ADVISORY COMMITTEE

11. In the light of the foregoing considerations, the Advisory Committee would concur in the plan proposed by the Secretary-General for the development of the basement area of the General Assembly building. However, it must call attention to the fact that the estimate of \$1,193,000 submitted by the Secretary-General contains a substantial contingency provision, and it would hope that the Secretary-General will make every effort to negotiate a guaranteed maximum price contract on the most favourable terms and to keep actual costs at a minimum.

12. Accordingly, the Advisory Committee makes the following recommendations to the General Assembly:

(a) The Secretary-General should be authorized to enter into commitments not exceeding \$1,193,000 for the completed plan for developing the basement area of the General Assembly building;

(b) For that portion of the work which was to be completed in 1964, an appropriation of \$900,000 should be made under section 7—Buildings and improvements to premises, of the budget;

(c) The Secretary-General should be requested to negotiate, as soon as possible, a "guaranteed maximum price contract" not exceeding \$1,193,000 for the project as a whole and to seek the concurrence of the Advisory Committee prior to the signing of the contract.

DOCUMENT A/5645

Question of the installation of a mechanical voting system in the United Nations

Report of the Fifth Committee

[Original text: English and French]
[9 December 1963]

1. At its 1043rd and 1044th meetings, held on 18 and 19 November 1963, the Fifth Committee considered the question of the possible introduction, on a trial basis, of a system of electrical voting in the United Nations.

2. The Committee had before it reports of the Secretary-General (A/C.5/991, paras. 7 (e), 8 and 9) and the Advisory Committee on Administrative and Budgetary Questions (A/5604, paras. 12 and 13).

3. The Committee also took note of the statement made by the President of the General Assembly at the 1256th plenary meeting, in connexion with agenda item 25 (Report of the *Ad Hoc* Committee on the Improvement of Methods of Work of the General Assembly), to the effect that consideration of the possible installation of a mechanical system of voting would be deferred pending submission of a report of the Fifth Committee.

4. The Secretary-General reported that the cost of installing an electrical voting system in one conference room was estimated at \$40,700, and that if it were decided to carry out preparatory work in the General Assembly Hall and one other conference room, there would be an additional cost of \$26,400. Those figures were exclusive of the annual cost of rental and maintenance of the equipment, which was estimated for the first year at \$38,000 for one room (that sum would need to be approved under section 10—General expenses, chapter II—Rental and maintenance of equipment, of the 1964 budget, and for subsequent years at \$16,000.

5. The Advisory Committee referred (A/5604, para. 12) to a report it had submitted in July 1963 (A/5442) in connexion with paragraph 57 and 58 of the report of the *Ad Hoc* Committee on the Improvement of the Methods of Work of the General Assembly (A/5423). In that report the Advisory Committee had suggested:

(a) That, should the General Assembly approve the suggestion of the *Ad Hoc* Committee concerning the adoption of an electrical voting system in the United Nations, the system should be introduced, on an experimental basis, for one year in one committee room and that, for technical reasons, it would be desirable to carry out the work concurrently with the structural modifications already planned for 1964; and

(b) That, for the same reasons, the General Assembly might wish to consider whether, in addition to the complete equipment of one conference room, some essential work of a preparatory nature should be carried out in the General Assembly Hall and one other conference room so that, if the experiment were successful, the extension of the system could be undertaken at a reasonable cost. The Advisory Committee recommended (A/5604, para. 13) that, should the General Assembly decide to adopt an electrical voting system on a trial basis, \$67,100 should be appropriated under section 7 of the 1964 budget for the installation of equipment in one conference room and for preparatory work for the possible installation of equipment at a later date in one other room and in the General Assembly Hall.

6. The representative of Hungary proposed at the 1043rd meeting that the Committee, while leaving the final decision to the judgement of the General Assembly, should not recommend an appropriation for 1964 in respect of the item under discussion. The Secretariat had offered an estimate of the saving in time which the mechanical voting system represented—an estimate which, on its own reckoning, his delegation was inclined to query. But, even on the basis of the Secretariat's calculation, the benefit to be drawn from such a system seemed, at best, to be problematical. For an annual saving of \$6,000 per conference room, the following costs have to be incurred: installation, \$40,700; rental and maintenance of equipment for the first year, \$38,000 and for subsequent years, \$16,000 per year. Averaged over a fifteen-year period, the annual cost

would thus amount to about \$20,000 per conference room, or an additional net expenditure of \$12,000 per year.⁴⁰ That was a high price to pay for accuracy and convenience. The representative of the USSR expressed the view that the introduction of an electrical voting system would be wholly inconsistent with the policy of consolidation and containment and would be unacceptable. It was not merely a question of the initial cost of installation, for maintenance costs would entail a permanent increase in the Organization's budget. The *Ad Hoc* Committee had not taken any decision on the advisability of introducing the system, but had merely set forth the relevant considerations. It would always be possible to install the system at a later date when the financial position had returned to normal. In the opinion of his delegation, the system did not serve a useful purpose, and he would vote against the proposal to introduce it.

7. Other delegations pointed out that in its report (A/5423, para. 58) the *Ad Hoc* Committee had been in general agreement on the advantages of an electrical voting system, and while General Assembly resolution 1898 (XVIII) of 11 November 1963 on agenda item 25 had not dealt specifically with the matter under consideration, it had referred to the need for adapting the methods of work to the changed circumstances in the General Assembly, in particular those resulting from the recent increase in the number of Member States, and for carrying out the work as efficiently and expeditiously as possible. The mechanical system would represent a saving in time, accuracy and convenience. Admittedly, financial implications had at all times to be weighed with extreme care, especially in a period of financial difficulty, but regard should also be had to the advantages that would accrue, as well as to the evident advisability of making the necessary arrangements concurrently with the structural alterations to be carried out in 1964. The United Nations would acquire, at a cost that was slight in relation to the total of the 1964 budget, a substantial capital improvement.

8. Yet other delegations, while acknowledging the obvious advantages of an electrical system, felt that the decision was not an easy one. No serious difficulties had arisen under the existing system, nor did that system appear to impose any excessive strain on the officials concerned. Furthermore, the economic and social needs of many Members of the United Nations surely had a greater claim on the resources of the Organization. Where the saving of time was concerned, far more could manifestly be gained if meetings started punctually. If necessary, temporary assistance might be engaged, at an estimated cost of \$2,000 per conference room, to help in the counting of votes. There was the further consideration that if the experiment failed, the outlay would represent a total loss.

9. At the 1044th meeting, the Committee rejected the proposal of the representative of Hungary (para. 6 above) by 25 votes to 11, with 34 abstentions.

10. The Chairman suggested that the Committee might wish to take a decision in the following terms:

	<i>United States dollars</i>	
⁴⁰ Annual cost		20,000
<i>Deduct</i>		
(a) Annual saving	6,000	
(b) Cost of temporary assistance, under the existing system, to help in the counting of votes	2,000	8,000
		12,000

“That the General Assembly be informed that, should it decide in favour of the introduction on a trial basis of a system of electrical voting in the United Nations, the Fifth Committee, on the basis of the recommendation of the Advisory Committee on Administrative and Budgetary Questions (A/5442, para. 9), suggests that the system be introduced on an experimental basis for one year in one committee room; in addition, some further work of a preparatory nature might be carried out in the General Assembly Hall and one other conference room so as to permit, if the experiment were successful, an eventual expansion of the system without undue expense. In this event it would be necessary to approve an additional appropriation of \$67,100 under section 7—Buildings and improvements to premises, of the 1964 budget, comprising \$40,700 for the complete installation in one room and \$26,400 for the initial preparation of two other rooms.”

In reply to a delegation which pointed out that the suggested text appeared to constitute a recommendation by the Fifth Committee that the General Assembly should take action on a matter of substance, the chairman said that the adoption of the text would not constitute appropriation action by the Committee. It simply informed the General Assembly of the financial implications of a decision which the General Assembly itself might wish to take.

11. Representatives of the Secretary-General pointed out that a vote by show of hands in plenary meetings of the General Assembly normally took two or three minutes, while roll-call votes took from five to six minutes. It was more difficult to ensure accuracy in the General Assembly Hall than in the other conference rooms, and it was virtually impossible to guarantee the accuracy of the count in a vote by show of hands when the votes were fairly equally divided. While it was impossible to give precise figures, it seemed likely that if the necessary preparatory work for the installation of a mechanical voting system were not undertaken in 1964 concurrently with the structural alterations to the General Assembly Hall and other conference rooms, the cost would be two or three times as great. The alterations would involve the removal of seating and carpeting and modifications to flooring, and that process would have to be repeated for the installation of the ducts required for an electrical voting system. Common sense suggested that the work, if done at all, should be done at the least cost.

12. The representative of India suggested, with the concurrence of the Chairman of the Advisory Committee, that the words “on the basis of the recom-

mendation of the Advisory Committee on Administrative and Budgetary Questions” should be replaced by “having taken into consideration the recommendation of the Advisory Committee on Administrative and Budgetary Questions”. He also proposed formally (a) that the words “the General Assembly Hall or in” should be inserted after the words “on an experimental basis for one year in”; and (b) that the subsequent clause should read as follows: “; in addition, some further work of a preparatory nature might be carried out in the General Assembly Hall and one other conference room, or in two other conference rooms, as the case might be,”. The need for an electrical voting system was greater in the General Assembly Hall than in the conference rooms, and if voting machines were to be authorized, priority should be given to that Hall.

13. The representative of Hungary suggested that the General Assembly should receive from the Fifth Committee a full statement of the financial consequences that would arise under any appropriation section that would be affected. He proposed accordingly that a sentence stating that it would also be necessary to include an amount of \$38,000 under section 10—General expenses, of the 1964 budget should be added at the end of the text proposed by the Chairman.

14. The Committee decided, by 36 votes to 8, with 30 abstentions, to inform the General Assembly as follows:

Should the General Assembly decide in favour of the introduction on a trial basis of a system of electrical voting in the United Nations, the Fifth Committee, having taken into consideration the recommendation of the Advisory Committee on Administrative and Budgetary Questions (A/5442, para. 9), would suggest that the system should be introduced on an experimental basis for one year in the General Assembly Hall or in one committee room; in addition, some further work of a preparatory nature might be carried out in the General Assembly Hall and one other conference room, or in two other conference rooms, as the case might be, so as to permit, if the experiment were successful, an eventual expansion of the system without undue expense. In this event it would be necessary to approve an additional appropriation of \$67,100 under section 7—Buildings and improvements to premises, of the 1964 budget, comprising \$40,700 for the complete installation in one room and \$26,400 for the initial preparation of two other rooms. It would also be necessary to include an amount of \$38,000 under section 10—General expenses, for the rental and maintenance of the equipment for one room.

Construction of the United Nations building in Santiago, Chile

DOCUMENT A/C.5/990

Report of the Secretary-General

[Original text: English]
[22 October 1963]

1. In terms of General Assembly resolution 1407 (XIV) of 1 December 1959, the Secretary-General was authorized to proceed, at a total cost of \$1,550,000⁴¹

⁴¹ The amount of \$1,550,000 was appropriated in five annual instalments in the budgets for 1959 to 1963.

with the preparation of plans for, and the construction of, a United Nations building in Santiago, Chile, to provide common premises for the secretariat of ECLA and the various offices of the United Nations and the specialized agencies in that locality. The land on which

the building was to be erected was a gift of the Government of Chile which had also undertaken to provide access roads and to have the necessary utility services extended up to the boundaries of the site. It has, in addition, made a cash donation towards the cost of the project of escudos 465,000.

2. In a report⁴² to the General Assembly at its seventeenth session, the Secretary-General indicated that, on the basis of the architectural plans and the bids received, the building could not be built within the existing authorization and that without taking into account the possible results of ECLA's gift programme,⁴³ a deficit of about \$460,000 was to be anticipated. It was explained that the deficit could be attributed to the cumulative effects of the following factors: (a) the need for extensive changes in the building plans on which the original cost estimate had been based in order to provide for considerable increases since 1959 in the staff of ECLA and of the specialized agencies to be accommodated in the building; (b) increases related to architectural requirements; (c) increases in construction costs; (d) the unstable economic conditions prevailing at the time of competitive bidding; and (e) the nature of the project selected.

3. With a view to avoiding additional budgetary charges, the Secretary-General suggested *inter alia* the possibility of modifying the construction programme by effecting further drastic reductions in space and facilities. He added, however, that he would be most reluctant to eliminate the provision of space for the other offices of the United Nations and specialized agencies (TAB, UNICEF, FAO, ILO and UNESCO) as such a measure would be inconsistent with the General Assembly's declared policy of encouraging and promoting the consolidation of United Nations and specialized agency offices in common buildings, utilizing common services.

4. The Advisory Committee on Administrative and Budgetary Questions in its report,⁴⁴ recalled that the building was designed to house not only the ECLA secretariat but also other local offices of the United Nations and of the specialized agencies, as well as to provide common services for those occupying the building. Accordingly, it felt that it would not be satisfactory to construct a building with office space limited exclusively to the ECLA secretariat. The Advisory Committee thus addressed itself to the possibility of constructing the building in accordance with the original plans but with the minimum risk of incurring any additional charge on the United Nations budget. The Committee understood that it would be possible to proceed with the construction on the basis of the original plan, and to leave to the General Assembly at its eighteenth session the final decision on the adequacy of available resources; that decision, it believed, could be based on a more realistic assessment of the general economic

situation in Santiago and on the result of the voluntary contribution programme already under way. It felt that the nature of the construction programme should make it possible to obviate any additional budgetary charge if the construction went forward as planned. The Advisory Committee further recommended that the General Assembly should call for the maximum possible support for the voluntary contribution programme which had been initiated.

5. At its 980th meeting, the Fifth Committee decided *inter alia* to accept the recommendations of the Advisory Committee. This decision contained in the report of the Fifth Committee⁴⁵ was endorsed by the General Assembly at its 1201st plenary meeting on 20 December 1962.

DEVELOPMENTS IN 1963

6. The General Assembly having decided that construction should proceed, excavation commenced in January 1963. The lowest contractual bid for the main structural work was accepted. Later, this bid became subject to adjustment and the estimates of cost of other contracts to be concluded in 1963 had to be revised for the following reasons:

(a) According to statistics from the Chamber of Construction of Chile, the costs of construction materials increased by 56 per cent during the period September 1962 to June 1963. A separate study undertaken by the ECLA secretariat with regard to locally available materials arrived at an increase of 55.3 per cent during this period;

(b) A general wage increase of 15 per cent was legally promulgated with effect from 16 October 1962. A further adjustment of 27.7 per cent at the lowest wage level, decreasing as wages ascended, was granted effective 1 January 1963;

(c) At the time of the excavation the discovery of underground water at an unexpectedly high level gave rise to considerable complications which delayed the early stages of the construction.⁴⁶

Substantial revision of certain of the structural plans was required. *Inter alia*, the basement area had to be curtailed and a solution found to compensate for the loss of this essential space. The variations in quantities, materials and excavation required have also given rise to additional costs.

7. The revised bid for the main structure was carefully examined and verified. Accordingly, the Committee on Contracts at Headquarters in due course approved the recommendation of the ECLA Building Contracts Committee that a lump sum contract be awarded in the amount of \$764,000. Other contracts awarded in 1963 related to the construction, the purchase of materials and consultant fees amounted to \$217,000.

8. All of the contracts so far awarded provide only for the basic construction of the building. No contract has yet been awarded for the completion of installations and finishings as sufficient funds are not available within the existing appropriation.

⁴² *Ibid.*, document A/5386.

⁴² *Official Records of the General Assembly, Seventeenth Session, Annexes*, agenda item 62, documents A/C.5/923 and Add.1.

⁴³ At its eighth session, the Committee of the Whole of ECLA adopted resolution 216 (AC.50) whereby member States of ECLA were urged to make direct gifts in aid of the project or to enlist the help of public institutions or private persons. By the same resolution, the *Ad Hoc* Committee on the Gift Programme for the United Nations Building in Santiago, Chile, was established. (See *Official Records of the Economic and Social Council, Thirty-fourth Session, Supplement No. 4*, part III.)

⁴⁴ *Official Records of the General Assembly, Seventeenth Session, Annexes*, agenda item 62, document A/5369.

⁴⁶ Prior to the acceptance of the site by the United Nations, geological tests were undertaken by Governments experts which indicated that while underground static water existed at the site it was expected at a considerably lower level than that at which it was actually encountered and would have had no implications in connexion with the construction of the building.

9. The Secretary-General would assure the General Assembly that, in proceeding with the plans, every possible economy was considered whereby the estimated deficit might be reduced. It was found that this could be achieved only by the deferment of certain features such as the installation and finishing of the cafeteria and delegates' lounge, the construction of the smaller of the two conference chambers, the installation of four interior connecting bridges, and the landscaping of the site. The deferment of these items, however, would seriously affect the efficient functioning of the building and would, if reinstated as a matter of necessity at a later stage, cost considerably more.

10. The present construction plans do not provide any margin of office space to meet possible future needs. As the various units to be accommodated in the building continue to expand and as decentralization of various functions to the regions continues, this question becomes increasingly critical. It would be possible however by minor extensions of the present structure as planned, to increase the total working area from 11,490 to 12,490 square metres. Based on prevailing construction costs and the present rate of exchange, this expansion could be achieved at an estimated cost of approximately \$91,000. The Secretary-General believes that it would be prudent therefore to undertake this extension during the period of construction.

STATUS OF CONTRIBUTIONS TO THE GIFT PROGRAMME

11. The *Ad Hoc* Committee of ECLA established by the Committee of the Whole at its eighth session has continued its efforts to foster the gift programme. In view of the importance attached to this programme by the General Assembly at its seventeenth session, as well as the urgency of determining its total effect, a member of the Committee accompanied by a member of the Secretariat visited a number of Latin American capitals in the early part of the year for discussions with the appropriate authorities. The matter received further attention in May 1963 at the tenth session of ECLA in the light of a report by the *Ad Hoc* Committee (see annex below). Since the session the latter Committee has maintained contact with Member States which have made actual offers or given informal indications of probable support.

12. Apart from the earlier gift of escudos 465,000 by the Government of Chile, which was taken into account in calculating the deficit announced to the General Assembly at its seventeenth session,⁴⁷ total cash pledges to date amount to the equivalent of \$15,000 and pledges in kind to \$15,000.⁴⁸ In addition, gifts under consideration by Member States but not yet confirmed may amount to \$30,000 in value.

13. The Secretary-General wishes to express his appreciation to the Member States which to date have indicated their willingness to co-operate in this programme and to the *Ad Hoc* Committee of ECLA for its continuing endeavours. He trusts that further evidence of support, governmental or private, may be forthcoming in the near future. He feels bound to point out, however, that the response to date has borne little relation to the considerable deficit anti-

⁴⁷ The dollar equivalent at that time at the then prevailing rate of escudos 2.20 to \$US1 was \$211,000; at the current rate of escudos 3 to \$US1, this equivalent has been reduced to \$155,000.

⁴⁸ This amount does not represent the actual value of the gifts—which is higher—but the extent to which they enable the construction budget to be reduced.

ipated. In the circumstances it would seem unrealistic to place exclusive reliance on voluntary contributions to bridge the gap. It should also be recognized that the point has been reached where orders and sub-contracts for installations and finishings can no longer be deferred in anticipation of the results of the gift programme without the risk of costly delays in the construction schedule. Gifts in cash in reduction of the deficit will therefore become increasingly important, and gifts in kind more difficult to utilize. Moreover although gifts in kind generally serve to improve the over-all quality of the structure, they do not necessarily imply reduction of building costs correspondent to their full value; in some cases, such as gifts of a largely ornamental nature, they may even result in increased expenditure by virtue of the installation costs.

PRESENT FINANCIAL SITUATION

14. Expenditure and obligations incurred as of 31 August 1963, amounted to \$1,201,000. Out of the sum of \$1,550,000 appropriated by the General Assembly in 1959, there remained an unencumbered balance of \$349,000.

15. As a consequence of the various factors mentioned in paragraph 6 above concerning increases in construction and labour costs and certain unavoidable delays in construction, the total cost of the building as presently planned is now estimated at \$2,358,000.

16. Should the General Assembly see fit to authorize the expansion of office accommodation as referred to in paragraph 10 above, additional expenditures the amount of \$91,000 would arise. On this basis the total estimated cost of the building would be \$2,449,000.

17. Furthermore, the Secretary-General wishes to point out that the inclusion of a provision for contingencies for any large scale construction is a normal practice in the financial planning for office buildings erected by governments, international organizations and private industry. In paragraph 15 of his report to the General Assembly at the seventeenth session, the Secretary-General suggested that a minimum contingency provision of 10 per cent of estimated construction costs should be allowed for. However, on the basis of recommendations of the architect and other experts and in the light of the recent upward trend in such costs, a trend which is likely to continue, the Secretary-General now feels that a provision of 20 per cent would be more realistic. This provision however should be applied only to that portion of the expenses still to be incurred. On this basis, provision for contingencies might be made in the amount of \$370,000, bringing the total cost to be authorized to \$2,819,000.

18. After taking into account the gift of the Government of Chile in the amount of escudos 465,000 (the equivalent of \$155,000 at the current rate of exchange) and other gifts pledged to date in the amount of \$30,000 the total deficit over the total expenditure of \$1,550,000 authorized by the General Assembly is currently estimated at \$1,084,000.

19. As in previous reports, the present estimates include the cost of basic furniture for the conference rooms and cafeteria but no provision is made for office furniture. It is planned to use existing office furniture to the maximum extent possible and to limit the procurement of new furniture to essential items. Funds for such limited procurement would be included in the regular annual budget beginning in 1965.

20. The following table provides a summary of the financial position as described above:

	<i>United States dollars</i>	
1. <i>Expenditures and obligations as of 31 August 1963 covering basic construction:</i>		
(a) Expenditures and obligations incurred as of 31 December 1962 (architectural contest, architectural fees, levelling of site) ..	220,000	
(b) Major contract for construction (basic construction only as indicated in paragraphs 7 and 8 above) ..	764,000	
(c) Other expenditures and obligations 1 January to 31 August 1963 (for other contracts related to construction of structure, purchase of materials, consultants' fees, etc.) ..	217,000	1,201,000
2. <i>Estimates for completion of construction:</i>		
Funds needed for completion of construction (electrical, telephone and sanitary installations, power station, heating and air-conditioning systems, elevators, partitioning, window glass, furniture, cafeteria and conference room) ..		1,157,000
3. <i>Cost of providing for expansion purposes</i> ..		91,000
4. <i>Contingencies</i> ^a ..		370,000
		2,819,000
5. <i>Funds available:</i>		
(a) Funds appropriated by the General Assembly ..	1,550,000	
(b) Gift in cash from the Government of Chile ..	155,000	
(c) Results of the gift programme at 31 August 1963 ..	30,000	1,735,000
6. <i>Estimated deficit over funds available</i> ..		1,084,000

^a Provision of 20 per cent to be applied to that portion of the expenses still to be incurred or \$1,848,000 made up as follows: \$600,000 under 1 (b) and (c); \$1,157,000 under 2; and \$91,000 under 3.

CONCLUSIONS AND RECOMMENDATIONS

21. The General Assembly can be assured that every effort has been made—and will continue to be made—to achieve economy and to reduce the estimated deficit. However, the Secretary-General must reiterate that the cumulative effect of three major factors has led to the inescapable conclusion that the existing appropriation is demonstrably too low, namely: the expressed desire of the General Assembly that construction should proceed on the basis of the original plan and that none of the prospective occupants should be excluded; the increases in construction and labour costs; and the results achieved so far within the gift programme. In the circumstances, and if no substantial voluntary contributions are announced during the present session, it is clear that additional funds currently estimated at \$1,084,000 would be needed to complete the construction and basic equipment of the building. This estimate might be reviewed by the General Assembly at its nineteenth session, to take into account any possible reduction in the total amount required if, for example, further gifts are forthcoming.

22. Under these circumstances, the General Assembly may wish to restrict additional appropriations under section 7—Buildings and improvements to premises, for 1964 to \$500,000. The balance of funds required up to a maximum of a further \$584,000 would be included in the initial estimates for the financial year 1965 and reviewed by the General Assembly at its nineteenth session in the light of circumstances prevailing at that time. Following past practice, it would be the intention of the Secretary-General to transfer any unexpended balance of the 1963 and 1964 appro-

priations to the building fund established for this purpose.

ANNEX

Report of the *Ad Hoc* Committee on the gift programme for the United Nations building in Santiago, Chile^a

[Original text: Spanish]

1. The *Ad Hoc* Committee established by the Committee of the Whole of ECLA by virtue of its resolution 216 (AC.50) to co-ordinate and promote a gift programme for the United Nations Building in Santiago, Chile, decided on 12 February 1963, in agreement with the Secretariat of the United Nations and the secretariat of ECLA, to set up a sub-committee with instructions to visit various Latin American countries and hold conversations with the authorities in connexion with the gift programme.

2. On 14 February 1963 the *Ad Hoc* Committee sent a communication to the Governments of States members of ECLA informing them that, in accordance with the decision taken by the General Assembly at its seventeenth session, work had started at the beginning of 1963 on the construction in Santiago of the building which will house the permanent headquarters of ECLA, together with the other United Nations offices and those of the specialized agencies currently operating in Chile.

3. In this communication attention was drawn to the note submitted by the Secretary-General to the General Assembly, pointing out that the Assembly's decision to proceed with the construction on the basis of the original plan makes it all the more necessary that Member States should assist by making gifts in kind or cash contributions, in order to cover or reduce

^a Originally circulated as document E/CN.12/676, dated 18 April 1963.

the deficit anticipated. In this connexion the note indicated that by mid-February 1963, the Government of Chile had resolved, in addition to its previous contributions to facilitate the construction of the building, to include in its budget for 1964 the sum of escudos 465,000, as a special contribution to help meet the deficit. Similarly, reference was made to offers contemplated by the Governments of British Guiana, British Honduras (Belize) and Ecuador. The Committee regretted that no other specific offers had been received, although there was informal knowledge of the desire of some countries to make contributions which had not as yet materialized.

4. The *Ad Hoc* Committee stated in the above-mentioned communication that the situation with respect to work on the building and the amount and nature of the donations received or offered would be examined by the Commission at its tenth session to be held in May 1963. It also said that the ECLA secretariat as well as the architect and the building firm considered that although cash contributions could be accepted at any stage of the construction, it was desirable from all points of view that offers in kind should crystallize during the Commission's session in May, since it is essential to know within a specific time-limit what construction items will be actually available so that the necessary steps can be taken to ensure that they can be duly incorporated during the execution of the work.

5. After referring to the letter sent to the *Ad Hoc* Committee by the Secretary-General of the United Nations, the communication of 14 February informed member Governments of Member States that a sub-committee had been established, of which the members were Mr. Othon do Amaral Henriques, First Secretary, representing the Ambassador of Brazil to Chile, Mr. Fernando de Alencar, who is a member of the *Ad Hoc* Committee, and Mr. Jorge Viteri de la Huerta, Chief of the ECLA Information Services. This Sub-Committee would visit a number of Latin American countries with the aim of informing the authorities concerned of the United Nations hopes with respect to the gift programme, and of the Committee's desire that these hopes would be fulfilled.

6. In fulfilment of the mission entrusted to it by the *Ad Hoc* Committee and the Secretary-General of the United Nations, the Sub-Committee made a tour during March 1963 that included visits to the following Latin American capitals: Lima, Quito, Bogotá, San Salvador, Mexico, Caracas, Rio de Janeiro, Montevideo and Buenos Aires, in that order. On its return to Santiago the Sub-Committee submitted a report to the *Ad Hoc* Committee on its activities, and this is summarized below.

7. During their tour the members of the Sub-Committee had interviews with Ministers and Under-Secretaries of State, and with other high officials of the countries visited, to whom they gave a detailed account of the problem of the financial deficit that had arisen in connexion with the construction of the United Nations building in Santiago, and the need to rely on generous gifts from Governments of Member States in order to solve the problem satisfactorily.

8. In broad terms, the authorities visited instructed that they welcomed this step, and the appeal by the Secretary-General and the ECLA *Ad Hoc* Committee; but in most cases they indicated that problems of an economic and financial nature did not permit any contribution from their respective Governments at present—especially in dollars; they would nevertheless study the possibility of making gifts in kind, purchased in local currency by the Government or obtained by making approaches to representatives of domestic industry.

9. In connexion with this last point, the members of the Sub-Committee informed the Government authorities that resolution 216 (AC.50) adopted by the Committee of the Whole of ECLA also envisaged the possibility of donations from the private sector, and that certain Latin American industries might perhaps be interested, for prestige reasons, in giving products that could be incorporated in the United Nations building at Santiago.

10. Furthermore, since donations in kind involve high transport costs to Santiago, Chile, the conversations in question

touched on the desirability that as far as possible official offers should also include such costs, or else that an attempt should be made to obtain free transport of such gifts in kind by using the services of transport enterprises that were controlled by Governments of member States. If such donations were made, it would also be appropriate for Governments of member States to facilitate their transport to Chile by exempting them from all duties and other charges that entered into the cost of transport to Chile.

11. In all the capitals visited, the authorities interviewed by the members of the Sub-Committee stated that they would inform the Commission as soon as possible of the final decision taken by their respective Governments with respect to the gift programme.

12. It should be noted that the conversations relating to the possibility of making gifts in kind centred on the suggestions contained in the special pamphlet prepared by the *Ad Hoc* Committee with the collaboration of the ECLA secretariat and the architect of the building, and duly distributed to the Governments of member States. These suggestions will also be placed before the industrial sector when action is taken to obtain private donations, and will be supplemented by more detailed information and specifications, to be supplied by the architect of the building through the ECLA secretariat to any Government that deems it necessary.

13. Although it would be premature as yet to attempt to specify the nature and amount of the donations that may possibly be obtained as a result of official action initiated or intensified since the Sub-Committee's tour, some indication may be given—in alphabetical order of countries visited, and for purely informative purposes—of the gist of the conversations held between the official authorities and the members of the Sub-Committee.

Argentina. The Minister for Foreign Affairs informed the Sub-Committee that, in consultation with the Minister for Economic Affairs and the appropriate sections of the Office of the President of the Republic, arrangements were being made for a definite contribution of gifts in kind, especially marble, although perhaps some other items may be offered, such as carpets, the decision as to the most useful type of donation being left to the discretion of the *Ad Hoc* Committee and the architect of the building;

Brazil. The Minister for Foreign Affairs told the Sub-Committee that he was negotiating a donation which would consist in the planning and execution of the landscape gardening project for the parks and gardens on the site granted to the United Nations by the Government of Chile for the erection of the building. This donation would be supplementary to that already made by the Government of Brazil to the Government of Chile, in implementation of which the Brazilian landscape gardener Roberto Burle-Marx had prepared the project for the ornamental layout of the Parque Viticura;

Colombia. Pursuant to a decision adopted by the Ministry of Foreign Affairs, the Minister will approach representatives of Colombian industry with a view to obtaining gifts in kind, especially curtains and ornamental tiles for the building;

Ecuador. The Minister for Foreign Affairs informed the members of the Sub-Committee that the Government of Ecuador had decided to contribute the sum of \$10,000 in cash;

El Salvador. The Ministry of Foreign Affairs is considering the possibility of a gift in kind, probably in co-operation with Salvadorian industry; it also declared its readiness to hold consultations with the appropriate authorities in the other Central American countries to study the feasibility of a joint donation, in which the industrial sector of the area as a whole might also participate;

Mexico. The Ministry of Foreign Affairs informed the members of the Sub-Committee of its intention to negotiate with the Ministry of Finance a cash contribution which could be invested in the purchase of items produced by domestic industry; in addition, with the co-operation of the Department of Industry and Commerce and the Governors of the Banco de México, the possibility would be studied of enlisting the

voluntary co-operation of Mexican industry with respect to such items as glass, locksmithery, furniture, metal shelving and other equipment;

Peru. The Ministry of Foreign Affairs expressed its willingness to arrange for a donation in kind probably of mahogany parquet flooring for the library of the building;

Uruguay. The Ministry of Foreign Affairs informed the members of the Sub-Committee of its intention to arrange for a gift in kind, possibly in co-operation with Uruguayan industry, consisting of such items as carpets, marble or curtains;

Venezuela. In consultation with the Co-ordination and Planning Department of the Office of the President of the Republic and other State departments, the Minister for Foreign Affairs is considering the possibility of a gift in kind, in co-operation with domestic manufacturing activities especially the cement industry.

14. It should be noted here that in the discharge of their mission in the various capitals visited, the members of the Sub-Committee enjoyed the close co-operation of the Resident Representatives of the Technical Assistance Board and the Directors of the United Nations Information Centres functioning in the countries concerned. In most of the countries visited, these officials accompanied the members of the Sub-Committee during the interviews held in each capital, and will maintain contact with the respective official authorities at their request and collaborate in the negotiations to determine the exact nature of the possible donations being considered. Simi-

larly, the Sub-Committee was given every assistance by the Chilean diplomatic missions in the countries listed.

15. In addition to the negotiations undertaken by the members of the Sub-Committee, the ECLA secretariat has continued to maintain contact with those Governments Members of the United Nations—whether members of ECLA or not—that have expressed their interest in contributing to the gift programme. Furthermore, the ECLA secretariat has received communications from Governments of some Member States which are approaching foundations and other private groups, with a view to their participation in the programme.

16. Lastly, it should be stressed that if the economic and financial problems with which many of the Latin American countries are faced have prevented them on this occasion from offering cash contributions, the gifts in kind now under study, if they all materialize in time, will help to ensure the attainment of the Committee's primary objective—the reduction of the estimated deficit on the construction of the building. They would also have the merit of giving the building an even more representative character in relation to the functions it is intended to fulfil, since within the architectural structure products of the various regions and industries of Latin America would be harmoniously blended. Needless to say, the international character of the building would be enhanced if these Latin American donations could shortly be supplemented by additional gifts, in cash or in kind, contributed by the other States Members of the United Nations, in copious and generous response to the appeal made in this connexion by the General Assembly and the Secretary-General of the United Nations.

DOCUMENT A/5622

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[22 November 1963]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (A/C.5/990) on the construction of the United Nations building in Santiago, Chile.

2. It may be recalled that in 1962 the Secretary-General indicated to the General Assembly⁴⁹ that, on the basis of the architectural plans and the bids received, the building could not be constructed within the provision of \$1,550,000⁵⁰ authorized by General Assembly resolution 1407 (XIV) of 1 December 1959 and that, without taking into account the possible results of the gift programme of the Economic Commission for Latin America (ECLA), a deficit of about \$460,000 was to be anticipated. With a view to avoiding additional budgetary charges, the Secretary-General suggested, *inter alia*, the possibility of modifying the construction programme by effecting further drastic reductions in space and facilities, including the elimination of space for the other offices of the United Nations and specialized agencies (TAB, UNICEF, FAO, ILO and UNESCO).

3. The Advisory Committee in its corresponding report⁵¹ recalled that the building was designed to house not only the ECLA secretariat but also other local offices of the United Nations and of the specialized agencies, as well as to provide common services for those occupying the building. Accordingly, it felt

that it would not be satisfactory to construct a building with office space limited exclusively to the ECLA secretariat. The Advisory Committee thus addressed itself to the possibility of constructing the building in accordance with the original plans, but with the minimum risk of incurring any additional charge on the United Nations budget. The Committee understood that it would be possible to proceed with the construction on the basis of the original plan, and to leave to the General Assembly, at its eighteenth session, the final decision on the adequacy of available resources; that decision it believed, could be based on a more realistic assessment of the general economic situation in Santiago and on the result of the voluntary contribution programme already under way. It felt that the nature of the construction programme should make it possible to obviate any additional budgetary charge if the construction went forward as planned. The Advisory Committee further recommended that the General Assembly should call for the maximum possible support for the voluntary contribution programme which had been initiated. These recommendations were endorsed by the Fifth Committee and the General Assembly.

4. In paragraph 6 of his latest report (A/C.5/990), the Secretary-General states that, following the General Assembly's decision, excavation commenced in January 1963 and the lowest contractual bid for the main structural work was accepted. Later, this bid became subject to adjustment and the estimates of cost of other contracts to be concluded in 1963 had to be revised for the following reasons:

⁴⁹ Official Records of the General Assembly, Seventeenth Session, Annexes, agenda item 62, document A/C.5/923.

⁵⁰ The amount of \$1,550,000 was appropriated in five annual instalments in the budget for 1959 to 1963.

⁵¹ Official Records of the General Assembly, Seventeenth Session, Annexes, agenda item 62, document A/5369.

(a) The costs of construction materials increased by approximately 56 per cent during the period September 1962 to June 1963;

(b) A general wage increase of 15 per cent was legally promulgated with effect from 16 October 1962. A further adjustment of 27.7 per cent at the lowest wage level, decreasing as wages ascended, was granted effective 1 January 1963;

(c) At the time of the excavation, the discovery of underground water at an unexpectedly high level gave rise to considerable complications which delayed the early stages of the construction and required revision of certain of the structural plans.

5. The Secretary-General indicates that the revised bid for the main structure was carefully examined and verified and that all of the contracts so far awarded provide only for the basic construction of the building. No contract has yet been awarded for the completion of installations and finishings as sufficient funds are not available within the existing appropriation.

6. The Advisory Committee would call attention to paragraph 10 of the Secretary-General's report where it is pointed out that the present construction plans do not provide any margin of office space to meet possible future needs. As the various units to be accommodated in the building continue to expand and as decentralization of various functions to the regions continues, this question, in the opinion of the Secretary-General, becomes increasingly critical. It would be possible however, by minor extensions of the present structure as planned, to increase the total working area from 11,490 to 12,490 square metres. Based on prevailing construction costs and the present rate of exchange, this expansion could be achieved at an estimated cost of approximately \$91,000. The Secretary-General believes that it would be prudent therefore to undertake this extension during the period of construction. In accordance with its long established policy of advocating common premises for the staff of the various agencies and programmes within the United Nations family, the Advisory Committee would concur in the view of the Secretary-General, especially since the additional 1,000 square metres of office space could be obtained at a relatively modest cost.

7. As indicated in paragraph 3 above, the General Assembly, on the recommendation of the Advisory Committee, called in 1962 for the maximum possible co-operation in the voluntary gift programme. In the summer of 1963, the Committee inquired into the progress of this campaign and was informed that "it would be premature as yet to attempt to specify the nature and amount of the donations that may possibly be obtained" (see A/5507, para. 200). The Secretary-General now reports that, apart from the earlier gift of escudos 465,000 by the Government of Chile, which was taken into account in calculating the deficit announced to the General Assembly at its seventeenth session,⁵² total cash pledges to date amount to the equivalent of \$15,000 and pledges in kind to \$15,000.⁵³ In addition, gifts under consideration by Member States but not yet confirmed may amount to \$30,000 in value.

8. The Advisory Committee notes that the response to the gift programme to date has not resulted in any significant reduction of the deficit. In the circumstances, it would seem unrealistic, in the opinion of the Secretary-General, to place exclusive reliance on voluntary contributions to bridge the gap; it should also be recognized that the point has been reached where orders and sub-contracts for installations and finishings can no longer be deferred in anticipation of the results of the gift programme without the risk of costly delays in the construction schedule. Gifts in cash in reduction of the deficit will therefore become increasingly important, and gifts in kind more difficult to utilize.

9. In paragraphs 14 to 19 of his report, the Secretary-General describes the present financial situation, indicating that after taking into account the gift of the Government of Chile (the equivalent of \$155,000 at the current rate of exchange) and other gifts pledged to date (\$30,000), the deficit over the expenditure of \$1,550,000 authorized by the General Assembly is currently estimated at \$1,084,000. This financial position is summarized in the following table:

⁵² The dollar equivalent at the then prevailing rate of escudos 2.20 to \$US1 was \$211,000; at the current rate of escudos 3 to \$US1, this equivalent has been reduced to \$155,000.

⁵³ This amount does not represent the actual value of the gifts—which is higher—but the extent to which they enable the construction budget to be reduced.

	<i>United States dollars</i>	
1. <i>Expenditures and obligations as of 31 August 1963 covering basic construction:</i>		
(a) Expenditures and obligations incurred as of 31 December 1962 (architectural contest, architectural fees, levelling of site) . . .	220,000	
(b) Major contract for construction (basic construction only) . .	764,000	
(c) Other expenditures and obligations 1 January to 31 August 1963 (for other contracts related to construction of structure, purchase of materials, consultants' fees, etc.)	217,000	1,201,000
2. <i>Estimates for completion of construction:</i>		
Funds needed for completion of construction (electrical, telephone and sanitary installations, power station, heating and air-conditioning systems, elevators, partitioning, window glass, furniture, cafeteria and conference room)		1,157,000
3. <i>Cost of providing for expansion purposes</i> (see para. 6 above) . . .		91,000
4. <i>Contingencies</i> ^a		370,000
		<hr/> 2,819,000
5. <i>Funds available:</i>		
(a) Funds appropriated by the General Assembly	1,550,000	

	<i>United States dollars</i>	
(b) Gift in cash from the Government of Chile.....	155,000	
(c) Results of the gift programme at 31 August 1963.....	30,000	1,735,000
6. <i>Estimated deficit over funds available</i>		1,084,000

^a Provision of 20 per cent to be applied to that portion of the expenses still to be incurred or \$1,848,000 made up as follows: \$600,000 under 1(b) and (c); \$1,157,000 under 2; and \$91,000 under 3.

10. The Secretary-General concludes that, in the circumstances, additional funds currently estimated at \$1,084,000 would be needed to complete the construction and basic equipment of the building. This estimate might be reviewed by the General Assembly at its nineteenth session, to take into account any possible reduction in the total amount required if, for example, further gifts are forthcoming. The Secretary-General suggests that the General Assembly may wish to re-strict appropriations under section 7—Buildings and improvements to premises, chapter III—United Nations building in Santiago, Chile, of the 1964 budget to \$500,000. The balance of funds required up to a maximum of a further \$584,000 would be included in the initial estimates for the financial year 1965 and reviewed by the General Assembly at its nineteenth session in the light of circumstances prevailing at that time. Following past practice, it would be the intention of the Secretary-General to transfer any un-expended balance of the 1963 and 1964 appropriations to the building fund established for this purpose.

COMMENTS AND RECOMMENDATIONS OF THE ADVISORY COMMITTEE

11. The General Assembly will no doubt wish to place on record its appreciation of the valuable assistance and the generous gift of the Government of Chile, despite the severe economic and financial problems with which it has been confronted, and of the various donations which have been made or promised by other Governments within the framework of the gift programme.

12. The Advisory Committee considers that, in the circumstances, the best course to adopt is to complete the building as soon as possible. It accordingly concurs in the Secretary-General's proposal that an amount of \$500,000 be appropriated for this purpose under chapter III of section 7 of the 1964 budget. At the same time, it trusts that every effort will be made to achieve maximum economies and that the response to appeals for donations under the gift programme will be such as to avoid the need for any further appropriation from the regular budget. To this end, the Committee suggests that the campaign for donations be pursued vigorously.

Section 8

Requirements of the Economic Commission for Asia and the Far East in connexion with the occupation of the new annex building at Bangkok

DOCUMENT A/C.5/996

Report of the Secretary-General

[Original text: English]
[11 November 1963]

1. In a report⁵⁴ to the General Assembly at its seventeenth session, dealing with the need for additional office accommodation for ECAFE, the Secretary-General announced the generous decision of the Government of Thailand to appropriate in 1963 the necessary funds for the construction of an annex to Sala Santitham, the building occupied by the Commission's secretariat in Bangkok. He also mentioned that the annex was expected to be completed before the end of 1963. The Fifth Committee in its report noted with deep appreciation the above decision of the Government of Thailand.⁵⁵

2. The Secretary-General is pleased to inform the General Assembly that the construction of the annex has now been completed and that it is expected to be made available to ECAFE for its use from early November 1963.

3. The annex consists of three floors divided into thirty-eight rooms of varying sizes with a total of 975 square metres.

4. The Government of Thailand had agreed to construct the annex at its own cost on the understanding that the necessary equipping and furnishing of the premises would be the responsibility of the United Nations. However, the Government found it necessary to air-condition the annex immediately after completion of the construction in order to provide office accommodation for an international conference which it had invited to meet in Bangkok during October 1963. Realizing that the United Nations had then no budget appropriation to cover the cost of air-conditioning, the Government installed the necessary air-conditioning equipment at its own cost. It is understood that the Government proposes to turn over this installation, together with the annex building, for use by ECAFE, free of cost.

5. Aside from air-conditioning, which the Government of Thailand has already provided, certain items

⁵⁴ Official Records of the General Assembly, Seventeenth Session, Annexes, agenda item 61, document A/C.5/943.

⁵⁵ *Ibid.*, document A/5384, paras. 39-41.

of furniture, fixtures and equipment are required in order to put the annex into use. In this connexion it will be recalled that the supplementary estimates for 1963 approved by the Fifth Committee at its 1013th meeting included a provision of \$2,800 for the purchase of items such as venetian blinds and water coolers. Additional furniture and office equipment as may be required will be procured from within the credits that will be available to ECAFE in 1964 under section 8—Permanent equipment. However, there is a major item for which additional credits are required. This relates to the need for installing a new telephone exchange.

6. The present telephone installation in ECAFE consists of two exchange racks with five external lines and 100 extensions in all. The first of these exchange racks was installed in 1955 and the second in 1958. As a result of further increase in the activities of the Commission and consequent increase in staff, an intercom system with twenty-five extensions was added in November 1962.

7. The present installation has proved to be both inefficient and inadequate to meet even the existing needs of ECAFE. Serious delays are being experienced in putting through and receiving outside calls as well as in communicating between offices within the building. In addition, frequent mechanical troubles occur resulting in long interruptions in the service. Above all, there is no possibility of providing additional telephones for the new offices in the annex without increasing the capacity of the exchange. In these circumstances it is considered essential to replace the present telephone exchange with a larger automatic equipment with capacity for twenty external lines and 200 internal connexions. Such an installation would adequately cover the present requirements and provide a reasonable margin for meeting future additional needs.

8. It is possible either to rent or to purchase such equipment. ECAFE, after a careful study of the costs involved, has recommended that it would be much more economical to purchase the equipment than to rent it. Annex I of this report shows the estimated costs for both rental and purchase of the equipment. The estimate for rental reflects the quotation submitted by the Telephone Organization of Thailand which operates the telephone system in Bangkok. The estimate for purchase is based on the lowest quotation that ECAFE has been able to secure from three different suppliers.

9. The Secretary-General in agreeing with the recommendation of ECAFE would propose that provision be made in the 1964 appropriations for the purchase and installation of a new telephone exchange complete with 200 telephone instruments at an estimated cost of \$25,200.

10. There is also an urgent need to replace the air-conditioning units serving the ECAFE conference room and the delegates' lounge in Sala Santitham. The existing units which were installed by the Government of Thailand at its expense several years ago have ceased to function satisfactorily. During the discussions which ECAFE had with the Government officials on the question of having the present units replaced, the latter indicated the Government's hope that in consideration of the expenditure already incurred by it in air-conditioning the annex, reference to which has made in paragraph 4 above, the United

Nations would undertake to replace the air-conditioning system for the conference room and the lounge. The Secretary-General considers that this suggestion by the Government is reasonable especially in view of the fact that the conference room in question is placed entirely at the disposal of ECAFE while the lounge is always made available to the latter on its request. Furthermore, the cost of air-conditioning the conference room and the lounge would not be any more than the cost of air-conditioning the annex, since the cubic capacities involved in both cases are almost the same.

11. On the basis of quotations obtained by ECAFE, the cost of replacing the air-conditioning system serving the conference room and the lounge is estimated at \$21,000, as shown in annex II below.

12. As outlined in the foregoing paragraphs, the Secretary-General requests a total additional provision of \$46,200 in the budget appropriation for 1964, distributed as follows, to cover the estimated costs of replacing the telephone installation and certain air-conditioning units in the building (Sala Santitham) in Bangkok occupied by ECAFE:

	<i>United States dollars</i>
Section 8. Permanent equipment:	
Chapter I. Furniture and fixtures	21,000
(Purchase and installation of air-conditioning units)	
Chapter IV. Telecommunications equipment	25,000
(Purchase and installation of telephone equipment)	
TOTAL	46,200

ANNEX I

Estimate of costs for the replacement of the telephone exchange at ECAFE

	<i>United States dollars</i>
A. <i>On a rental basis</i>	
Automatic exchange with 20 external lines and 200 internal extensions (complete with instruments); rent per year	8,857
The Telephone Organization of Thailand which has offered to install the exchange on a rental basis has stipulated that the period of renting should not be less than five years; the full rent for the five years (i.e., \$44,285) would have to be paid for any period less than five years.	
B. <i>On a purchase basis</i>	
Based on the most favourable quotations obtained by ECAFE, the costs are estimated as follows:	
(a) Exchange equipment with capacity for 20 external lines and 200 internal connexions (complete with instruments and other accessories) c.i.f. Bangkok	17,840
(b) Cost of installation, payable to the Telephone Organization of Thailand	7,020
(c) Contingency provision to cover fluctuations in cost of installation arising from changes in cost of labour and materials, at 5 per cent	351
TOTAL	25,211
Approximate estimate	25,200

ANNEX II

Estimate of costs for the replacement of air-conditioning units serving the conference room and delegate's lounge on the ECAFE building

The following estimates are based on the quotations received by ECAFE from leading air-conditioning firms in Bangkok for the type of equipment best suited for the area to be air-conditioned.

	<i>United States dollars</i>
(a) Cost of 4 units of air-conditioners of 203,000 BTUH (16.9 TR net) each, at \$2,600 per unit	10,400

(b) Cost of 2 units of air-conditioners of 134,000 BTUH (11.1 TR net) each at \$2,100	4,200
(c) Cost of installation	6,370
	TOTAL
	20,970
Approximate estimate	21,000

The six units mentioned above represent the minimum number required for satisfactory air-conditioning of the conference room and lounge which together have a capacity of 4,160 cubic metres.

DOCUMENT A/5612

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[15 November 1963]

1. The Advisory Committee on Administrative and Budgetary Questions considered the report of the Secretary-General (A/C.5/996) containing revised estimates for section 8—Permanent equipment of the 1964 budget arising from the requirements of ECAFE in connexion with the occupation of the new annex building at Bangkok.

2. In his report, the Secretary-General requests an additional appropriation of \$46,200 under this section consisting of \$21,000 for the purchase and installation of air-conditioning units and \$25,200 for the purchase and installation of telephone equipment.

3. The Secretary-General states that there is an urgent need to replace the air-conditioning units serving the ECAFE conference room and the delegates' lounge. The existing units which were installed by the Government of Thailand at its expense several years ago have ceased to function satisfactorily. The cost of this replacement which would normally have been borne by the Government of Thailand is equivalent to that of the air-conditioning units which were installed by the Government in the new annex to the ECAFE building. The latter installation was to have been the responsibility of the United Nations under the terms of an agreement concluded with the Government. It is, therefore, the Secretary-General's suggestion that the replacement of the air-conditioning units in the conference room and the delegates' lounge should be financed by the United Nations in consideration of the expenditure already incurred by the Government of Thailand in air-conditioning the annex. The Advisory Committee concurs in this suggestion.

4. With respect to the purchase and installation of a new telephone exchange, complete with 200 tele-

phone instruments, at an estimated cost of \$25,200, the Advisory Committee considered whether, in view of the very substantial sums which the Organization is called upon to disburse in 1964 for various construction and capital improvement projects, this expenditure could not be postponed. It is satisfied, however, on the basis of information submitted to it, that such postponement would adversely affect the work of the Commission. Further, since the total cost of the installation on a purchase basis would be less than the equivalent of three years' rental, and maintenance costs would not exceed \$100 per month, the Advisory Committee concluded that acceptance of the Secretary-General's proposal would be in the Organization's interest. The Advisory Committee was given to understand that the new equipment would be more durable than the existing installation.

5. For the foregoing considerations, the Advisory Committee would recommend that the General Assembly approve an additional provision of \$46,200 for 1964 to cover the estimated cost of replacing the telephone installation and certain air-conditioning units in the ECAFE building at Bangkok. This provision would be distributed as follows:

	<i>United States dollars</i>
Section 8. Permanent equipment:	
Chapter I. Furniture and fixtures	21,000
(Purchase and installation of air-conditioning units)	
Chapter IV. Telecommunications equipment	25,200
(Purchase and installation of telephone equipment)	
	TOTAL
	46,200

DOCUMENTS A/5681 AND ADD.1

Report of the Fifth Committee

DOCUMENT A/5681⁵⁶

[Original text: English and French]
[16 December 1963]

INTRODUCTION

1. Under agenda item 58 the Fifth Committee considered the budget estimates of the United Nations for

⁵⁶ In the present report the Fifth Committee also dealt with agenda items 22 (Third International Conference on the Peaceful Uses of Atomic Energy: report of the Secretary-General) and 60 (Review of the pattern of conferences: report of the

Secretary-General). For the documents on those items which are not reproduced in the present fascicle, see *Official Records of the General Assembly, Eighteenth Session, Annexes*, agenda item 22 and *ibid.*, agenda item 60.

the financial year 1964, as well as a number of related items under this general heading. The Committee recommends a gross appropriation of \$101,327,600 and an estimate of income other than staff assessment of \$5,698,400. Net expenditure is thus estimated at \$95,629,200.

2. The Committee also recommends that the Working Capital Fund should be maintained for 1964 at the previously approved level of \$40 million.

3. As regards income from staff assessment, the Committee recommends an estimate of \$9,488,400 for transfer in 1964 to the Tax Equalization Fund from which credits are distributed to Member States under the terms of General Assembly resolution 973 (X) of 15 December 1955.

4. For its examination of the budget proposed for 1964, the Committee had before it, as basic documents, the 1964 budget estimates (A/5505) submitted by the Secretary-General and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/5507). In addition, revised estimates for various appropriation sections were considered on the basis of reports of the Secretary-General and the Advisory Committee.

5. The expert study which the Advisory Committee made throughout the session of a large number of items and the observations and recommendations which it submitted to the Fifth Committee proved invaluable and greatly facilitated the Committee's heavy task. The Committee desires also to record its heavy debt of gratitude to the retiring Chairman of the Advisory Committee who, as in previous years, was invited to take part in the deliberations. Once again, his wise guidance and profound knowledge of United Nations affairs and procedures were of the greatest assistance to the Committee. In another report (A/5591) it has paid tribute to the distinguished services which Mr. Agnides has rendered since 1945 to the United Nations and to the Fifth Committee.

I

FINANCIAL SITUATION

6. In October 1963, in introducing the budget estimates for 1964, the Secretary-General made reference to the serious financial situation of the United Nations (A/C.5/988). It appeared, he said, that by the end of 1963 the Organization would have unpaid obligations totaling \$162 million, while net cash resources at that time might be estimated at \$50 million. On that basis, the deficit would amount to about \$112 million.

7. At its 1058th meeting on 13 December 1963, the Secretary-General's representative informed the Committee of the latest position. For 1963 as a whole, the situation had worsened, for the net cash resources, which amounted at the end of 1962 to \$86 million would have fallen by \$47.5 million to \$38.5 million. The unpaid obligations would have increased by \$13 million—from \$160 million on 31 December 1962 to \$173 million at the end of the current year. The deficit would thus have increased from \$74 million to \$134 million within the twelve-month period, and the figures which he had cited clearly attested to the critical cash situation that would arise in the first half of 1964.

8. As regards the United Nations bond issue, the Secretary-General's representative said that sixty-eight Member States had either purchased or pledged them-

selves to purchase bonds. Total sales in round figures had so far amounted to \$147.5 million, to which there would soon be added \$3.5 million as the matching contribution of the United States, for a total volume of sales of \$151 million. In addition to that figure, a sum of \$1 million represented the approximate total of pledges which seven or eight Member States had not yet found it possible to redeem. The Secretary-General had moreover received intimations of willingness on the part of a few Member States to consider the possibility of increasing the volume of purchases which they had already made. In order to reach the target of \$200 million for the bond issue, it would be necessary to make further sales amounting to \$23 million or \$23.5 million to Member States other than the United States.

9. Some delegations pointed out that the present cash deficit did not derive solely from the decision of a number of Member States to withhold their financial support for certain of the expenses of the United Nations. It was also attributable to the lack of action on the part of the General Assembly in relation to the assessment of ONUC and UNEF expenditures authorized for the period 30 June 1962 to 1 July 1963. Expenses amounting to \$139 million had remained unassessed pending the receipt by the General Assembly of the advisory opinion that it had requested from the International Court of Justice. The interim decision regarding the issue of United Nations bonds could not provide a permanent solution for present difficulties. In the first place, certain Member States were unwilling to contribute to the service and amortization of the United Nations bonds; secondly, the proceeds from the bond sales were being used to pay military expenses that should be met by a special scale of assessment; and thirdly, the amortization of the bonds was being included in the regular budget, which meant that the majority of Member States would pay for those in default and on the basis of the regular scale of assessments. Those various developments merely added to the confusion in the financial situation of the United Nations, and in the long run such a scheme could not provide for the proper coverage of the existing deficit.

GENERAL DISCUSSION

Financial crisis; budgetary policy; rationalization of activities; control of expenditure; staffing resources; administrative surveys

10. A number of delegations made the point that a clear distinction should be drawn between budgetary policy (in the sense of the level of expenditure) and the financial crisis. However much that crisis affected policy in general, it was not, properly speaking, a budgetary crisis. The financing of peace-keeping operations was a problem largely separate from the budget, accounted for separately, under separate items. Since the financial crisis would have to be solved apart from any question of budgetary policy, the Committee should not bear down too heavily on the estimates at a time when fixed costs were rising, membership was increasing and the economic and social programmes were expanding. In stressing economy as the main object, the Committee might overlook the even more imperative task of analysing future trends and assessing the rate of growth which might reasonably be required and authorized to meet those trends. In a like spirit,

it was emphasized that the policy of consolidation and containment would not commend itself beyond 1964, for most of the Member States wished to see the Organization expand its activities during the United Nations Development Decade, in the economic, social and scientific spheres, as well as in the field of human rights; that would clearly be impossible without some measure of growth in the budget. Many speakers saw in the Development Decade the most compelling of reasons for exerting every effort to end the financial crises.

11. It was suggested that while there was justification, given the differing circumstances, for both the 1963 policy of controlled expansion and the 1964 policy of consolidation and containment, neither should be allowed to develop into a rigid rule to be applied for all time or even for a long period. In an active, dynamic organization such as the United Nations, which served all countries in a variety of fields, budget making must remain a flexible process. It was natural that differences of opinion should arise concerning the type of task to be financed under the regular budget, the relative priorities to be accorded to different activities and the determination of budgetary limits. But the Secretary-General's austerity programme would not be of long duration; in the near future most Member States would readily agree to modest increases in some of the budget sections, provided that resources were so allocated as to yield maximum results. By that token, the Secretary-General should not be required to operate within a strait-jacket, even during "pauses" for consolidation and review.

12. Other delegations viewed the latter part of the issue from a similar angle: there was need for reasonable administrative flexibility; since the Secretary-General was alive to the imperative need for financial control, full confidence could be placed in his judgement and discretion. Accordingly, they concurred in the views of the Secretary-General concerning the cuts recommended by the Advisory Committee on sections 8—Permanent equipment, 9—Maintenance, operation and rental of premises, and 10—General expenses. If the Fifth Committee persisted in the tendency to reduce estimates prepared on the basis of long experience and precise data, the inevitable consequences would be first, that the Secretary-General would have to submit supplementary estimates and secondly, that the work of the Organization would be seriously hampered. The proposition put forward by the Advisory Committee in paragraph 228 of its report on the 1964 budget estimates that if the prices of goods and services rose "the volume of purchases must be curtailed through ever tighter controls" could have undesirable results.

13. It was emphasized that once financial stability had been restored, the United Nations should resume the policy of controlled growth assigned to it by the Charter. Austerity measures, if protracted, or a policy of budget stabilization would inhibit a natural expansion of activities essential to the needs of the world, and would merely lead to stagnation. At the same time, those favouring—for future years—a modest annual growth, suggested that the percentages of increase should be closely adjusted to the developing countries' capacity to pay. Others viewed the proposed reductions of the estimates as a mere palliative, not a remedy for the financial crisis, and stressed that it rested with Member States to avert the danger that the growth of the Organization might be halted. A

rationalization of the conference programme and a stricter application of priorities might mean a few delays, but that price was worth paying. A few delegations, on the other hand, hoped that, in view of the vast accumulation of arrears, the policy of consolidation and containment would be maintained for the immediate future years. They viewed with misgivings the Secretary-General's statement that that policy would be of short duration; in particular, any expansion of the staff, as an important factor of expenditure, was to be deprecated.

14. Yet other members of the Committee welcomed, against the "gloomy background" of the financial situation, the Secretary-General's budget policy for 1964. They came down, conditionally, on the side of a future policy of controlled expansion by pointing out that, but for the non-payment of arrears, the Committee would now be thinking in terms not merely of a holding operation, not merely of consolidation and containment, but of the need for future development and growth.

15. The point was made that even if the financial situation were not so precarious, there might be need at the present time for consolidation and containment. The complexity of the Organization's activities dictated periodic reappraisals of the organizational structure, programming, priorities and procedures. While its rapid growth was welcomed, the United Nations system, comprising a network of twenty-three agencies with a staff of some 35,000 persons, should be strengthened by a pruning of secondary activities and services. The world-wide shortage of qualified personnel, coupled with a dearth of physical facilities and premises, were additional considerations in favour of reducing for the time being the pace of development; the pauses would offer opportunity for "a systematic self-evaluation" in key areas of activity.

16. A few delegations cited instances of extravagance or inefficiency which they had detected in the use of the Secretariat apparatus, and they pressed for a budget ceiling similar to that applied to OPI expenditure. They declined to accept, without serious reservations, the proposition that a certain growth in the activities and expenses of the United Nations must be expected from year to year. Rather, they wished to receive some assurance concerning the rationalization of activities, the reduction of wholly subordinate expenses and the efforts of the Secretariat to achieve a stabilization of the budget. In their opinion, the regular budget gave grounds for serious concern: it contained needless items of expenditure and rose from year to year without justification; and it included appropriations for activities carried out in violation of the Charter (United Nations Commission for the Unification and Rehabilitation of Korea, United Nations Memorial Cemetery in Korea, United Nations Truce Supervision Organization in Palestine, United Nations Field Service, United Nations bond issue) and provided for economic, social and other programmes (part V) which should be excluded from the budget and financed on a voluntary basis. While they endorsed various recommendations of the Advisory Committee for the rationalization of activities, they felt that, by contrast, the Secretary-General had paid less attention to the need for economy. In his oral statement to the Committee he had remarked that he would not deem it wise to go below the level of expenditure which he

had proposed; that seemed an inauspicious augury for his policy of consolidation and containment.

17. Most interventions were largely directed to the Advisory Committee's comments (A/5507, paras. 31-51) on the general subject of budgetary discipline, viz., the procedures whereby the submission of supplementary estimates and of revisions to the initial estimates might be obviated and a stricter definition be given to unforeseen and extraordinary expenses. It was thought appropriate for the Secretariat, in conjunction with the Advisory Committee, to study the possibility of a long-term system of planning, say on a five-year basis, of all the activities of the Organization. The Secretariat might submit to the Fifth Committee at its next session whatever background data were needed for the implementation of such a system. Numerous delegations endorsed the suggestion that the Economic and Social Council should so arrange its time-table that the financial implications of its decisions might figure in the initial estimates, and although the "mechanics" of this issue were not explored some members were confident that the Council would be able to consider at its spring session all its programmes for the following year. Others adverted to the difficulties in applying a strict system of priorities; the task was bedevilled by the fact that the decision-making organ was separate from the organ having the ultimate financial responsibility; the Council moreover paid scant attention to financial implications when ratifying decisions of its functional and regional economic commissions. In that connexion, Council resolution 990 (XXXVI) on the work programme in the economic, social and human rights fields was applauded, the hope being expressed that in 1964 the Council would be in a position to review its procedures for considering the financial implications of its actions, and thereby bring the Organization closer to an integrated programme and budget policy.

18. It was pointed out that a major factor of budgetary expansion was the casual attitude which many Members adopted towards budget decisions, on the assumption that if an initial estimate proved inadequate, it was always possible to "go back and ask for more". As a result, it had become customary over the years to have two budgets in each year. The efforts already made towards the imposition of budgetary discipline were recognized, as well as the fact that the Organization might at any time be called upon to cope with emergency situations connected with the maintenance of peace. That was, however, an added reason for a firm annual budget covering the normal operations which could be planned in advance and for which estimates could be drawn up with reasonable precision. Appropriation resolutions should establish expenditure ceilings which might be exceeded only in the most exceptional circumstances. Perhaps the time had also come for projecting the budget estimates for a two-, three- or even five-year period.

Programme of conference and meetings

19. Much attention was given to the views expressed by the Advisory Committee on the programme of conferences and meetings (A/5507, paras. 52-74), with the majority of delegations favouring the application of restrictive measures in respect both of the number and the frequency of conferences and other meetings and of the volume of documentation to which they inevitably gave rise. Mention was made of the

difficulties encountered by Governments in providing for their representation, and it was emphasized that the Secretariat should be given adequate time for the preparation of conference plans and cost estimates before any organ or subsidiary organ approved the holding of a conference or other series of meetings. The several means of curbing excessive zeal depended—it was generally agreed—on the exercise of self-discipline on the part of delegations. Several members of the Committee thought it desirable to set a ceiling on appropriations and suggested, in addition, that some conferences and meetings of a limited international interest might be financed, under cost-sharing arrangements, by participating Member States. Others favoured a limitation of the total number of conferences and meetings, the organs concerned to be required to base an annual choice of conferences on their schedule of priorities. It also argued that, apart from a reduction in number, economy dictated a better use of the time allocated for conferences and meetings. The procedure whereunder some bodies limited the number of meetings on each particular agenda item, though not yet entirely successful, was to be welcomed; it should be applied on a wider scale by all organs of the United Nations.

20. It was pointed out that only under the pressure of circumstances had the Economic and Social Council decided to cancel the meetings of most of its subsidiary bodies in 1964. It was therefore still necessary to approach the question from a long-term point of view and, in particular, to review the mandates of various commissions, committees and *ad hoc* groups and insist that the functional commissions and other subsidiary bodies of the Council should meet only once in every two years. The growth in the number of international conferences, however desirable it might be as a measure of the progress of international co-operation, should be strictly controlled. The test of a successful conference lay not in the number of papers presented, the volume of attendance or the duration and frequency of its meetings, but in the concrete actions which it initiated and in the progress which it served. If that test had been applied to the major conferences proposed for 1964—United Nations Conference on Trade and Development, third International Conference on the Peaceful Uses of Atomic Energy, Conference of the Eighteen-Nation Committee on Disarmament—a combined saving of some \$2 million might have been achieved.

21. Other delegations took a less stringent position. While agreeing that the Secretariat should be allowed to do its regular work without too frequent instructions from the policy-making organs and without superfluous interruptions for the preparation and servicing of meetings, they deemed it unwise to lay down a rigid schedule—for instance, a biennial pattern for all functional commissions of the Council. In many cases the requirements of the Development Decade would, in fact, call for more frequent meetings. The Commission on Human Rights, in particular, should meet annually. The Council's decision on the 1964 conference programme had been determined by the limited facilities available in that year and should not be construed as setting a precedent.

22. Some members of the Committee, while recognizing the special circumstances of 1964, could not concur in a rigid biennial pattern. The Commission on International Commodity Trade, for example, might find it indispensable to meet annually, and more gen-

erally, the Council's functional commissions should enjoy some freedom in correlating the frequency of sessions to their work programmes. After 1964, the frequency of sessions should depend primarily on the needs of the developing countries. These representatives deplored the tendency to look with scepticism on the holding of international conferences: it was sufficient to cite the frequent sessions which the Security Council, the General Assembly and its subsidiary bodies had held, with extremely salutary results, in the period 1960 to 1963, and to bear in mind that the community of nations was thereby enabled to discuss problems affecting the well being of all and to seek rational solutions.

23. A number of delegations concurring in the suggestion made by the Secretary-General in paragraph 28 of his foreword to the budget estimates, urged postponement of the third International Conference on the Peaceful Uses of Atomic Energy until the early part of 1965. It was imprudent, in their view, to overburden the conference programme for 1964; it was also unnecessary, for a deferment of six months could not make any appreciable difference to the outcome of the conference. One delegation, which also supported this postponement, considered that the cost of the Conference could be reduced substantially if the number of papers were limited; that would not in any way impair the purposes or the value of the Conference. Similarly, some of the agenda items, such as controlled nuclear fusion and the application of isotopes and radiation sources in the life sciences could be discussed more profitably at specialized and more restricted meetings.

Technical assistance programmes in the regular budget (part V)

24. Some delegations considered that the technical assistance programmes should be removed from the regular budget and merged with the Expended Programme of Technical Assistance, and that they should accordingly be financed on a voluntary basis. The response to their offers of assistance was negligible. Concurrently, they were asked to make payments in foreign currency for the dispatch of experts and equipment, predominantly from the Western countries. That was an irregular situation which they could certainly not accept. For 1964 they would make their contributions to the expenses arising under part V—Technical programmes of the regular budget in national currency.

25. Other delegations considered that the traditional system of dual financing should be maintained. All Member States should participate in the financing and implementation of the technical assistance programmes, and nothing was gained by excluding certain countries by reason of their social system or philosophy. The point was also made that since over 76 per cent of the regular budget was devoted to housekeeping expenses, the Committee would hardly be justified in grudging an expenditure on technical programmes that amounted to less than 7 per cent of the total regular budget. The Secretary-General had very properly pointed out that the programme included in part V enhanced the flexibility of the technical assistance activities. Payment towards that portion of the budget in other acceptable currencies should therefore be welcomed if it would serve to expand the programmes. Economic and social advancement must not be neglected merely because the

Organization was facing a financial crisis resulting from heavy expenditures on its peace-keeping operations.

Staffing proposals⁵⁷

26. Discussion on the Secretary-General's staffing proposals was virtually limited to three points: the new category of temporary posts; the vacancy position; promotion policy. A few delegations argued that the number of vacant posts was evidence that no further additions of any type should be made. Recruitment should be stopped and vacancies be filled, as they arose, by inter-departmental transfer of staff. Decentralization and "a rational review of Secretariat work programmes", were cited as effective instruments of staffing economy. No new posts would be needed for several years to come, particularly as some 120 staff members would be returning from the Congo in 1964.

27. Several delegations questioned the propriety of reclassifying posts for the sake of providing promotion opportunities, and echoed the view of the Advisory Committee that the grading structure should be determined primarily by the demands of the programme. There should be an established policy for promotions; to that end, the Secretary-General might perhaps agree to make a thorough study of the opportunities open to the staff and submit a considered policy to the Advisory Committee.

28. The hope was voiced that the Secretary-General would review the existing grade structure of the General Service category in the light of the Advisory Committee's observations (A/5507, paras. 137-144). The transference of General Service posts into the Professional category might have an adverse effect on geographical distribution by perpetuating the existing imbalance in the latter category. The natural aspirations of General Service staff for advancement might perhaps be met by the introduction of additional grades in the General Service category.

29. A number of delegations expressed regret that the study (economic and social affairs) by the Administrative Management Service of the Office of the Controller had not yet been completed, for the findings might show that some expansion of activities would be possible without any increase of staff, through a better utilization of resources. It was suggested that, since administrative costs absorbed the largest part of available resources, no expansion of staff should be authorized until the study had been presented. Furthermore, the Administrative Management Service might engage specialists, on a temporary basis, to assist in drawing up long-range programmes designed to strengthen the administrative procedures. The question was raised whether the Controller had sufficient staff, even with the temporary posts requested in the 1964 budget estimates, to take such remedial measures as might be necessary in respect of any weakness in the financial and budgetary field, and at the same time to develop plans for the future. If it was found desirable to undertake a comprehensive review of the activities and resources of the budgetary services, there should be no hesitation in allocating funds for that purpose. As part of such a review, a further standardization of financial and budgetary procedures within the United Nations system might be envisaged, with

⁵⁷ This section of the report reflects views expressed both in the general discussion and on the first reading of section 3—Salaries and wages, of the budget estimates.

a view to facilitating the interchange of personnel between the various financial services. It might also be possible to consider a common programme for the practical training of personnel already possessing the necessary theoretical background. Similarly, specialists might be hired on a temporary or consultant basis to assist experienced senior personnel in the development of plans for increasing income and ensuring that administrative expenses were proportionate to sales and total expenditure. Again, an attempt might be made to improve budgetary controls in connexion with decentralization and field operations. With a view to studying specific recommendations on policy questions relating to administration and co-ordination, the Fifth Committee might request the Advisory Committee to devote more attention to those questions, perhaps by setting up a sub-committee for that purpose. If that was not feasible, a small new committee of specialists might be formed, on the same lines as the Advisory Committee.

30. The view was expressed that as the Administrative Management Service's study was being carried out on a piecemeal basis, it might be advisable for the Organization, after eighteen years of existence, to make a comprehensive review of the whole structure of the Secretariat. The General Assembly might appoint an independent expert or group of experts to carry out that task. Among their duties might be the investigation of the volume of work allocated to each staff member with a view to achieving maximum output with maximum efficiency.

Form of the budget

31. Appreciative references were made by a large number of delegations to the clarity and excellence of the budget document, as to the "thoughtful and helpful foreword", and to the careful manner in which the text and tables had been drawn up, particularly in section 3—Salaries and wages. The net result was better supporting information than had been furnished in the past and a generally improved presentation. The budget presentation was evidence that the Secretary-General had borne in mind the comments made on the subject by delegations and by the Advisory Committee at the sixteenth session.

32. One delegation considered that the lack of uniformity of presentation under the several parts of the budget constituted a technical shortcoming and caused difficulty for the Member States. Wholly disparate criteria were applied; in part II—Staff costs and related expenses, an object-of-expenditure criterion; in part V—Technical programmes, a functional criterion; in part VII—Office of the United Nations High Commissioner for Refugees; and VIII—International Court of Justice, an administrative-unit criterion, while public information expenditure was scattered over various parts governed by differing criteria.

33. Some delegations contended that the regular budget should not include any expenditure of an operation character; its purpose should be limited to providing for the maintenance of the Secretariat, staff costs, the preparation and printing of documents and the servicing of conferences and meetings. They had divided in that way, but many delegations had at the time expressed the fear that the result would be a reduction in the funds available for technical assistance to developing countries. As the United Nations Pledging Conference on the Expanded Programme of Technical Assistance and

the Special Fund had shown in October 1963, those fears were not well founded.

Public information

34. There was substantial support for the Advisory Committee's recommendation for a \$6 million expenditure ceiling on information activities. Some representatives suggested that since the work of the United Nations was its best publicity, any further increase in expenditure on information at the cost of the Organization's main objectives was bound to yield diminishing returns. A few delegations were of opinion that the figure of \$6 million was excessive. Accordingly, while endorsing the observations of the Advisory Committee in paragraphs 83 to 88 of its report (A/5507), they felt that a much lower ceiling—possibly of \$5 million—might be imposed without detriment to the Organization. The radio and visual services, for instance, absorbed an inordinately large proportion of the total information budget. Attempts had been made to justify the costs of those services by claiming that the media concerned were particularly well suited to the needs of the developing countries. The bulk of the expenditure was, however, devoted to English, French and Spanish programmes accessible, particularly in the case of television, to a mere nineteen or twenty Member States in Western Europe and the Americas. Furthermore, the programmes failed to meet the indispensable standard of objectivity, for they usually reflected the views of the Western Powers.

35. The following were among the other points raised:

(a) Pending the construction of a building for United Nations use, the Indian Government had decided to give a substantial monthly subsidy towards the rental of the premises now occupied by the United Nations Information Centre in New Delhi. It was paying similar substantial subsidies in respect of offices occupied by a number of specialized agencies in that city. However, some of the developed countries were still not giving any rental concession at all in respect of United Nations offices; if they could be persuaded to provide rent-free premises for the information centres in their countries, the Indian Government would be prepared to review its own position;

(b) A fully-fledged "African Languages Service" should already be in operation. At present, the proceedings of the General Assembly were broadcast to Africa in English and French, and, since September 1963, in Swahili. Was there any reason why other African languages should not be added? The "Voice of America" had no difficulty in recruiting staff for African broadcasting and the United Nations could surely do the same;

(c) Consideration should be given to the possibility of re-establishing the information centre in China in 1964. The Chinese Government would be willing to provide rent-free premises;

(d) It might be advisable for the General Assembly to set up a standing committee comprising ten to twelve Government representatives to assist in the formulation of public information policy;

(e) Efforts should be made to promote understanding of the United Nations family through participation in the fair to be held in New York in 1964 and in the Canadian World's Fair in 1967.

Buildings fund

36. As regards the buildings fund, the proposals contained in paragraphs 46 to 48 of the Budget foreword were widely commented on. The hope was expressed that the Secretary-General would submit a complete programme covering Geneva and Headquarters and outlining detailed plans for the fund. It was wise to plan an orderly programme in advance, and there would be every advantage in including an annual provision in the budget, from 1966. The proposed fund was, in the view of many delegations, an example of sensible long-term planning. Others gave qualified support pending the submission of the Secretary-General's report, and made the point that even if the proposed fund was not set up, it would be essential for the Secretariat to draw up a long-term programme for renovation, repair and replacement work. They were anxious to ensure that the General Assembly's control over that type of expenditure was not relaxed, and that the programme of modernization of the Palais des Nations would hold good for a substantial number of years. Long-term borrowing might prove a useful adjunct to the operations in question. Accurate planning was essential in order to obviate increased expenditure in the future. It was suggested that specialized agencies using United Nations premises should be invited to contribute to the fund; and further that, while the idea of establishing such a fund was attractive, it would be necessary to know how the fund would be administered and controlled, and whether it would replace or would supplement the items already included in sections 7—Buildings and improvements to premises, 8—Permanent equipment, and 10—General expenses, of the estimates.

37. Dissent from the Secretary-General's proposals was voiced by some representatives who argued that a buildings fund was inadvisable in that, first, it necessitated the payment of Members' contributions in advance, and, secondly it weakened financial control, since the mere existence of a balance in the fund would prove an incentive to spending. Admittedly, the enlargement or improvement of premises might, from time to time, entail substantial outlays; these were not likely, however, to cause serious budgetary fluctuations or undue embarrassment to Member States. Where major maintenance was concerned, it was improbable that the monetary variations, year by year, would prove sharper than those arising on other expenditure items. Dismay was expressed at the cost increase announced in the latest report on major maintenance at Headquarters (A/C.5/991).

38. Opposition to the fund on a different ground was also voiced. The Secretary-General's proposal should have been submitted as a separate item on the General Assembly's agenda. Its adoption by the Committee would mark a departure from the normal procedure for the approval of appropriations and deprive the Assembly of its control over expenditure.

PATTERN OF CONFERENCES

39. In resolution 1851 (XVII) of 19 December 1962 the General Assembly decided to extend for one more year and subject to minor amendments the pattern of conferences established by resolution 1202 (XII) for the five-year period 1958 to 1962.

40. At the 1054th meeting the Committee reviewed the pattern of conferences under agenda item 60 on

the basis of reports of the Secretary-General (A/5638) and the Advisory Committee (A/5647).

41. In his report the Secretary-General outlined developments that had taken place since the seventeenth session, and indicated that further attention had been given to the administrative and budgetary problems connected with the growth in the annual programme of conferences and meetings and with the need to secure a more rational programme, particularly by limiting the number and length of the meetings of subsidiary bodies. He expressed the hope that the Economic and Social Council would take full advantage of the opportunity afforded by the reduced activity in 1964 to consider carefully its calendar and pattern of conferences for 1965 and subsequent years. Apart from the special circumstances of 1964, there was an urgent need to find ways and means of rationalizing the total annual conference programme in conformity with the relevant resolutions of the General Assembly and the Council. The Secretary-General fully concurred in the observations made by the Advisory Committee in paragraphs 52 to 74 of its main report (A/5507) on the budget estimates.

42. In addition, the Secretary-General suggested that the General Assembly should postpone its further review of the annual pattern of conferences for twelve months, by which time any decisions taken by the Economic and Social Council in 1964 would be known. He also outlined (A/5638, paras. 13-16) certain actions the Assembly might wish to take at its current session.

43. The Advisory Committee concurred in the Secretary-General's proposal for the deferment of a further review of the pattern of conferences and for an extension until 31 December 1964 of the existing pattern of conferences. The Committee recommended that the General Assembly should request the Economic and Social Council on the one hand, to advance its spring session to January and consider the possibility of advancing its summer session to May or early June, and furthermore, to undertake in 1964 a study of the optimum frequency for the sessions of its functional commissions, committees, and other subsidiary bodies as well as the possibility of either integrating or eliminating those of the subsidiary bodies whose terms of reference might overlap, so that the conclusions of the Council might be available to the General Assembly at its nineteenth session. The Committee made the further recommendation that, as a general rule, and at least until it became possible to rationalize the regular annual programme of meetings, no more than one major special conference should be scheduled annually.

44. The Advisory Committee emphasized that its concurrence in the proposed postponement of the review in no way implied that it viewed the rationalization of the conference programme as being less urgent than in the past. There would, however, be some advantage if the next review were undertaken at a time when all the physical facilities would again be available and when the needs arising out of the United Nations Conference on Trade and Development were known. The Committee recommended most strongly that the matter should be given high priority by the General Assembly.

45. The observations and recommendations of the Secretary-General and the Advisory Committee commanded general acceptance in the Committee. Repre-

representatives welcomed the suggested advancement of the spring session of the Economic and Social Council to January which, it was thought would not cause undue difficulty and would yield the considerable advantages enumerated by the Secretary-General in paragraph 13 of his report. On the other hand, the suggestion that the Council's summer session might be advanced to May or early June required thorough review since such a step would affect a large number of bodies including the regional economic commissions and specialized agencies. While the Committee as a whole was strongly in favour of any step that would enable the Advisory Committee, at its summer session, to take the financial implications of the Council's decisions into account in its main budget report to the General Assembly, some representatives doubted whether that purpose could be achieved with a Council session in May or early June. Probably the session would need to be advanced to April—a step that would provide too short an interval between the two sessions. In any case, the matter was a delicate and complex one that clearly should be left to the judgement of the Council.

Decisions of the Committee

46. The Committee decided without objection to endorse the recommendations contained in paragraph 23 of the Advisory Committee's report (A/5647). It also approved the programme of conferences for 1964 as set forth in annex III of the Secretary-General's report (A/5638). Lastly, the Committee endorsed the recommendation of the Advisory Committee contained in paragraph 18 of its report that the item concerning the pattern of conferences should receive high priority at the nineteenth session of the General Assembly.

Recommendation of the Fifth Committee

47. The Fifth Committee therefore recommends to the General Assembly the adoption of draft resolution IV contained in paragraph 106 below.

WORKING CAPITAL FUND

48. At the 1052nd meeting the Committee took up the question of the level of the Working Capital Fund for the financial year 1964, on the basis of the reports of the Secretary-General (A/C.5/1000) and the Advisory Committee (A/5635).

49. In compliance with General Assembly resolution 1863 B (XVII) of 20 December 1962, the Secretary-General reported (A/C.5/1000, paras. 2-4) on the efforts made during the current year to secure the liquidation of arrears and the early payment of current contributions to the regular budget.

50. The General Assembly decided at its seventeenth session to reconsider at the eighteenth session the level at which the Working Capital Fund should be maintained. Accordingly, the Secretary-General submitted a recommendation in paragraph 6 of his report to the effect that the Fund should be maintained for 1964 at the present level of \$40 million. The Advisory Committee concurred in this proposal on the understanding that the question would be reviewed by the General Assembly at its nineteenth session on the basis of the over-all situation then prevailing.

51. Some delegations maintained that the two main purposes which the Working Capital Fund was intended to serve, namely, the financing of the budget pending

the receipt of contributions and the provision of enough money to meet unforeseen and extraordinary expenditures could be met without risk if the fund were reduced to \$25 million. The table in the Advisory Committee report (A/5635, para. 7) showed that at 30 June 1963, disbursements from the Fund to cover expenditures under the regular budget had dropped by comparison with 30 June 1962; in addition the unforeseen and extraordinary expenditures had never exceeded \$600,000. The position with regard to the liquidation of arrears was not alarming, and provided that the Fund was correctly used, the level of \$25 million would be ample. These delegations argued that the level of the Working Capital Fund had been set at \$40 million for the purpose of financing the ONUC and UNEF operations. But the Fund was not intended to supply such financing. An attempt was being made to justify the maintenance of an increase which had been regarded as a temporary one by classifying expenditures relating to the maintenance of peace as unforeseen and extraordinary expenses, without regard to the fact that, under Article 11 of the Charter, decisions relating to peace-keeping expenditures lay within the exclusive competence of the Security Council.

II

SECTION 1. TRAVEL AND OTHER EXPENSES OF REPRESENTATIVES, MEMBERS OF COMMISSIONS, COMMITTEES AND OTHER SUBSIDIARY BODIES

52. In its report (A/5507, paras. 100-104) the Advisory Committee reverted to a question which it had raised in 1962,⁵⁸ namely, the possible revision of the standards of accommodation that serve as a basis for the reimbursement of the travel expenses of representatives, members of commissions, committees and other subsidiary bodies financed under section 1 of the budget. In relation to the initial estimates for 1964, the saving that would be achieved was estimated at \$250,000.

53. The Advisory Committee felt that it should again call attention to the matter so that the General Assembly might, if it so wished, review the situation and decide whether in the light, on the one hand, of the trend towards lower travel standards which an increasing number of Governments were following, and on the other hand, of the critical financial position of the Organization, an expenditure of the magnitude represented by the existing standards and which did not affect the work of the Organization was really warranted. The Committee added that, should the suggested revision of standards be approved, similar standards would apply to all staff members without exception, with the result that an additional saving of about \$25,000 could be made under section 5—Travel of staff. The question was discussed at several meetings of the Committee, during the general debate, on the first reading of sections 1 and 5, and finally on the second reading of section 1. The discussion disclosed two main positions, as follows:

(a) Several delegations considered that the time had come for positive action on the Advisory Committee's suggestion. The question had been considered twelve months previously on a report of the Secretary-

⁵⁸ Official Records of the General Assembly, Seventeenth Session, Supplement No. 7, para. 66.

General concerning the system of payment from United Nations funds of travel and subsistence expenses in respect of members of organs and subsidiary organs of the United Nations.⁵⁹ The principle of reimbursing such expenses was first laid down in 1946 with a view to equalizing the opportunity of all Member States to participate in the activities of the United Nations, but there had been no stipulation regarding the class of travel accommodation to be provided or to rank for reimbursement. First-class travel had at that time been authorized, with good reason. Since then, however, air travel had been revolutionized, and it seemed appropriate, in view of the substantial saving that would result, to extend the principle of economy-class travel from the staff of the Secretariat to representatives and members of organs and subsidiary organs, and reduce the ceiling for the reimbursement of their travel expenses;

(b) Other representatives felt that immediate action was not desirable. Time should be allowed for ascertaining the views of representatives and of their Governments. There was no question of imposing a particular class of travel on representatives and members of United Nations organs. All that was envisaged was a ceiling on the reimbursement of their travel expenses, and the sole issue before the Committee was the possibility of achieving economies for the United Nations. It would be sufficient to make a strong appeal to delegations to take up the question at the appropriate level in their Government so that it might be examined at an early stage of the nineteenth session of the General Assembly. The Advisory Committee might likewise be invited to study the matter and make appropriate recommendations in the main report that it would submit in 1964 on the budget estimates.

54. In accordance with a suggestion made by the representative of Poland, the Committee agreed that: first, its report to the General Assembly should reflect the discussion held in the Committee on the question of the reimbursement of travel expenses by the United Nations for representatives, and for members of commissions, committees and other subsidiary bodies provided for under section 1 of the budget; secondly, the view of the Committee that Governments should be requested to give special consideration to their position

⁵⁹ *Ibid.*, Seventeenth Session, Annexes, agenda item 62, document A/C.5/930.

in the matter in order that the question might be examined by the General Assembly at its nineteenth session; and, thirdly, the Advisory Committee should be requested to consider the question and make a recommendation to the General Assembly at that session.

THIRD INTERNATIONAL CONFERENCE ON THE PEACEFUL USES OF ATOMIC ENERGY

55. The initial budget estimates for 1964 contained no provision, beyond a *pro memoria* entry, for the third International Conference on the Peaceful Uses of Atomic Energy which the General Assembly decided in November 1962 by its resolution 1770 (XVII) to hold in Geneva in the autumn of 1964. Under that resolution, the Secretary-General was requested to report to the Assembly at its eighteenth session on the preparatory plans and arrangements "so that the necessary funds for such a conference may be approved for inclusion in the United Nations budget".

56. At the time when the budget estimates for 1964 were being prepared, consultations were still pending with the United Nations Scientific Advisory Committee, the IAEA and interested specialized agencies. Furthermore, the Secretary-General, in paragraph 28 of his foreword to the budget estimates, included a cautionary note concerning "the practical possibilities and financial consequences of adding yet a further major special conference to the already overburdened conference programme for next year".

57. Early in November 1963 the Scientific Advisory Committee recommended that the Conference should be held at the Palais des Nations, Geneva, from 31 August to 9 September 1964. With the co-operation of IAEA, the Committee prepared a provisional topical agenda constituting the general programme for the Conference and limited to nuclear reactors and the associated question of nuclear power production. On that basis the Secretary-General submitted, and the Fifth Committee considered at its 1048th meeting, revised estimates for section 2—Special meetings and conferences, of the 1964 budget to cover the costs of the Conference (A/C.5/997). The Secretary-General's submission comprised two sets of estimates reflecting the alternative forms of conference documentation which the Scientific Advisory Committee recommended. The costs of the Conference as estimated by the Secretary-General may be summarized as follows:

	<i>Alternative I</i>	<i>Alternative II</i>
	<i>(United States dollars)</i>	
<i>Part A</i>		
General costs (other than documentation)	404,000	404,000
<i>Part B</i>		
Conference documentation:		
Translation, reproduction and distribution of pre-conference documentation	135,000	237,000
Printing of the proceedings	816,400	405,200
	1,355,400	1,046,200

58. As regards the items under part B above, the Scientific Advisory Committee recommended two alternative methods:

Alternative I

(a) *Pre-conference documentation*

Under this alternative the 750 abstracts would be translated, reproduced and distributed in all four languages of the Con-

Alternative II

(a) *Pre-Conference documentation*

Under this alternative the 750 abstracts would be translated, reproduced and distributed in all four languages of the Conference.

ference. The 750 full papers would be distributed in the original language of submission.

(b) *Final proceedings*

The form of publication would follow that used at the second Conference on the Peaceful Uses of Atomic Energy held in 1958. There would be an integral English edition consisting of all the 750 papers in English, together with a summary of the discussions. There would be French, Russian and Spanish editions comprising in each case: (i) the general sessions papers translated into the appropriate language; (ii) all other papers originally submitted in the language concerned (French, Russian or Spanish); (iii) a small number of selected papers translated into the appropriate language; (iv) abstracts in the language concerned of the remaining papers; and (v) the summary of the discussions. All language editions would be printed externally by letterpress.

59. The Secretary-General's estimates took account of the substantial contribution—of the order of \$300,000—to be made by IAEA.

60. In a related report (A/5613) the Advisory Committee on Administrative and Budgetary Questions recommended, for the reasons given in paragraphs 10 to 15 of its submission, that the estimates under part A (see para. 57 above) should be reduced by \$30,000—from \$404,000 to \$374,000. As regards the estimates under part B, the Advisory Committee made the following points in paragraph 16:

(a) The two elements—pre-conference documentation; final proceedings—were independent of each other, i.e., the nature of the pre-Conference documentation was not dependent on the nature and extent of the publication of the proceedings;

(b) Regarding the pre-conference documentation, the Advisory Committee had been given to understand that either of the two alternatives described in paragraph 58 above would, in the view of the Scientific Advisory Committee, enable the Conference to conduct its work in a satisfactory manner.

In view of the compelling need for economy, the Advisory Committee recommended the adoption of: alternative I for the translation, reproduction and distribution of pre-conference documentation (\$135,000); and alternative II for the printing of the proceedings (\$405,200). The Advisory Committee added that if, on the strength of favourable printing contracts and guaranteed sales revenue, the net cost under alternative I would not exceed that arising under alternative II, the Committee would agree that the printing of the proceedings should be based on alternative I.

61. In monetary terms, the Advisory Committee recommended a total estimate for the Conference of \$914,200, made up as follows:

	<i>United States dollars</i>
General costs	374,000
Translation, reproduction and distribution of pre-conference documentation	135,000
Printing of the proceedings	405,200

The 750 full papers would be distributed in the original language of submission and in a second official language of the Conference, the translation to be provided by the participant concerned.

(b) *Final proceedings*

There would be a single edition comprising: (i) all the 750 papers in their language of submission; (ii) abstracts of all the 750 papers in the four languages; and (iii) a summary of discussions in all the four languages.

The total reduction thus recommended by the Advisory Committee amounted to \$132,000, by comparison with the estimate submitted by the Secretary-General under alternative II.

62. Representatives of the Secretary-General feared that a perhaps faulty and unclear presentation to the Advisory Committee had given rise to a misunderstanding. It was not the case that the two elements of pre-conference documentation and publication of the proceedings were independent of each other. The two elements were complementary and interrelated. Those members of the Scientific Advisory Committee whom they had been able to consult had rejected the combination recommended by the Advisory Committee. Should its recommendation be adopted, the papers would be reproduced, before the Conference and in the published proceedings, in their original language only, and translation and distribution in the other languages would be limited to the abstracts. There would be no appropriation for the reproduction of papers in the second language. The Secretary-General considered that such an arrangement, though yielding a saving of \$102,000, would be prejudicial to the success of the Conference. It might lead to a situation in which no paper would be available in full except in its original language, and while that might not cause inconvenience to the nuclear Powers, which had the facilities for translating highly technical papers, it would prove a serious disadvantage to other countries. The Scientific Advisory Committee had not thought of its two alternatives as procedures that could be combined; rather, it had recommended each as a single whole. Moreover, the Committee, being aware of the precarious financial situation of the United Nations, had sought to reduce costs to the lowest point compatible with the success of the Conference from a scientific point of view. The essential thing was that at some stage the papers and statements should be available in at least two languages. In the opinion of the Secretary-General and of the Director-General of IAEA, a saving of \$102,000 would be a trivial gain by comparison with the loss to the whole scientific world which an inadequately equipped conference would represent. For his part, the Secretary-General would prefer the Conference to be held under

other auspices rather than witness arrangements for which he was responsible jeopardized in that way.

63. The Secretary-General's representatives explained that the distribution of pre-conference documentation would follow the same pattern as that used for the documentation of the Economic and Social Council. The papers would therefore be made available in mimeographed form to the normal recipients—Member States and depository libraries—and could be made available to other interested institutions on a free-of-cost or on a sales basis. English, French or Spanish would tend to be used as the second official language and, if so, the translations would be helpful to a very large number of developing countries. At the two previous conferences Governments had provided translations of papers into a second language which had been reproduced and distributed, and while some editing of translations thus furnished might be called for, that could be undertaken without undue difficulty at the close of the Conference by the staff of IAEA and the United Nations. The Secretary-General's representatives added that it was not possible to forecast the cost of publication, since that would depend upon negotiations which could not be undertaken until the manuscript was available, and publishers had an opportunity, before committing themselves as to price, of assessing the sales potential. In any case, it would not be possible, even with the most favourable prices, to print a four-language edition and remain within a limit of \$1 million.

64. The representative of India pointed out that the total cost under the cheaper alternative (alternative II), would be only \$1,046,000, compared with \$2,348,000 for the first Conference in 1955 and \$3,493,000 for the second in 1958. That was already a considerable saving; any attempt at further economies might be excessive. The Advisory Committee's idea that the two elements in each of the two alternatives were independent appeared to be based on a misreading of the situation. It was the clear duty of the Fifth Committee to ensure that the Conference would be a success and, with that aim in mind, his delegation had recently mooted the possibility of asking the Advisory Committee to reconsider the recommendation. In the end it had come to the conclusion that it would not be proper to refer the matter back to the Advisory Committee. The Indian representative proposed formally that total expenditure on the Conference should be approved at the figure of \$1 million, and that an appropriation of \$70,000 should be made for that purpose under section 2 for 1964, the balance to be included in the budget estimates for 1965.

65. The discussion that ensued in the Committee illustrated the difficulty that inevitably arises when eminent bodies such as the Scientific Advisory Committee and the Advisory Committee on Administrative and Budgetary Questions submit divergent recommendations. A number of delegations expressed reluctance to override the recommendations of the Advisory Committee, which unquestionably had had cogent reasons for arriving at its conclusions. Given the fact that information germane to the issue had not been available at the time to the Advisory Committee, it would be entirely proper to refer the matter back to that Committee, for review in the light of the discussion held in the Fifth Committee. Such a step, which could not be regarded as implying any disrespect for

the Advisory Committee, was the more desirable since there was need for advice alike on the Indian proposal—the round figure of \$1 million might be viewed with some reserve—and on the recommendation of the Scientific Advisory Committee, for the interdependence of the two parts under either alternative still remained far from clear.

66. Other delegations, however, felt that as the Advisory Committee had reached its decision on the basis of all the available data, it would not be fitting to refer the matter back, particularly in view of the implication which such a referral would necessarily carry. It was for the Fifth Committee to decide the policy question.

67. The Chairman of the Advisory Committee pointed out that, having heard the Secretary-General's representatives and discussed the matter at length, the Advisory Committee had made its recommendations in the belief that they would enable a saving to be made without detriment to the effectiveness of the Conference. It was the function of the Advisory Committee to advise; it had done so. The Fifth Committee was, of course, entitled to refer the matter back, but it was to be hoped that it would rather proceed to a final decision.

Decision of the Committee

68. The Committee, having received an assurance from the Secretary-General's representatives that it would be possible to work successfully within a ceiling of \$1 million, adopted, by 63 votes to none, with 16 abstentions, the Indian proposal for a total expenditure of \$1 million on the Conference, and for the appropriation under section 2 of the 1964 budget of \$750,000 for that purpose, the balance of \$250,000 to be included in the 1965 estimates.

SECTION 7. BUILDINGS AND IMPROVEMENTS TO PREMISES

69. Reference has been made in paragraphs 36 to 38 above to the Secretary-General's proposal for the establishment of a buildings fund (A/5505, foreword, paragraphs 46-48). In connexion with section 7 of the 1964 budget, the Committee also considered a series of major projects for the construction, structural alteration or improvement of United Nations premises.

CONSTRUCTION OF THE UNITED NATIONS BUILDING IN SANTIAGO, CHILE

70. At its 1049th meeting, the Committee took up the reports of the Secretary-General (A/C.5/990) and the Advisory Committee (A/5622) on the construction of the United Nations building in Santiago, Chile, which was authorized in General Assembly resolution 1407 (XIV) of 1 December 1959. In his report the Secretary-General indicated that as a result of a number of developments in 1962 and 1963 (see A/C.5/990, para. 6) the amount of \$1,550,000 initially approved for the construction of the building would no longer suffice, and that additional requirements were currently estimated at \$1,084,000. In paragraph 22 of his report the Secretary-General suggested that the General Assembly might wish to limit the additional appropriation for 1964 under section 7 to \$500,000. The balance of the funds required, currently estimated at \$584,000, would be included in the initial 1965

estimates and be reviewed by the General Assembly at its nineteenth session in the light of the circumstances then prevailing. Following past practice, the Secretary-General also intended to transfer any unexpended balances of the 1963 and 1964 appropriations to the building fund established for the purpose.

71. The Advisory Committee reached the conclusion (A/5622, para. 12) that in the circumstances, the best course would be to authorize completion of the building according to the existing plans. The Committee accordingly concurred in the Secretary-General's proposal that an amount of \$500,000 should be appropriated for the purpose under section 7 for 1964. In addition, the Committee expressed the hope that every effort would be made to achieve substantial economies through a vigorous promotion of the campaign for donations, and that the need for any further appropriation from the regular budget would thereby be obviated.

72. Delegations were unanimous in acclaiming the generosity of the Government of Chile which, in spite of severe financial and economic problems, had rendered invaluable assistance to the United Nations in the execution of the project. They also acknowledged with gratitude the donations that had been made or pledged by other Governments within the gift programme for the United Nations building.

Decision of the Committee

73. The Committee decided, by 58 votes to none, with 9 abstentions, to recommend to the General Assembly that, on the one hand, the Secretary-General should be authorized to proceed with the completion of the United Nations building in Santiago, Chile, according to the existing plans, at an estimated additional cost of \$1,084,000; and, on the other hand, an amount of \$500,000 should be appropriated under section 7 of the 1964 budget for the purpose, it being understood that the balance of the funds required, within the limit of a further \$584,000, would be included in the initial estimates for the financial year 1965. The Committee noted that, following past practice, it was the intention of the Secretary-General to transfer any unexpected balances of the 1963 and 1964 appropriations to the building fund established for the purpose.

ALTERATION, IMPROVEMENT AND MAJOR MAINTENANCE OF THE PALAIS DES NATIONS, GENEVA

74. The question of the alteration, improvement and major maintenance of the Palais des Nations at Geneva was examined at the 1043rd meeting of the Committee, on the basis of reports of the Secretary-General (A/C.5/982) and the Advisory Committee (A/5600).

75. The Secretary-General's report was divided into three parts. The first part dealt with the possible need for a further expansion of existing conference facilities, and included the recommendation that a comprehensive examination of all relevant factors should be made by the Advisory Committee during the early part of 1964, and that in the light of the Committee's report, the General Assembly might at its nineteenth session undertake a general assessment of future needs. In the case of one item, however—the provision of a delegates' lounge—the Secretary-General suggested possible action by the Assembly at the present session, at an additional cost of \$50,000 to be financed under section 7 of the 1964 budget.

76. In the second part of his report the Secretary-General referred to the need to carry out a substantial programme of major rehabilitation of the premises. Again he suggested that all the projects involved should be examined by the Advisory Committee in conjunction with its review of the conference facilities. In the case, however, of the reconditioning of the roofing of the Palais, he recommends that the work should start in 1964, at an estimated cost of \$115,000. The total cost of the project was estimated at \$220,000, to be spread over a period of three years.

77. In the third part of his report the Secretary-General touched upon possible future methods of financing, including the possible establishment of a buildings fund, which, he hoped, would be the subject of further attention on the part of the General Assembly at its nineteenth session.

78. The Advisory Committee, while not contesting the need for the installation of a delegates' lounge, suggested that the matter might better be considered in conjunction with the general study it would make in early 1964. The Advisory Committee recommended the approval of an additional appropriation of \$115,000 under section 7 for 1964 for the purpose of completing the first phase of the repairs to the roofing of the Palais.

Decisions of the Committee

79. The Committee agreed without objection that the Advisory Committee should be requested to undertake during the early part of 1964 a comprehensive examination of all relevant factors governing: first, the possible further expansion of existing conference facilities at the Palais des Nations, and, secondly, the question of a programme of major rehabilitation of the premises as set forth in the Secretary-General's report (A/C.5/982) and to report its conclusions to the General Assembly at its nineteenth session. By 61 votes to none, with 6 abstentions, the Committee decided that, as part of its general survey, the Advisory Committee should be requested to examine and report on the proposal of the Secretary-General for the provision of a delegates' lounge in the Palais des Nations (*ibid.*, paras. 12-13) and, that the Advisory Committee should be authorized to concur in commitments up to a maximum of \$50,000 in 1964 for the purpose of installing such a lounge, on the understanding that the necessary provision would be included in the budget estimates for 1965. The Committee unanimously approved the recommendation of the Advisory Committee for the provision of an additional appropriation of \$115,000 under section 7 for 1964 for the implementation of the first phase of a programme of reconditioning of the roofing of the Palais.

MAJOR MAINTENANCE AND CAPITAL IMPROVEMENT AT UNITED NATIONS HEADQUARTERS

80. The Committee took up this item in three separate parts, covering respectively the expansion of meeting-room facilities at Headquarters, the development of the basement area of the General Assembly building and the architectural and engineering survey of the Headquarters buildings. Each of these projects derived from decisions of the Fifth Committee⁶⁰ which the General Assembly approved at its 1191st plenary meeting on 11 December 1962. The possible installation

⁶⁰ *Ibid.*, document A/5334, para. 8.

of the electrical system of voting in the United Nations, which also arose under this item, has been the subject of a separate report to the Assembly (A/5645).

Expansion of meeting-room facilities

81. For the consideration of this aspect of the question, the Committee had before it, at the 1043rd meeting, reports of the Secretary-General (A/C.5/991, paras. 2-10) and the Advisory Committee (A/5604).

82. The total cost of the projects proposed by the Secretary-General for the expansion of meeting-room facilities amounted to \$1,791,000. The Advisory Committee concurred in the Secretary-General's estimate on the understanding that no effort would be spared to keep actual expenditure below that level. In addition to the projects to be covered by the appropriation of \$1,791,000, the Secretary-General requested guidance from the General Assembly in regard to the possible inclusion of a number of further items (see A/C.5/991, para. 7). In paragraphs 8 to 12 of its report the Advisory Committee, after suggesting deferment of certain projects estimated at \$206,875, recommended the approval of the following appropriations under section 7: \$62,370 for seating modifications for alternate representatives and the Press in the General Assembly Hall; and \$20,000 for additional changes to the seating for advisers in the Press area in conference rooms 1, 2, 3 and 4.

Decision of the Committee

83. The Committee unanimously endorsed the three recommendations of the Advisory Committee for the appropriation of \$1,791,000, \$62,370 and \$20,000 under section 7 of the 1964 budget.

Development of the basement area of the General Assembly building

84. At its 1049th meeting the Committee examined reports of the Secretary-General (A/C.5/991, paras. 11-21) and the Advisory Committee (A/5615) dealing with the development of the basement area of the General Assembly building.

85. In his report, the Secretary-General proposed a revised plan—in comparison with the one put forward in 1962⁶¹ providing for the utilization of about one-half of the area for office space and the remainder for television and other visual services. The main new features of the revised plan were:

(a) The available space would be utilized to the maximum by the sub-division of the entire area into two floors;

(b) To that end, the television studio would be redesigned to be one rather than two storeys high, and the briefing and screening room for visitors would be eliminated;

(c) Office space comprising 5,342 square feet (496 square metres) would be created at the first basement level and 5,895 square feet (547 square metres) at the second basement level.

86. For the reasons given in paragraphs 8 to 11 of its report, the Advisory Committee made the following recommendations:

(a) The Secretary-General should be authorized to enter into commitments not exceeding \$1,193,000 for

the completed plan for developing the basement area of the General Assembly building;

(b) For that portion of the work which was to be completed in 1964, an appropriation of \$900,000 should be made under section 7 of the budget;

(c) The Secretary-General should be requested to negotiate, as soon as possible, a "guaranteed maximum price contract" not exceeding \$1,193,000 for the project as a whole and to seek the concurrence of the Advisory Committee prior to the signing of the contract.

Decision of the Committee

87. The recommendations of the Advisory Committee were approved by the Committee by 61 votes to 10, with 2 abstentions.

88. The budgetary consequences for 1964 of the foregoing actions of the Fifth Committee are shown below:

	<i>United States dollars</i>
Expansion of meeting-room facilities at Headquarters	1,873,370
Development of basement area of General Assembly building	900,000
TOTAL	2,773,370
<i>Less</i> provision in the initial estimate for section 7, chapter IV (i) (a)	(2,081,000)
Additional appropriation	692,370

Architectural and engineering survey of the Headquarters building

89. The Committee considered at its 1050th meeting a report of the Secretary-General (A/C.5/993) transmitting the architectural and engineering survey of the Headquarters building which the General Assembly called for at the seventeenth session.

90. The major problem with which the survey dealt was the overcrowding of the delegates' lounge and dining facilities, as a result of the increase in the membership of the United Nations. Ancillary matters arising out of the general growth in the activities of the Organization were also the subject of consideration, as well as various improvements that were needed in servicing, security and safety facilities.

91. The Secretary-General was of the opinion that it rested with the Member States to decide to what extent they wished to give effect to the architect's proposals, and also to determine the order of priority to be followed in the timing and financing of construction. As the proposals were of a comprehensive nature, calling for an expenditure in excess of \$11 million, the Secretary-General suggested that the Advisory Committee should be invited to study the proposals in 1964, with a view to submitting its conclusions and recommendation to the General Assembly at its nineteenth session. He added that he assumed that, in the event the Advisory Committee required more detailed drawings and specifications in connexion with its study of the matter, the related costs could be met with the Committee's prior concurrence, under the terms of the General Assembly resolution relating to unforeseen and extraordinary expenses.

⁶¹ *Ibid.*, document A/C.5/928.

Decision of the Committee

92. The Fifth Committee agreed to recommend to the General Assembly:

(a) That the Advisory Committee should be requested to study the proposals contained in the architectural and engineering survey on the expansion of the permanent Headquarters of the United Nations (attached to the report of the Secretary-General (A/C.5/993)) and to submit its conclusions and recommendations to the General Assembly at its nineteenth session; and

(b) That in the event the Advisory Committee required more detailed drawings and specifications in connexion with this study, the related costs might be met with the prior concurrence of that Committee under the terms of the General Assembly resolution relating to unforeseen and extraordinary expenses in 1964.

93. The suggestion was made that the question should be considered as a separate agenda item for the nineteenth session of the General Assembly; it should not be taken up under the regular budget estimates.

SECTIONS 13-17. TECHNICAL PROGRAMMES

94. Traditionally, the amount of the appropriations under part V (sections 13-17) of the budget has been considered to be a matter of policy to be decided by the General Assembly. The level approved for 1963 in resolution 1768 (XVII) amounted to \$6.4 million. By the same resolution, the Assembly referred certain aspects of the question to the Technical Assistance Committee and the Advisory Committee on Administrative and Budgetary Questions for study. At its November 1962 session TAC suggested that without prejudice to this study, or to the decisions the General Assembly might subsequently take the Secretary-General should propose under part V of his initial budget estimates for 1964, the same total appropriation as was approved for 1963. Subsequently, the Secretary-General submitted to TAC at its June 1963 session detailed information on the programmes proposed for 1964 under each of the sections in part V. In due course, on the recommendation of TAC, the Economic and Social Council endorsed in resolution 953 (XXXVI) of 5 July 1963 the level of \$6.4 million for part V for 1964.

95. Apart from the Secretary-General's proposals in regard to part V of the budget and the related observations of the Advisory Committee (A/5507, paras. 287-298), the Committee considered the request contained in operative paragraph 6 of Economic and Social Council resolution 953 (XXXVI), in which the Council invited the General Assembly (a) to authorize the Secretary-General, in his administration of the programme under part B (Technical programmes) of the budget, to make adjustments in the sectional provisions for sections 13, 14, and chapter I of section 16, within a maximum reduction of 5 per cent in any one of those sections, so as to permit the transfer of funds for the purpose of increasing one or more of the sections under part V; and (b) to request the Secretary-General to report to the Advisory Committee and to TAC on the exercise of this authority.

96. The Committee further noted that any decision it took regarding the technical programmes would necessarily be a provisional one, for the Advisory

Committee had refrained from making recommendations while the Assembly had not yet seen the results of the study which it had asked TAC to undertake.

97. Most delegations felt that, given its cardinal position in the family of organizations, the United Nations must take a direct part in the technical assistance programme. Part V of the budget was a symbol of the fundamental obligations of Member States under the Charter, in particular under Articles 55 and 56. It was also necessary to bear in mind that some parts of the regular programme of technical assistance had been established before the Expanded Programme of Technical Assistance and, of course, before the United Nations Special Fund. The United Nations regular programmes of technical assistance fulfilled a definite purpose and formed an important part of the Organization's efforts to promote social progress and the raising of living standards. There was no duplication in the use of funds as between the resources the Organization received under the Expanded Programme and under the regular budget. These delegations were accordingly opposed to the exclusion of the technical programme from the regular budget and to an integral financing on a voluntary basis. The Secretary-General's recommendation merited support the more so since it was based on a proposal of TAC which had been approved by the Economic and Social Council and to which the Advisory Committee had no objection.

98. Some delegations expressed their strong opposition to the inclusion of technical programmes in the regular budget of the Organization. The result of that procedure, which they regarded as irregular, was to place the administration of technical assistance in the hands of the Western Powers, which used it to further their own interests and contrived to deprive the socialist countries of a chance of taking an active part in technical assistance operations. In 1961-1962, the United States of America had sent 164 experts to the developing countries, the United Kingdom had sent 90, France 99 and the Union of Soviet Socialist Republics only 6. Several representatives said that in order to ensure their countries' effective participation in the technical assistance programmes under part V, their contributions to those programmes would henceforth be paid in national currency. They would of course vote against the appropriations requested under part V, since they regarded the proposed procedure as incompatible with the Charter.

Decisions and recommendation of the Fifth Committee

99. At its 1033rd meeting, the Committee approved a total appropriation of \$6.4 million for part V of the 1964 budget. It also adopted, by 59 votes to none, with 11 abstentions, draft resolution V contained in paragraph 106 below, and recommended for adoption to the General Assembly.

FIRST READING OF THE BUDGET ESTIMATES FOR 1964

100. On the basis of a note prepared by the Secretary-General (A/C.5/L.792), the Committee voted, at its 1020th, 1021st, 1023rd to 1025th, 1031st, 1033rd and 1034th meetings, on first reading of the budget estimates for 1964, as follows:

Section	Recommended amount	In favour	Against	Abstentions
	<i>United States dollars</i>			
<i>Appropriation section</i>				
1. Travel and other expenses of representatives, members of commissions, committees and other subsidiary bodies	1,174,100	Unanimous		
2. Special meetings and conferences	2,370,200	Unanimous		
3. Salaries and wages	45,083,980	63	9	0
4. Common staff costs	10,347,000	63	2	8
5. Travel of staff	1,988,000	65	0	9
6. Payments under annex I, paragraphs 2 and 3, of the Staff Regulations; Hospitality	105,000	Unanimous		
8. Permanent equipment	482,000	56	0	9
9. Maintenance, operation and rental of premises	3,610,000	57	0	11
10. General expenses	4,014,000	72	0	10
11. Printing	1,424,000	Unanimous		
12. Special expenses	7,712,800	65	11	6
13. Economic development	2,250,000	55	10	1
14. Social activities	2,105,000	57	10	0
15. Human rights advisory services	140,000	57	10	0
16. Public administration:				
Chapter I. Training, consultation and research	980,000	59	10	1
Chapter II. Operational, executive and administrative personnel	850,000	60	10	2
17. Narcotic drugs control	75,000	64	10	0
18. Special missions	2,350,000	70	11	0
19. United Nations Field Service	1,525,700	70	11	0
20. Office of the United Nations High Commissioner for Refugees	2,275,000	49	0	9
21. International Court of Justice	955,000	Unanimous		
<i>Income section</i>				
1. Staff assessment income	9,365,000	Unanimous		
2. Funds provided from extra-budgetary accounts	1,580,800	Unanimous		
3. General income	1,348,600	Unanimous		
4. Sale of United Nations postage stamps (United Nations Postal Administration)	1,400,000	Unanimous		
5. Sale of publications	540,000	Unanimous		
6. Services to visitors and catering services	828,000	Unanimous		

101. The first-reading decisions of the Committee were affected by its subsequent consideration of revised estimates under various sections, as well as by its recommendations on other items on its agenda:

Agenda item	Additional appropriation	Section	Income	Income section
	<i>United States dollars</i>			
58 and 22 Third International Conference on the Peaceful Uses of Atomic Energy (A/C.5/997, A/5613)	750,000	2		
68 United Nations International School (A/5607, A/5625)	55,000	12		
58 Salary scales for General Service and manual worker staff at Geneva (A/C.5/995, A/5610)	150,000	3		
	16,500	4		
	18,500	20		
			33,400	1
58 Construction of the United Nations building in Santiago, Chile (A/C.5/990, A/5622)	500,000	7		
58 Alteration, improvement and major maintenance of the Palais des Nations, Geneva (A/C.5/982, A/5600)	115,000	7		
58 Major maintenance and capital improvement at United Nations Headquarters (A/C.5/991, A/5604, A/5615)	1,791,000	7		
	62,370	7		
	20,000	7		
	900,000	7		
Less provision in initial estimates	(2,081,000)	7		

<i>Agenda item</i>	<i>Additional appropriation</i>	<i>Section</i>	<i>Income</i>	<i>Income section</i>
	<i>United States dollars</i>			
73 Conference of the Eighteen-Nation Committee on Disarmament (A/C.5/992, A/5609)	891,900	2	90,000	1
58 Annex building of ECAFE at Bangkok (A/C.5/996, A/5612)	46,200	8		
23 Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/C.5/999, A/5628)	30,000	18		
58 Extra session of the Advisory Committee on Administrative and Budgetary Questions in Geneva (A/C.5/998, A/5623)	15,850	1		
	1,900	5		
58 Electrical voting system (A/C.5/991, A/5604)	67,100	7		
	38,000	10		
58 Admission of new Member States (A/C.5/1003, A/5649)	18,000	1		
78 Question of Oman (A/AC.5/1004, A/5658)	20,000	18		
	TOTAL		123,400	
Note on the first reading (A/C.5/L.792)	TOTAL			
	97,901,280			
	TOTAL APPROPRIATION			
	101,327,600			

SECOND READING OF THE BUDGET ESTIMATES FOR 1964

102. On the basis of a note prepared by the Secretary-General (A/C.5/L.821), the Committee voted, at its 1054th meeting, on second reading of the budget estimates for 1964, as follows:

<i>Section</i>	<i>Recommended amount</i>	<i>In favour</i>	<i>Against</i>	<i>Abstentions</i>
	<i>United States dollars</i>			
<i>Appropriation section</i>				
1. Travel and other expenses of representatives, members of commissions, committees and other subsidiary bodies	1,207,950	Unanimous		
2. Special meetings and conferences	4,012,100	Unanimous		
3. Salaries and wages	45,233,980	62	10	0
4. Common staff costs	10,363,500	60	2	10
5. Travel of staff	1,989,900	60	0	10
6. Payments under annex I, paragraphs 2 and 3, of the Staff Regulations; Hospitality	105,000	Unanimous		
8. Permanent equipment	528,200	62	0	10
9. Maintenance, operation and rental of premises	3,610,000	62	0	10
11. Printing	1,424,000	Unanimous		
12. Special expenses				
Chapter I—United Nations Memorial Cemetery in Korea	67,800	59	10	3
Chapter V—United Nations Bond Issue	7,495,000	56	10	4
Section as a whole	7,767,800	57	11	4
13. Economic development	2,250,000	62	9	1
14. Social activities	2,105,000	62	9	1
15. Human rights advisory services	140,000	62	9	1
16. Public administration	1,830,000	61	10	1
17. Narcotic drugs control	75,000	62	11	0
19. United Nations Field Service	1,525,700	62	11	0
20. Office of the United Nations High Commissioner for Refugees	2,293,500	61	0	11
21. International Court of Justice	955,000	Unanimous		
<i>Income section</i>				
1-6. Income from staff assessment and other income	15,186,800	Unanimous		

103. At its 1059th meeting the Committee voted, on the second reading of sections 7, 10 and 18, as follows:

Section	Recommended amount	In favour	Against	Abstentions
	<i>United States dollars</i>			
7. Buildings and improvements to premises				
Electrical voting system.....	67,100	38	10	12
Development of the basement area in the General Assembly building .	900,000	52	10	1
Section as a whole.....	7,458,970	50	0	12
10. General expenses	4,052,000	51	0	11
18. Special missions				
Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and				
Question of Oman.....	50,000	61	0	1
Section as a whole.....	2,400,000	51	10	0

104. The decision of the Committee under section 3 provided for a consolidated manning table for 1964 for the various departments and units for which provision was included in that section as follows:

Established posts for departments and offices at Headquarters; the European Office, Geneva; information centres; the secretariats of ECA, ECAFE, ECLA; the joint secretariat of the Permanent Central Opium Board and the Drug Supervisory Body; the United Nations Joint Staff Pension Board and the United Nations Staff Pension Committee; and revenue producing activities.

Category and level	Posts
I. Secretary-General	1
Under-Secretary	19
Director	38
Principal officer	95
TOTAL	153
II. Professional:	
Senior officer	260
First officer	508
Second officer	654
Associate and assistant officer.....	415
TOTAL	1,837
III. General service: ^a	
Principal or highest level	214
Other levels	2,085
TOTAL	2,299
GRAND TOTAL	4,289

^a Exclusive of local level posts mainly at information centres, ECA, ECAFE and ECLA for which a budgetary credit is provided (approximately 722 posts).

Decisions of the Committee

105. At its 1059th and 1060th meetings the Committee adopted the draft resolutions submitted in its draft report (A/C.5/L.828) and the text of which appears in paragraph 106 below. The voting was as follows:

	In favour	Against	Abstention
Draft resolution I	51	10	3
Draft resolution II	55	10	0
Draft resolution III	53	10	1
Draft resolution IV	Unanimous		
Draft resolution V	55	0	10

Recommendations of the Fifth Committee

106. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I

BUDGET FOR THE FINANCIAL YEAR 1964

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

Draft resolution II

UNFORESEEN AND EXTRAORDINARY EXPENSES FOR THE FINANCIAL YEAR 1964

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

Draft resolution III

WORKING CAPITAL FUND FOR THE FINANCIAL YEAR 1964

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

Draft resolution IV

PATTERN OF CONFERENCES

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

Draft resolution V

PROGRAMMES OF TECHNICAL ASSISTANCE UNDER THE REGULAR BUDGET OF THE UNITED NATIONS

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

DOCUMENT A/5681/ADD.1

[Original text: English and French]
[16 December 1963]

1. In considering the draft resolution relating to the Working Capital Fund for the financial year 1964 (see A/5681, paras. 105 and 106, draft resolution III), the Fifth Committee examined, at the 1059th and 1060th meetings, the possibility of extending the time-limit for the sale of United Nations bonds as stipulated in General Assembly resolutions 1739 (XVI) of 20 December 1961 and 1878 (S-IV) of 27 June 1963. The Committee had before it a note by the Secretary-General (A/C.5/1007) on the financial position of the Organization.

2. The representative of Australia pointed out that since October 1963, when the Secretary-General had spoken to the Committee (A/C.5/988) on the precarious finances of the Organization, the situation had not shown improvement. The representative of Austria had suggested at the 1058th meeting that in view of the facts presented at that same meeting by the Secretary-General's representative, the Committee would perhaps be wise to consider an extension of the time-limit for the purchase of United Nations bonds. Six or seven countries which had already pledged themselves to purchase bonds had not yet been able, for various reasons beyond their control, to fulfil their pledges. The Committee had also been informed that on 31 December 1963 bonds to the value of about \$23.5 million would probably still be available for purchase by Member States other than the United States of America. It seemed therefore desirable for the bond issue to remain open beyond the closing date at present authorized.

3. Accordingly, Australia, Malaysia and Sweden submitted a joint draft resolution (A/C.5/L.827) in terms of which the Committee would recommend to the General Assembly the amendment of the terms and conditions for the sale of United Nations bonds as set forth in paragraph 8 of the annex to General Assembly resolution 1739 (XVI), as previously amended by resolution 1878 (S-IV). The procedure envisaged in the joint draft resolution was identical with that adopted at the fourth special session when the Assembly extended the time-limit for the purchase of bonds until 31 December 1963. The Australian representative emphasized that the draft resolution had no effect whatever on any of the other terms and conditions under which the sale of bonds was originally authorized. It was simply intended to give more time to Governments which might wish to purchase bonds, and to assist the financial position of the United Nations.

4. Some delegations contended that the Committee should not consider any matter relating to the United Nations bond issue. The budget estimates for 1964 had already been examined and the agenda for the

1059th and 1060th meetings contained no item under which discussion of the bond issue would be admissible. The matter under consideration was the Working Capital Fund for the financial year 1964, to which the bond issue had no relation. It was also necessary to have regard to rule 15 (Additional items) of the rules of procedure of the General Assembly. Questions relating to the maintenance of international peace and security came within the competence of the Security Council, and the issue of United Nations bonds merely represented in the opinion of these delegations, a stratagem for circumventing the Council.

5. Other delegations pointed out that the matter under discussion was directly related to the draft resolution relating to the Working Capital Fund for the financial year 1964, and in particular to paragraph 5 thereof. It would indeed be strange if the Committee were to be denied the opportunity of considering and reaching a decision on the provisions of that draft resolution, which referred among other things to "the proceeds of loans authorized by the Assembly". General Assembly resolution 1739 (XVI), under which the issue of bonds had been authorized, specifically referred to the utilization of the proceeds from the sale of bonds "for purposes normally related to the Working Capital Fund". Discussion of the Fund therefore provided the most logical point at which to consider a matter relating to the bond issue.

6. One delegation felt that recourse to an issue of bonds had not been the proper way of dealing in 1961 with the financial plight of the Organization. In paragraph 8 of his foreword to the budget estimates (A/5505) the Secretary-General had rightly ascribed the deterioration to two major causes: first, the failure of some Member States to contribute to the ONUC and UNEF operations; and, secondly, the fact that no assessments had been levied to cover the cost of those operations between 1 July 1962 and 30 June 1963. Expenses of that kind could not legitimately be financed from a bond issue.

Decision of the Committee

7. At its 1060th meeting, the Committee adopted the draft resolution (A/C.5/L.827) by 45 votes to 12, with 3 abstentions.

Recommendation of the Fifth Committee

8. The Fifth Committee, therefore, recommends to the General Assembly the adoption of the following draft resolution:

TERMS AND CONDITIONS GOVERNING THE ISSUE OF
UNITED NATIONS BONDS

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

ACTION TAKEN BY THE GENERAL ASSEMBLY

At the 1276th plenary meeting on 11 December 1963, the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/5636, para. 7). For the final text, see resolution 1925 (XVIII) below.

At the 1285th plenary meeting on 17 December 1963, the General Assembly adopted the draft resolutions submitted by the Fifth Committee (A/5681, para. 106, draft resolutions I to V, and A/5681/Add.1, para. 8). For the final texts, see resolutions 1984 (XVIII), 1985 (XVIII), 1986 (XVIII), 1987 (XVIII), 1988 (XVIII) and 1989 (XVIII), respectively, below.

Resolutions adopted by the General Assembly

1925 (XVIII). AMENDMENTS TO THE PENSION SCHEME REGULATIONS FOR MEMBERS OF THE INTERNATIONAL COURT OF JUSTICE

The General Assembly,

Having considered the reports of the Secretary-General (A/C.5/973) and the Advisory Committee on Administrative and Budgetary Questions (A/5440),

Resolves that the Pension Scheme Regulations for members of the International Court of Justice, contained in the annex to General Assembly resolution 1562 (XV) of 18 December 1960, shall be amended as follows:

Article I

(Retirement pension)

Replace the present text of paragraph 2 by the following:

"2. The amount of the retirement pension shall be determined as follows:

"(a) If the member has served a full term of nine years, the amount of the annual pension shall be one half of the annual salary;

"(b) If he has served for more than nine years, the amount of the pension shall be increased by 1/300 of the amount payable under paragraph 2 (a) for each month of service in excess of nine years, provided that the maximum retirement pension shall not exceed two-thirds of his annual salary;

"(c) If he has served for less than a full term of nine years, the amount of the retirement pension shall be that proportion of one half of the annual salary which the number of months of his actual service bears to 108."

Article II

(Disability pension)

Replace the present text of paragraph 2 by the following:

"2. The amount of the disability pension shall be determined as in article I, paragraph 2, provided that it shall not be less than one quarter of the annual salary."

Article VIII

(Application and effective date)

Replace the present text by the following:

"1. The present Regulations shall be applicable as from 1 January 1964 to all who are Members of the Court on or after that date and to their eligible beneficiaries.

"2. Former Members of the Court who left office prior to 1 January 1964, or their eligible beneficiaries shall continue to have their entitlements governed by the Regulations approved in General Assembly resolution 1562 (XV)."

*1276th plenary meeting,
11 December 1963.*

1984 (XVIII). BUDGET FOR THE FINANCIAL YEAR 1964

A

BUDGET APPROPRIATIONS FOR THE FINANCIAL YEAR 1964

The General Assembly

Resolves that for the financial year 1964:

1. Appropriations totalling \$US 101,327,600 are hereby voted for the following purposes:

Section	(US dollars)
UNITED NATIONS	
<i>Part I. Sessions of the General Assembly, the Councils, commissions and committees; special meetings and conferences</i>	
1. Travel and other expenses of representatives, members of commissions, committees and other subsidiary bodies	1,207,950
2. Special meetings and conferences	4,012,100
TOTAL, PART I	5,220,050
<i>Part II. Staff costs and related expenses</i>	
3. Salaries and wages	45,233,980
4. Common staff costs	10,363,500
5. Travel of staff	1,989,900
6. Payments under annex I, paragraphs 2 and 3, of the Staff Regulations; hospitality	105,000
TOTAL, PART II	57,692,380
<i>Part III. Buildings, equipment and common services</i>	
7. Buildings and improvements to premises	7,458,970

UNITED NATIONS (<i>continued</i>)		(US dollars)
<i>Section</i>		
8. Permanent equipment		528,200
9. Maintenance, operation and rental of premises		3,610,000
10. General expenses		4,052,000
11. Printing		1,424,000
	TOTAL, PART III	17,073,170
 <i>Part IV. Special expenses</i>		
12. Special expenses		7,767,800
	TOTAL, PART IV	7,767,800
 <i>Part V. Technical programmes</i>		
13. Economic development		2,250,000
14. Social activities		2,105,000
15. Human rights advisory services		140,000
16. Public administration		1,830,000
17. Narcotic drugs control		75,000
	TOTAL, PART V	6,400,000
 <i>Part VI. Special missions and related activities</i>		
18. Special missions		2,400,000
19. United Nations Field Service		1,525,700
	TOTAL, PART VI	3,925,700
 <i>Part VII. Office of the United Nations High Commissioner for Refugees</i>		
20. Office of the United Nations High Commissioner for Refugees		2,293,500
	TOTAL, PART VII	2,293,500
INTERNATIONAL COURT OF JUSTICE		
 <i>Part VIII. International Court of Justice</i>		
21. International Court of Justice		955,000
	TOTAL, PART VIII	955,000
	GRAND TOTAL	101,327,600

2. The Secretary-General is authorized:

(a) To administer as a unit the provisions under sections 1, 3, 5 and 11 in a amount of \$155,460 relating to the Permanent Central Opium Board and the Drug Supervisory Body;

(b) To transfer credits between sections of the budget with prior concurrence of the Advisory Committee on Administrative and Budgetary Questions;

3. The appropriations under sections 1, 3, 4, 5 and 10 in a total amount of \$329,882 relating to the United Nations Joint Staff Pension Board and the United Nations Staff Pension Committee shall be administered in accordance with article XXVII of the Regulations of the United Nations Joint Staff Pension Fund;

4. In addition to the appropriations voted under paragraph 1 above, an amount of \$17,500 is hereby appropriated from the income of the Library Endowment Fund for the purchase of books, periodicals, maps and library equipment and such other expenses of the Library at the Palais des Nations as are in accordance with the objects and provisions of the endowment.

1285th plenary meeting,
17 December 1963.

B

INCOME ESTIMATES FOR THE FINANCIAL YEAR 1964

The General Assembly

Resolves that for the financial year 1964:

1. Estimates of income other than assessments on Member States totalling \$US 15,186,800 are approved as follows:

<i>Income section</i>	<i>(US dollars)</i>
<i>Part I. Income from staff assessment</i>	
1. Staff assessment income	9,488,400
TOTAL, PART I	9,488,400
<i>Part II. Other income</i>	
2. Funds provided from extra-budgetary accounts	1,580,800
3. General income	1,348,600
4. Sale of United Nations postage stamps (United Nations Postal Administration)	1,400,000
5. Sale of publications	541,000
6. Services to visitors and catering services	828,000
TOTAL, PART II	5,698,400
GRAND TOTAL	15,186,800

2. The income from staff assessment shall be credited to the Tax Equalization Fund in accordance with the provisions of General Assembly resolution 973 (X) of 15 December 1955;

3. Direct expenses of the sale of United Nations postage stamps, sale of publications, and services to visitors and catering services, not provided for under the budget appropriations, shall be charged against the income derived from those activities.

*1285th plenary meeting,
17 December 1963.*

C

FINANCING OF APPROPRIATIONS FOR THE FINANCIAL YEAR 1964

The General Assembly

Resolves that for the financial year 1964:

1. Budget appropriations totalling \$US 101,327,600, decreased by revised appropriations for 1963 totalling \$1,034,500,⁶² shall be financed as follows, in accordance with regulations 5.1 and 5.2 of the Financial Regulations of the United Nations:

(a) As to \$5,698,400, by income other than staff assessment approved under resolution 1984 B (XVIII) above;

(b) As to \$113,000, by the revised income other than staff assessment for 1963;

(c) As to \$2,602,171, by the amount available in the surplus account for the financial year 1962;

(d) As to \$25,597, by the contributions of new Member States for the years 1962 and 1963 less the reduction in the contributions of Czechoslovakia and Hungary for 1962 and 1963, in accordance with General Assembly resolution 1927 (XVIII) of 11 December 1963;

(e) As to \$91,853,932, by assessment on Member States in accordance with General Assembly resolutions 1691 A (XVI) of 18 December 1961, 1870 (XVII) of 20 December 1962 and 1927 (XVIII) of 11 December 1963 on the scale of assessments for 1964;

2. There shall be set off against the assessment on Member States:

(a) Subject to the provisions of General Assembly resolution 973 (X) of 15 December 1955, their respective shares in the Tax Equalization Fund in a total amount of \$9,249,415 comprising:

(i) \$9,488,400, being the estimated staff assessment income for 1964;

(ii) Less \$170,000,⁶² representing the decrease in the revised income from staff assessment for 1963;

⁶² See resolution 1924 (XVIII).

(iii) Less \$68,985, being the excess of the approved estimate over actual income from staff assessment for 1962;

(b) Their credits in respect of the transfer of the assets of the League of Nations, in accordance with General Assembly resolution 250 (III) of 11 December 1948.

1285th plenary meeting,
17 December 1963.

1985 (XVIII). UNFORESEEN AND EXTRAORDINARY EXPENSES FOR THE FINANCIAL YEAR 1964

The General Assembly

1. *Authorizes* the Secretary-General, with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions and subject to the Financial Regulations of the United Nations and the provisions of paragraph 3 below, to enter into commitments to meet unforeseen and extraordinary expenses in the financial year 1964, provided that the concurrence of the Advisory Committee shall not be necessary for:

(a) Such commitments, not exceeding a total of \$US 2 million, as the Secretary-General certifies relate to the maintenance of peace and security;

(b) Such commitments as the President of the International Court of Justice certifies relate to expenses occasioned by:

(i) The designation of *ad hoc* judges (Statute of the Court, Article 31), not exceeding a total of \$37,500;

(ii) The appointment of assessors (Statute, Article 30), or the calling of witnesses and the appointment of experts (Statute, Article 50), not exceeding a total of \$25,000;

(iii) The maintenance in office of judges who have not been re-elected (Statute, Article 13, paragraph 3), not exceeding a total of \$50,000;

(iv) The holding of sessions of the Court away from The Hague (Statute, Article 22), not exceeding a total of \$75,000;

(v) The payment of pensions and travel and removal expenses of judges not re-elected, and travel and removal expenses of new members of the Court, not exceeding a total of \$53,300;

(c) Such commitments, not exceeding a total of \$25,000, as may be authorized by the Secretary-General in accordance with General Assembly resolutions 1202 (XII) of 13 December 1957, 1851 (XVII) of 19 December 1962 and 1987 (XVIII) of 17 December 1963, relating to the pattern of conferences;

2. *Resolves* that the Secretary-General shall report to the Advisory Committee on Administrative and Budgetary Questions and to the General Assembly at its nineteenth session all commitments made under the provisions of the present resolution, together with the circumstances relating thereto, and shall submit supplementary estimates to the Assembly in respect of such commitments;

3. *Decides* that if, as a result of a decision of the Security Council, commitments relating to the maintenance of peace and security should arise in an estimated total exceeding \$10 million before the nineteenth session of the General Assembly, a special session of the Assembly shall be convened by the Secretary-General to consider the matter.

1285th plenary meeting,
17 December 1963.

1986 (XVIII). WORKING CAPITAL FUND FOR THE FINANCIAL YEAR 1964

The General Assembly

Resolves that:

1. The Working Capital Fund shall be established for the year ending 31 December 1964 in the amount of \$US 40 million;

2. Member States shall make advances to the Working Capital Fund in accordance with the scale adopted by the General Assembly for contributions of Members to the budget for the financial year 1964;

3. There shall be set off against this allocation of advances:

(a) The credits accorded to Members from the transfer from surplus account of \$1,079,158 as established at the time of the transfer to the Working Capital Fund;

(b) The cash advances paid by Members to the Working Capital Fund for the financial year 1963 under General Assembly resolution 1863 (XVII) of 20 December 1962;

4. The Secretary-General is authorized to advance from the Working Capital Fund:

(a) Such sums as may be necessary to finance budgetary appropriations pending the receipt of contributions; sums so advanced shall be reimbursed as soon as receipts from contributions are available for the purpose;

(b) Such as may be necessary to finance commitments which may be duly authorized under the provisions of the resolutions adopted by the General Assembly, in particular resolution 1985 (XVIII) of 17 December 1963 relating to unforeseen and extraordinary expenses; the Secretary-General shall make provision in the budget estimates for reimbursing the Working Capital Fund;

(c) Such sums as, together with net sums outstanding for the same purpose, do not exceed \$125,000, to continue the revolving fund to finance miscellaneous self-liquidating purchases and activities; advances in excess of the total of \$125,000 may be made with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions;

(d) With the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, such sums as may be required to finance payments of advance insurance premiums where the period of insurance extends beyond the end of the financial year in which payment is made; the Secretary-General shall make provision in the budget estimates of each year, during the life of the related policies, to cover the charges applicable to each such year;

(e) Such sums as may be necessary to enable the Tax Equalization Fund to meet current commitments pending the accumulation of credits; such advances shall be repaid as soon as credits are available in the Tax Equalization Fund;

(f) Such sums, not to exceed \$40,000 during 1964, as may be necessary to finance awards made for the international encouragement of scientific research into the control of cancerous diseases, pursuant to General Assembly resolution 1398 (XIV) of 20 November 1959; the Secretary-General shall make provision in the supplementary budget estimates for reimbursing the Working Capital Fund;

5. Should the provision in paragraph 1 above prove inadequate to meet the purposes normally related to the Working Capital Fund, the Secretary-General is authorized to utilize, in 1964, cash from special funds and accounts in his custody, under the conditions approved in General Assembly resolution 1341 (XIII) of 14 December 1958, or the proceeds of loans authorized by the Assembly.

*1285th plenary meeting,
17 December 1963.*

1987 (XVIII). PATTERN OF CONFERENCES

The General Assembly,

Having considered the report of the Secretary-General on the pattern of conferences (A/5638) and the related recommendations of the Advisory Committee on Administrative and Budgetary Questions (A/5647),

1. *Decides* to continue for a further period of one year, until 31 December 1964, the pattern of conferences established in its resolutions 1202 (XII) of 13 December 1957 and 1851 (XVII) of 19 December 1962;

2. *Requests* the Economic and Social Council:

(a) To consider the possibility of advancing its first session in each year to January and its summer session to May or early June;

(b) To undertake in 1964 a study of the optimum frequency for the sessions of its functional commissions, committees and other subsidiary bodies, as well as the possibility of either integrating or eliminating those of the subsidiary bodies whose terms of reference might overlap, so that the Council's conclusions may be available to the General Assembly at its nineteenth session;

3. *Requests* the Secretary-General to provide the Economic and Social Council with such information of an administrative and budgetary nature as may assist the Council in carrying out the above-mentioned study;

4. *Decides* that, as a general rule, and at least until it becomes possible to rationalize the regular annual programme of conferences, not more than one major special conference should be scheduled annually.

*1285th plenary meeting,
17 December 1963.*

1988 (XVIII). PROGRAMMES OF TECHNICAL ASSISTANCE UNDER THE REGULAR BUDGET OF THE UNITED NATIONS

The General Assembly,

Having considered the request contained in paragraph 6 of Economic and Social Council resolution 953 (XXXVI) of 5 July 1963,

1. *Authorizes* the Secretary-General, in his administration of the programme under part V (Technical programmes) of the budget, to make adjustments in the sectional provisions for sections 13, 14, and chapter I of section 16, within a maximum reduction of 5 per cent in any one of these sections, so as to permit the transfer of funds for the purpose of increasing one or more of the sections under part V;

2. *Requests* the Secretary-General to report to the Advisory Committee on Administrative and Budgetary Questions and to the Technical Assistance Committee on the exercise of this authority.

*1285th plenary meeting,
17 December 1963.*

1989 (XVIII). TERMS AND CONDITIONS GOVERNING THE ISSUE OF UNITED NATIONS BONDS

The General Assembly

Recalling its decision, in paragraph 1 of resolution 1739 (XVI) of 20 December 1961, to authorize the Secretary-General to issue United Nations bonds in accordance with the terms and conditions set forth in the annex to that resolution,

Decides to amend paragraph 8 of the annex to General Assembly resolution 1739 (XVI), as previously amended by its resolution 1878 (S-IV) of 27 June 1963, to read as follows:

"8. The bonds may be sold in whole or in part from time to time until 31 December 1964."

*1285th plenary meeting,
17 December 1963.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 58 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/5423	Report of the <i>Ad Hoc</i> Committee on the Improvement of the Methods of Work of the General Assembly	<i>Official Records of the General Assembly, Eighteenth Session, Annexes, agenda item 25</i>
A/5434	Report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid.</i> , agenda item 56
A/5442	Report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid.</i> , agenda item 25
A/5446 and Add.1-4	Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	Replaced by A/5446/Rev.1 (<i>Official Records of the General Assembly, Eighteenth Session, Annexes, addendum to agenda item 23</i>)

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/5491	Report of the Secretary-General	<i>Official Records of the General Assembly, Eighteenth Session, Annexes, agenda item 22</i>
A/5501/Add.1	Introduction to the annual report of the Secretary-General on the work of the Organization (16 June 1962-15 June 1963)	<i>Ibid., Eighteenth Session, Supplement No. 1A</i>
A/5503	Report of the Economic and Social Council (4 August 1962-2 August 1963)	<i>Ibid., Supplement No. 3</i>
A/5505	Budget estimates for the financial year 1964 and information annexes	<i>Ibid., Supplement No. 5</i>
A/5507	Fifth report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid., Supplement No. 7</i>
A/5525	Supplementary estimates for the financial year 1963—Report of the Secretary-General	<i>Ibid., Eighteenth Session, Annexes, agenda item 57</i>
A/5561	Report of the Preparatory Committee on the International Co-operation Year	<i>Ibid., agenda item 24</i>
A/5591 and Add.1 and 2	Report of the Fifth Committee	<i>Ibid., agenda item 61</i>
A/5597	Report of the First Committee	<i>Ibid., agenda item 73</i>
A/5606	Report of the Third Committee	<i>Ibid., agenda item 12</i>
A/5607	Report of the Secretary-General	<i>Ibid., agenda item 68</i>
A/5625	Report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid.</i>
A/5638 and Corr.1 and 2	Report of the Secretary-General	<i>Ibid., agenda item 60</i>
A/5647	Report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid.</i>
A/5656	Report of the First Committee	<i>Ibid., agenda item 28</i>
A/5657	Report of the Fourth Committee	<i>Ibid., agenda item 78</i>
A/5673	Report of the Fourth Committee	<i>Ibid., agenda items 49, 50, 51, 52, 53 and 54</i>
A/AC.109/38	Resolution adopted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples at its 142nd meeting on 4 April 1963	<i>Ibid., addendum to agenda item 23, chap. II, para. 251</i>
A/C.3/L.1136 and Add.1 and 2	Commission on Human Rights—Afghanistan, Chile, Costa Rica, Lebanon, Mexico, Pakistan, Panama, Philippines and Saudi Arabia: draft resolution	See A/5606, paras. 72, 74 and 83
A/C.5/985 and Add.1	Collection of contributions as at 16 September 1963: report of the Secretary-General	Mimeographed
A/C.5/987	Report of the Secretary-General	<i>Official Records of the General Assembly, Eighteenth Session, Annexes, agenda item 66</i>
A/C.5/L.792	First reading of the 1964 budget estimates: note by the Secretariat	Mimeographed
A/C.5/L.814	Draft report of the Fifth Committee	Same text as A/5636
A/C.5/L.820	Draft report of the Fifth Committee	For the text of this document as amended by the Fifth Committee at its 1053rd meeting, see A/5645
A/C.5/L.821	Second reading of the 1964 budget estimates: note by the Secretary-General	Mimeographed
A/C.5/L.827	Australia, Malaysia and Sweden: draft resolution	Adopted without change. See A/5681/Add.1, para. 8
A/C.5/L.828	Draft report of the Fifth Committee	For the text of this document as amended by the Fifth Committee at its 1060th meeting, see A/5681
AT/DEC/88	Judgement No. 88 of the Administrative Tribunal of the United Nations	Mimeographed
Financial implications		
A/5609	Financial implications of the draft resolution submitted by the First Committee in document A/5597: report of the Advisory Committee on Administrative and Budgetary Questions	<i>Official Records of the General Assembly, Eighteenth Session, Annexes, agenda item 73</i>
A/5611	Financial implications of draft resolution VIII submitted by the Third Committee in document A/5606: report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid., agenda item 12</i>
A/5619	Financial implications of the draft resolution submitted by the First Committee in document A/5597: report of the Fifth Committee	<i>Ibid., agenda item 73</i>
A/5628	Financial implications relating to the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/5446 and Add.1-4): report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid., agenda item 23</i>
A/5632	Financial implications of draft resolution VIII submitted by the Third Committee in document A/5606: report of the Fifth Committee	<i>Ibid., agenda item 12</i>

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/5639	Financial implications relating to the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/5446 and Add.1-4): report of the Fifth Committee	<i>Ibid.</i> , agenda item 23
A/5648	Financial implications of draft resolution II submitted by the First Committee in document A/5656: report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid.</i> , agenda item 28
A/5658	Financial implications of the draft resolution submitted by the Fourth Committee in document A/5657: report of the Fifth Committee	<i>Ibid.</i> , agenda item 78
A/5663	Financial implications of the draft resolution submitted by the Fourth Committee in document A/5656: report of the Fifth Committee	<i>Ibid.</i> , agenda item 28
A/5674	Financial implications of draft resolution IV submitted by the Fourth Committee in document A/5673: report of the Fifth Committee	<i>Ibid.</i> , agenda items 49, 50, 51, 52, 53 and 54
A/C.3/L.1144	Financial implications of the draft resolution contained in document A/C.3/L.1136 and Add.1-2: note by the Secretary-General	See A/5606, para. 73
A/C.3/L.1155	Financial implications of the revised draft resolution contained in document A/C.3/L.1136/Rev.1: note by the Secretary-General	<i>Official Records of the General Assembly, Eighteenth Session, Annexes</i> , agenda item 12
A/C.5/992	Financial implications of the draft resolution submitted by the First Committee in document A/5597: note by the Secretary-General	<i>Ibid.</i> , agenda item 73
A/C.5/994	Financial implications of draft resolution VIII submitted by the Third Committee in document A/5606: note by the Secretary-General	<i>Ibid.</i> , agenda item 12
A/C.5/999	Financial implications relating to the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/5446 and Add.1-4): note by the Secretary-General	<i>Ibid.</i> , agenda item 23
A/C.5/1002	Financial implications of draft resolution II submitted by the First Committee in document A/5656: note by the Secretary-General	<i>Ibid.</i> , agenda item 28
A/C.5/1004	Financial implications of the draft resolution submitted by the Fourth Committee in document A/5657: note by the Secretary-General	<i>Ibid.</i> , agenda item 78
A/C.5/1006	Financial implications of draft resolution IV submitted by the Fourth Committee in document A/5673: note by the Secretary-General	<i>Ibid.</i> , agenda items 49, 50, 51, 52, 53 and 54
A/C.5/L.809	Financial implications of draft resolution VIII submitted by the Third Committee in document A/5606: draft report of the Fifth Committee	Same text as A/5632
A/C.5/L.813	Financial implications relating to the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/5446 and Add.1-4): draft report of the Fifth Committee	Same text as A/5639



Agenda item 59: United Nations Operation in the Congo: cost estimates*

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DOCUMENT A/C.5/983

Report of the Secretary-General

[Original text: English]
 [26 September 1963]

1. There are presented herewith, in accordance with the request made by the Fifth Committee at its 1007th meeting on 25 September 1963, the Secretary-General's estimates of the probable costs to be incurred between 1 January and 30 June 1964 if the United Nations Operation in the Congo is continued during that period with a reduced ONUC military force of 5,350 officers and other ranks.

2. It is the Secretary-General's opinion, based on advice of his military advisers, that a Force of a strength of 5,350 officers and men is the minimum required in the prevailing circumstances to be of practical utility to the Government of the Congo in assisting in maintenance of law and order. A force of this strength would comprise 5 battalions of 3,500 officers and other ranks, together with Force and Brigade Headquarters totalling respectively, 175 and 350; a reconnaissance squadron of 100; signals, ordnance, supply and transport companies of 210, 200, 155 and 250 respectively; a military police detachment of 50; air, medical and movement control units of 105, 184 and 40 and a maintenance inspection team of 30. In this context, it will be recalled that the Secretary-General in his report to the Security Council of 17 September 1963 cited the figures 5,000 to 6,000 officers and men as the essential size of a continuing force.¹

3. The estimates, which total \$19.2 million, also provide for the expenses of the international and locally recruited civilian staff assisting the Force or required at United Nations Headquarters and other offices for essential operations related to the Force. This figure, which is precise and has been reduced to the minimum, is substantially less than the purely rough estimate for

a force of 6,000 given in the Secretary-General's report to the Security Council. The estimates here given, it should be noted, exclude the following items which in the past have always been included in the ONUC cost estimates but for which it is now assumed other sources of financing will need to be found in 1964: the expenses of the Office of the Chief of Civilian Operations in the Congo and his Consultative Group, the administrative support costs of the civilian operations and the allowances and related costs for a unit of 400 Nigerian police assisting in the Congo.

4. The estimates assume that the reduced Force will consist of contingents and units which at present are serving in ONUC and that rotations in the Force in 1964, if required at all, will be on a very limited basis. They also assume that very limited purchases of new transport or other equipment will be required during the period.

5. Since it is anticipated that the Force would be stationed and operate as required out of four or five localities in the Congo, the estimates make provision for the operation and maintenance of the following United Nations-owned aircraft: 8 C-47's, 2 Otters and 5 helicopters. Provision has also been made for limited use of larger capacity chartered aircraft in case there is need for emergency transport of heavy equipment and supplies to other parts of the Congo.

6. The maintenance of the military Force until 30 June 1964 would, of course, result in the continuance after that date of certain expenses for the Organization (for example, expenses connected with the temporary storage and eventual liquidation of United Nations owned equipment and supplies, necessary repairs to rented quarters, termination and settlement of lease contracts, closing of accounts, etc.). To the extent that such expenses could not be covered by the

¹ *Official Records of the Security Council, Eighteenth Year, Supplement for July, August and September 1963*, document S/5428, para. 12.

present estimates, including the provision for contingencies, it would be the recommendation of the Secretary-General that, as an exception to the United Nations Financial Rules, the proceeds from the sale of the United Nations-owned equipment and supplies be used to meet the expenses in question.

7. In connexion with these cost estimates the Fifth Committee and the General Assembly may be pleased to know that on 25 September 1963 the Secretary-General was informed by Mr. Adoula, Prime Minister of the Republic of the Congo (Leopoldville), that on the assumption that other Governments would contribute to the expenses of maintaining a reduced United

Nations Force in the Congo during the first half of 1964, his Government is prepared, as from the beginning of 1964, to defray the expenses of the operation which can be paid for in Congolese currency within a maximum of 208 million Congolese francs (or about \$3.2 million at the current rate of exchange).

8. Since, on the basis of past experience, substantially more than one-fourth of the total ONUC expenses have been payable in Congolese currency, it would appear that the full amount of the local currency contribution of the Republic of the Congo could be effectively used on behalf of a force continuing until 30 June 1964.

ANNEX

United Nations Operation in the Congo (ONUC) Cost estimates for the period 1 January to 30 June 1964

		<i>United States dollars</i>
Part A. Operating costs incurred by the United Nations		
SECTION I. MILITARY PERSONNEL		
<i>Chapter</i>		
1. United Nations daily allowance	1,140,000	
2. Movement of contingents	1,750,000	
3. Travel and subsistence of military personnel	275,000	
4. Leave payments	220,000	
	TOTAL, section I	3,385,000
SECTION II. CIVILIAN PERSONNEL		
<i>Chapter</i>		
1. Pay of international staff	1,145,000	
2. Pay of local staff	805,000	
3. Travel and subsistence of civilian personnel	875,000	
	TOTAL, section II	2,825,000
SECTION III. MAINTENANCE AND OPERATION OF EQUIPMENT		
<i>Chapter</i>		
1. Maintenance and operation of vehicles	400,000	
2. Maintenance and operation of aircraft	4,000,000	
	TOTAL, section III	4,400,000
SECTION IV. RATIONS		
<i>Chapter</i>		
1. Rations	850,000	850,000
SECTION V. SUPPLIES AND SERVICES		
<i>Chapter</i>		
1. Freight	700,000	
2. Rental and maintenance of premises	800,000	
3. Communications	100,000	
4. Other supplies and services	1,000,000	
	TOTAL, section V	2,600,000
SECTION VI. PURCHASE OF EQUIPMENT		
<i>Chapter</i>		
1. Transport and heavy mobile equipment	50,000	
2. Purchase of other equipment	100,000	
	TOTAL, section VI	150,000
SECTION VII. WELFARE		
<i>Chapter</i>		
1. Welfare	40,000	40,000

ANNEX (continued)

		<i>United States dollars</i>	
SECTION VIII. CONTINGENCIES			
<i>Chapter</i>			
1. Contingencies		400,000	400,000
	TOTAL, PART A		14,650,000
 Part B. Reimbursement to Governments of extra and extraordinary costs incurred in providing contingents			
SECTION IX. REIMBURSEMENT TO GOVERNMENTS			
<i>Chapter</i>			
1. Reimbursement of extra and extraordinary costs relating to pay and allowances of contingents.....		3,500,000	
2. Reimbursement in respect of equipment, material and supplies furnished by Governments to their contingents.....		1,000,000	
3. Reimbursement in respect of death and disability awards on behalf of members of contingents.....		50,000	
	TOTAL, PART B		4,550,000
	GRAND TOTAL		19,200,000

Part A. Operating costs incurred by the United Nations

SECTION I. MILITARY PERSONNEL

The cost estimates under this section bear a direct relation to the strength of the Force and to the scheduled movement to or from the Congo of national contingents being rotated or repatriated at the conclusion of their service in ONUC.

It is estimated that the strength of the Force as at 1 January and during the first half of 1964 will be 5,350 officers and other ranks, composed of 3,880 combat troops and 1,470 supporting elements. Repatriation of the Force is scheduled to begin in June 1964 and to be completed by the end of that month. At this time, it is not possible to determine the contingents which will constitute the military force of ONUC in 1964 since this will depend upon the agreement of the Governments concerned. It is, however, hoped that a number of units now in the Congo will continue through June 1964.

The numerical strength of each national contingent of the Force, as at 1 September 1963, is as follows:

<i>Member State providing contingent</i>	<i>Number of officers and men</i>
Austria	2
Brazil	54

<i>Member State providing contingent</i>	<i>Number of officers and men</i>
Canada	254
Congo (Leopoldville)	783
Denmark	96
Ethiopia	1,743
Ghana	714
India	223
Indonesia	891
Ireland	586
Italy	68
Netherlands	47
Nigeria	997
Norway	123
Pakistan	680
Sweden	798
TOTAL	8,059

The cost estimates for the four chapters comprising section I have been prepared on the assumption that a number of the units listed above will continue with the Force.

Details of the 1964 cost estimates, by chapter, together with the 1963 estimates and the 1962 expenses, are as follows:

<i>Chapter</i>	<i>1964 estimates</i>	<i>1963 estimates</i>	<i>1962 expenses</i>
<i>United States dollars</i>			
1. United Nations daily allowance.....	1,140,000	5,280,000	8,413,670
2. Movement of contingents.....	1,750,000	6,000,000	8,955,509
3. Travel and subsistence of military personnel..	275,000	1,450,000	1,937,729
4. Leave payments	220,000	935,000	1,521,112
TOTAL, SECTION I	3,385,000	13,665,000	20,828,020

Chapter 1

Provision is made under chapter 1 for payment of a daily allowance in Congolese francs equivalent to \$US1.30 to all military personnel serving in ONUC for the purpose of meeting their incidental personal requirements. The principle of paying such an allowance to members of United Nations peace-keeping forces was established at the eleventh session of the General Assembly by decision of the Fifth Committee at its 541st meeting on 3 December 1956, and the rate of the allowance paid to members of the ONUC Force has remained un-

changed since October 1960. The total estimate is based on an estimated strength in 1964 to 5,350 officers and other ranks with a deduction for advance repatriations.

Chapter 2

Provision is made under chapter 2 for the costs involved in transporting by sea and air the troops being rotated, as well as the troops being repatriated, and the transport of contingent-owned equipment supplies and vehicles when these are repatriated with the returning troops. This estimate provides for

2,000 round-trip passages for rotating troops at an average estimated cost of \$300 per round-trip, and 5,350 one-way passages at an average estimated cost of \$220 per passage for troops being repatriated. The average costs per passage, shown above, are based on current experience and include the cost of transporting large quantities of personal arms, ammunition and equipment.

Chapter 3

Provision is made under chapter 3 to cover the cost of travel and subsistence payments to military personnel while on official duty with the Force and for subsistence allowances payable to military staff when messing facilities and housing are not provided by ONUC at their duty stations. The rigid controls which currently apply with regard to such expenditures will continue in 1964.

Chapter 4

Leave is accumulated by Force members at the rate of two and one-half days for each completed month of service. In view of the impracticality of establishing leave centres in the Congo area, a payment of \$3 per day has been authorized in respect of any unused leave due a Force member at the conclusion of his service with ONUC. The estimate for leave payments has

been calculated on the basis of leave credits outstanding for 5,350 men at the end of their tour of duty.

SECTION II. CIVILIAN PERSONNEL

The cost estimates included in this section cover the requirements for salaries and common staff costs for international staff specifically recruited for ONUC service in the Congo, and the travel and subsistence allowance costs for all ONUC international staff. Also included are the salaries and common staff costs for staff employed as replacements or in overload posts at established United Nations and specialized agency offices as a consequence of the detailing of regular staff to ONUC, or the additional workload imposed on the Organization as a result of the ONUC operation. The replacement of detailed staff assigned to ONUC continues to be restricted to the extent feasible in the light of the circumstances in the department providing the detailed personnel.

The civilian personnel, internationally or locally recruited or detailed for ONUC service, include the staff of the Office of the Officer-in-Charge of ONUC, the Commander of the Force and his staff, as well as the staff directly involved in providing administrative support and services for the military Force.

Details of the 1964 cost estimates, by chapter, together with the 1963 estimates and the 1962 expenses, are as follows:

Chapter	1964 estimates	1963 estimates	1962 expenses
<i>United States dollars</i>			
1. Pay of international staff.....	1,145,000	4,950,000	5,824,953
2. Pay of local staff.....	805,000	3,225,000	3,792,572
3. Travel and subsistence of civilian personnel ...	875,000	4,800,000	5,638,288
TOTAL, SECTION II	2,825,000	12,975,000	15,255,813

Chapter 1

The provision for the pay of international staff is made to cover costs of 62 Professional posts and 244 General Service and Field Service posts. The distribution of this staff within the different organizational units of ONUC is as follows:

Unit	Profes- sional	General Service and Field Service	Total
Office of the Officer-in-Charge of ONUC	3	3	6
Office of the Chief Administrative Officer	4	6	10
Civilian Personnel Office.....	4	15	19
Finance Office	4	18	22
Audit and Inspection Service....	6	4	10
Office of Public Information....	2	2	4
General Services	5	80	85
Claims Office	1	2	3
Procurement Services	3	27	30
PX and Commissary.....	2	3	5
<i>Field Offices:</i>			
Elisabethville	5	23	28
Jadotville	2	3	5
Kolwezi	2	3	5
Luluabourg	2	4	6
TOTAL	45	193	238

In addition to the ONUC staff working in the Congo, the following overload posts will also be required:

Office	Profes- sional	General Service and Field Service	Total
Executive Office of the Secretary-General	4	6	10
Office of the Controller.....	3	7	10
Office of Personnel.....	2	4	6
Office of General Services.....	8	34	42
TOTAL	17	51	68

Chapter 2

Provision is made for the salaries and wages of locally recruited staff and local labour employed in the mission area. It is anticipated that the number of such employees will total 1,170, of whom 115 will be non-Congolese nationals serving in a wide variety of administrative, technical and clerical posts throughout the Congo, and 1,055 will be Congolese nationals engaged principally in clerical positions and as semi-skilled and unskilled labour. The assignment of this staff and labour in the Congo is as follows:

Location	Non-Congolese	Congolese	Total
<i>Leopoldville:</i>			
Administration	20	100	120
General Services	60	300	360
Elisabethville	17	265	282
Jadotville	6	130	136
Kolwezi	6	130	136
Luluabourg	6	130	136
TOTAL	115	1,055	1,170

In addition to the above, 15 local staff will be required in Pisa, Italy, in connexion with the ONUC operations.

Chapter 3

Provision is made for the costs of travel and subsistence of civilian personnel and includes: air travel by international staff assigned to the Congo; subsistence payments at established rates to international personnel stationed at the several duty stations in the Congo; costs of visits of senior staff to and from New York in connexion with the work of ONUC; costs relating to travel to and from the mission area, such as freight charges for the transportation of personal effects and other

miscellaneous charges. The estimate allows for the fact that staff at present assigned to the Congo hold return portion of tickets already paid for and that replacement staff will be curtailed to the greatest extent possible.

SECTION III. MAINTENANCE AND OPERATION OF EQUIPMENT

The estimates under this section cover the costs of maintenance and operation of ONUC vehicles and aircraft and the cost of chartered aircraft.

Details of the 1964 cost estimates, by chapter, together with the 1963 estimates and the 1962 expenses, are as follows:

Chapter	1964 estimates	1963 estimates	1962 expenses
<i>United States dollars</i>			
1. Maintenance and operation of vehicles	400,000	1,500,000	2,046,876
2. Maintenance and operation of aircraft	4,000,000	21,500,000	33,271,064
TOTAL, SECTION III	4,400,000	23,000,000	35,317,940

Chapter 1

The estimate covering the maintenance and operation of vehicles includes the cost of petrol, oil, lubricants and spare parts and contractual maintenance and repair costs for such vehicles.

Chapter 2

The air support for ONUC continues to consist of the following three broad elements: (a) aircraft operated by the Force; (b) air services provided by Governments; and (c) aircraft chartered from commercial sources.

The 1964 estimate for the maintenance and operation of aircraft provides for the operation of the following United Nations-owned aircraft which will be used essentially for reconnaissance and transporting personnel:

Type of aircraft	Number of aircraft
C-47	8
Helicopter	5
Otter	2
TOTAL	15

Provision has also been made in the estimate for expenses likely to arise in connexion with air services provided by Governments and the charter of aircraft from commercial sources.

SECTION IV. RATIONS

	<i>United States dollars</i>
1964 estimates	850,000
1963 estimates	3,650,000
1962 expenses	6,047,193

The provision for rations covers the cost of feeding the military members of the Force at a cost of approximately \$90 per day.

SECTION V. SUPPLIES AND SERVICES

Details of the 1964 cost estimates, by chapter, together with the 1963 estimates and the 1962 expenses, are as follows:

Chapter	1964 estimates	1963 estimates	1962 expenses
<i>United States dollars</i>			
1. Freight	700,000	3,000,000	4,344,933
2. Rental and maintenance of premises	800,000	3,400,000	3,971,250
3. Communications	100,000	350,000	500,164
4. Other supplies and services	1,000,000	3,500,000	6,633,113
TOTAL, SECTION V	2,600,000	10,250,000	15,449,460

Chapter 1

Provision is made to cover cost of freight charges for rations, supplies and equipment furnished to ONUC. Due to the scarcity of commodities in the Congo, the irregularity and disruption of the internal surface transportation system, and the inability to plan on a long-range basis, considerable freight expenses are anticipated to arise. Based on current experience, it is estimated that they will approximate \$700,000 for the first half of 1964.

Chapter 2

Provision is made to cover the cost of rental, maintenance and alteration of premises required as billets for members of the Force and to provide offices, warehouses, messes and other accommodations for ONUC. Provision is also made for renovations to place premises presently rented in a satisfactory condition prior to termination of leases.

Chapter 3

Provision is made to cover communication costs which include: cost of radioteleprinter circuits between Leopoldville and

both New York and Geneva; postal services for ONUC, excluding the cost of free mail for the troops which is provided for under section VII, telephone services and cables sent by commercial carrier.

Chapter 4

The provision for other supplies and services covers the cost of all supplies in the quartermaster, engineering, medical, dental, ordnance, sanitation and other operational categories. The items involved include, *inter alia*, electrical supplies, expendable implements, small arms ammunition for training purposes, paint, building materials, crockery, clothing and uniforms issued to members of the Force and the Field Service and contractual personal services such as cobbling, tailoring, laundering and barbering. Also included is a provision for stationery and office supplies, miscellaneous claims and adjustments, external audit costs, and any other supplies and services furnished to the Force.

SECTION VI. PURCHASE OF EQUIPMENT

Details of the 1964 cost estimates, by chapter, together with the 1963 estimates and the 1962 expenses, are as follows:

<i>Chapter</i>	<i>1964 estimates</i>	<i>1963 estimates</i>	<i>1962 expenses</i>
	<i>United States dollars</i>		
1. Purchase of transport and heavy mobile equipment	50,000	940,000	1,216,907
2. Purchase of other equipment.....	100,000	500,000	1,179,008
TOTAL, SECTION VI	150,000	1,440,000	2,395,915

Chapter 1

A nominal provision for the purchase of transport and heavy mobile equipment has been made to cover any items of heavy equipment which may be required in 1964. It is expected that present holdings of the Force will meet essential requirements.

Chapter 2

The estimate for the purchase of other equipment, which takes into consideration stocks currently on hand, provides for the purchase of equipment other than vehicles and heavy mobile equipment and includes quartermaster equipment, engineering equipment, equipment required for maintenance of buildings, including power generators, medical and dental equipment, signals equipment for internal communications within the Congo and other equipment such as water pumps, fire extinguishers, kitchen equipment, tool kits, etc.

SECTION VII. WELFARE

	<i>United States dollars</i>
1964 estimates	40,000
1963 estimates	165,000
1962 expenses	214,488

The estimate for welfare covers the free dispatch of personal mail of members of the Force, the rental of films, the engage-

ment of occasional live shows and the purchase of recreational and sports materials. The estimate has been adjusted to meet the needs of the reduced Force and takes into consideration recreational facilities provided through the facilities of the PX welfare fund.

SECTION VIII. CONTINGENCIES

	<i>United States dollars</i>
1964 estimates	400,000
1963 estimates	1,000,000
1962 expenses	43,979

Provision is made for contingencies such as: possible increase in costs of locally procured goods and services, upward adjustment of salaries of local staff as a result of increase in minimum wage rates, possible losses from exchange variations, and any other unforeseen expenses not provided for under these estimates required in connexion with the operation of the Force.

Part B. Reimbursement to Governments of extra and extraordinary costs incurred in providing contingents

SECTION IX. REIMBURSEMENT TO GOVERNMENTS

Details of the 1964 cost estimates, by chapter, together with the 1963 estimates and the 1962 expenses, are as follows:

<i>Chapter</i>	<i>1964 estimates</i>	<i>1963 estimates</i>	<i>1962 expenses</i>
	<i>United States dollars</i>		
1. Reimbursement of extra and extraordinary costs relating to pay and allowances of contingents....	3,500,000	11,900,000	14,350,000
2. Reimbursement in respect of equipment, material and supplies furnished by Governments to their contingents	1,000,000	3,000,000	6,067,000
3. Reimbursement in respect of death and disability awards on behalf of members of contingents....	50,000	200,000	1,000,000
TOTAL, SECTION IX	4,550,000	15,100,000	21,417,000

Chapter 1

The provision for the reimbursement of extra and extraordinary costs relating to pay and allowances of contingents provides funds for the settlement of claims from participating Governments relating to expenditures incurred in respect of pay and allowances over and above those costs which the Governments concerned would in any event be obliged to meet. Payments under this chapter follow the pattern established for UNEF under paragraph 88 of the Secretary-General's report on UNEF to the General Assembly at its twelfth session^a and approved by the General Assembly in resolution 1151 (XII). The estimate for 1964 for this section is based on latest claims and information received from participating Governments.

Chapter 2

In accordance with principles approved in General Assembly resolutions 1151 (XII) and 1575 (XV), the United Nations has assumed financial responsibility for the loss or deterioration of

government-owned equipment, material and supplies furnished by Governments to their contingents. The estimated cost for 1964 is based on experience gained in the negotiation of settlements with Governments in respect of their claims for extra and extraordinary costs relating to equipment, material and supplies provided to their contingents.

Chapter 3

Provision is made for the reimbursement to Governments in respect of death and disability awards on behalf of members of contingents, in accordance with the principles set forth in part III, section 6, of the Secretary-General's report on UNEF.^b Payments to beneficiaries continue to be paid initially by Governments with the Governments concerned in turn lodging claims with the United Nations. While only a relatively few Governments have presented claims for reimbursement of expenses relating to death and disability awards, based on experience to date, an amount of \$50,000 has been included in the estimate to cover such reimbursements.

^a *Official Records of the General Assembly, Twelfth Session, Annexes, agenda item 65, document A/3694.*

^b *Ibid.*

DOCUMENT A/5560

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[1 October 1963]

1. The Advisory Committee on Administrative and Budgetary Questions considered a report of the Secretary-General (A/C.5/983) containing estimates of the probable costs to be incurred if the United Nations Operation in the Congo is continued until the first half of 1964 inclusive.

2. These estimates which total \$19.2 million are based on the maintenance, until 30 June 1964, of a reduced ONUC military force of 5,350 officers and other ranks. It is the Secretary-General's view, based on the considered opinion of his military advisers, that such a strength is the minimum required in the prevailing circumstances to be of practical utility to the Government of the Congo in assisting in the maintenance of law and order.

3. A Force of this strength would comprise five battalions (3,500 officers and other ranks) with supporting units (headquarters, reconnaissance squadron, signals, ordnance, supply, transport, military police, maintenance, medical, air and movement control units). The estimates assume that the reduced Force will consist of contingents and units which at present are serving in ONUC and that rotations in the Force in 1964, if required at all, will be on a very limited basis. They also assume that few purchases of new transport or other equipment will be required during the period.

4. The Committee was informed that the existing Force, which totalled 8,059 as at 1 September 1963 (see A/C.5/983, annex, section I), had been reduced to 7,100 on 30 September and that a further contingent was ready to leave as soon as transportation became available.

5. Since it is anticipated that the Force would be stationed and operate as required out of four or five localities in the Congo, the estimates make provision for the operation and maintenance of the following United Nations-owned aircraft: 8 C-47's, 2 Otters and 5 helicopters. Provision has also been made for limited use of larger capacity chartered aircraft in case there is need for emergency transport of heavy equipment and supplies to other parts of the Congo.

6. The estimates also provide for the expenses of the international and locally recruited civilian staff assisting the Force or required at United Nations Headquarters and other offices for essential operations related to the Force. However, they exclude the following items which in the past have always been included in the ONUC cost estimates, but for which it is now assumed other sources of financing will need to be found in 1964: the expenses of the Office of the Chief of Civilian Operations in the Congo and his Consultative Group, the administrative support costs of the civilian operations and the allowances and related costs for a unit of 400 Nigerian police assisting in the Congo.

7. Furthermore, the Advisory Committee was informed that the estimates exclude any provision for the continuation of aeronautical (including air traffic control) and meteorological services at airports. The Committee was given to understand that these services are absolutely essential in any case, not only for the United Nations but also for the Congolese Government and international air traffic; in fact, no flying whatever

would be possible without such services. It would seem that almost a hundred experts in aviation, telecommunications and meteorology are currently operating those services in the Congo. They are provided respectively by International Civil Aviation Organization, International Telecommunication Union and World Meteorological Organization. The costs of those services will have to be covered by some other sources of financing.

8. The Committee wishes to call the attention of the General Assembly to a suggestion made by the Secretary-General in paragraph 6 of his report that an exception be made to the United Nations Financial Rules. The Secretary-General observes that the maintenance of the military Force until 30 June 1964 would, of course, result in the continuance after that date of certain expenses for the Organization (for example, expenses connected with the temporary storage and eventual liquidation of United Nations-owned equipment and supplies, necessary repairs to rented quarters, termination and settlement of lease contracts, closing of accounts, etc.). To the extent that such expenses could not be covered by the present estimates, including the provision for contingencies, it would be the recommendation of the Secretary-General that, as an exception to the United Nations Financial Rules, the proceeds from the sale of the United Nations-owned equipment and supplies be used to meet the expenses in question. The rule in question is rule 110.38 which states that "The proceeds from the sale of surplus property shall be taken into account as miscellaneous income". In other words, the proceeds from the sale of surplus equipment would normally reduce the assessments levied in the course of the following year. As it is anticipated that there will be no further financing arrangements, the Secretary-General considers that it would be expedient to apply the proceeds of the sales against liquidation costs that will arise after June 1964.

9. In paragraph 7 of his report, the Secretary-General states that, on 25 September 1963, he was informed by Mr. Adoula, Prime Minister of the Republic of the Congo (Leopoldville), that on the assumption that other Governments would contribute to the expenses of maintaining a reduced United Nations Force in the Congo during the first half of 1964, his Government was prepared, as from the beginning of 1964, to defray the expenses of the operation which could be paid for in Congolese currency within a maximum of 208 million Congolese francs (or about \$3.2 million at the current rate of exchange).

10. In spite of the statement in paragraph 3 of the Secretary-General's report that the cost estimates are "precise", the Committee noted that such estimates include several contingency provisions in addition to section VIII, entitled "Contingencies", for which an amount of \$400,000 is proposed.

11. The Committee would refer, *inter alia*, to section III, chapter 2, Maintenance and operation of aircraft. The \$4 million total estimate for that chapter includes a provision for the chartering of commercial aircraft for movement of troops during an emergency if the United Nations-operated fleet proves to be insufficient to airlift the required number of troops at short notice.

12. Another example of contingency provision is found in section VI, Purchase of equipment. This section comprises two chapters: chapter 1, \$50,000 for the purchase of heavy equipment, the need for which is as yet unforeseen; chapter 2, \$100,000 for the purchase of other equipment, such as power generators, pumps, fire extinguishers, kitchen equipment, tool kits, etc., much of which, in the present phasing-out stage, the Committee would have assumed to exist as surplus. In the case of chapter 1, it would have appeared reasonable to expect any requirement to be covered under the contingency provision in section VIII; as for chap-

ter 2, it is the actual need for such equipment which might be questioned.

13. If it is decided to continue the operation until 30 June 1964, the Advisory Committee considers that the Secretary-General's estimates as submitted in his report are not unreasonable. However, in the light of its observations in paragraphs 10 to 12 above, the Committee would hope that the Secretary-General would find it possible to keep total expenditure down to \$18.2 million, including expenses in local currency to be covered by the Government of the Republic of the Congo up to \$3.2 million, as indicated in paragraph 9 above.

DOCUMENT A/5567

Report of the Fifth Committee

[Original text: English and French]
[14 October 1963]

1. At its 1008th to 1017th meetings, held between 2 and 11 October 1963, the Fifth Committee considered a report of the Secretary-General (A/C.5/983) submitting estimates of the probable costs to be incurred between 1 January and 30 June 1964 in the event that the United Nations Operation in the Congo is continued during that period with a reduced ONUC military force of 5,350 officers and other ranks. The Committee also had before it a related report of the Advisory Committee on Administrative and Budgetary Questions (A/5560).

2. The Secretary-General's estimates which amounted to \$19.2 million, included the expenses of the international and locally recruited civilian staff assisting the United Nations Force or required at Headquarters, New York, and other United Nations offices for essential operations. They excluded, however, the following items which had in the past formed part of the ONUC cost estimates: the expenses of the Office of the Chief of Civilian Operations in the Congo and his Consultative Group, the administrative support costs of the civilian operations and the allowances and related costs for a unit of 400 Nigerian police assisting in the Congo. The Secretary-General assumed that the items in question would have to be financed in 1964 from other sources.

3. In his report (A/C.5/983, paras. 6-8) the Secretary-General pointed out:

(a) That the maintenance of the Force until 30 June 1964 would, if decided upon, result in the continuance of certain expenses after that date (for example, expenses connected with the storage and eventual liquidation of equipment and supplies, repairs to rented quarters, termination of lease contracts, closing of accounts, etc.). To the extent that such expenses could not be met within the estimates submitted, the Secretary-General recommended that, as an exception to the United Nations Financial Rules, the proceeds from the sale of equipment and supplies should be used to meet the expenses in question; and

(b) That the Prime Minister of the Republic of the Congo (Leopoldville) had informed the Secretary-General that on the assumption that other Governments would contribute to the expenses of maintaining a reduced United Nations Force in the Congo during the first half of 1964, his Government was prepared, as from the beginning of 1964, to defray the expenses

of the operation which could be paid for in Congolese currency within a maximum of 208 million Congolese francs (or about \$3.2 million at the current rate of exchange).

4. The Advisory Committee, while regarding the Secretary-General's estimates as reasonable, expressed the hope that the Secretary-General would find it possible—in view of the considerations set forth in the Committee's report (A/5560, paras. 10-12)—to limit the total expenditure to \$18.2 million, inclusive of the expenses in local currency to be met by the Government of the Republic of the Congo.

5. During the ten meetings held between 2 and 11 October 1963, the members of the Fifth Committee voiced their general views on the item under discussion (United Nations Operation in the Congo: cost estimates). At the 1017th meeting, held on 11 October 1963, some members also expressed their general views, during the explanations of vote, on the draft resolution that had been before the Committee. The general discussion on the item before the Committee, and in particular on the proposed resolution, together with the views of delegations which took part in the debate, are analysed in the official records of the Committee (A/C.5/SR.1008-1017).

6. At the 1010th meeting the representative of Nigeria introduced a draft resolution (A/C.5/L.793 and Corr.1 and Add.1) submitted by Cameroon, Central African Republic, Congo (Leopoldville), Dahomey, Gabon, Ivory Coast, Liberia, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Sudan, Tanganyika and Uganda. Ghana was added to the list of sponsors at the 1011th meeting (A/C.5/L.793/Add.2). The draft resolution read as follows:

The General Assembly,

Recalling the Security Council resolutions of 14 July 1960,² 22 July 1960,³ 9 August 1960,⁴ 21 February 1961,⁵ and 24 November 1961,⁶ and General Assembly resolutions 1474 (ES-IV) of 20 September 1960, 1583 (XV) of 20 December 1960, 1595

² *Ibid.*, Fifteenth Year, Supplement for July, August and September 1960, document S/4387.

³ *Ibid.*, document S/4405.

⁴ *Ibid.*, document S/4426.

⁵ *Ibid.*, Sixteenth Year, Supplement for January, February and March 1961, document S/4741.

⁶ *Ibid.*, Supplement for October, November and December 1961, document S/5002.

(XV) of 3 April 1961, 1599 (XV), 1600 (XV) and 1601 (XV) of 15 April 1961, 1619 (XV) of 21 April 1961, 1633 (XVI) of 30 October 1961, 1732 (XVI) of 20 December 1961 and 1876 (S-IV) of 27 June 1963,

Having considered the request of the Government of the Republic of the Congo (Leopoldville) for reduced military assistance up to 30 June 1964, as referred to at the 1007th meeting of the Fifth Committee, on 25 September 1963,

Having noted the support given to the request, particularly by the independent African States,

Having considered the report of the Secretary-General on the cost estimates of the United Nations Operation in the Congo for the period 1 January to 30 June 1964 (A/C.5/983) and the report of the Advisory Committee on Administrative and Budgetary Questions thereon (A/5560),

Having considered that the Secretary-General would like the General Assembly to act in this matter as soon as possible in view of logistic and supply problems in connexion with the maintenance of the United Nations Force in the Congo,

1. *Decides* to continue the *Ad Hoc* Account for the United Nations Operation in the Congo until 30 June 1964;

2. *Authorizes* the Secretary-General to expend at an average monthly rate not to exceed \$3.2 million for the continuing cost of the United Nations Operation in the Congo during the period 1 January to 30 June 1964;

3. *Decides* that in connexion with any necessary expenditures after 30 June 1964 relating to the disposal of United Nations-owned equipment and supplies and the termination of the United Nations Operations in the Congo, including the closing of the accounts, the Secretary-General, with the concurrence of the Advisory Committee on Administrative and Budgetary Questions, is authorized to utilize for these purposes after 30 June 1964, to the extent required, any balance remaining in the *Ad Hoc* Account for the United Nations Operation in the Congo as at 30 June 1964 and, notwithstanding the provisions of rule 111.9 of the Financial Rules of the United Nations, the proceeds from the sale or other disposition after 30 June 1964 of United Nations-owned property;

4. *Decides* to appropriate an amount of \$16 million for the United Nations Operation in the Congo for the period 1 January to 30 June 1964;

5. *Decides* to apportion:

(a) The amount of \$3 million among all Member States in accordance with the regular scale of assessments for 1964,

(b) The \$13 million balance of the amount appropriated in paragraph 4 above among all Member States in accordance with the regular scale of assessments for 1964, except that each economically less developed country shall be assessed an amount calculated at 45 per cent of its rate under the regular scale of assessments for 1964,

provided that this apportionment shall constitute an *ad hoc* arrangement for the present phase of this peace-keeping operation, and shall not constitute a precedent for the future;

6. *Decides* that, for the purpose of the present resolution, the term "economically less developed countries" shall mean all Member States except Australia, Austria, Belgium, the Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, Denmark, Finland, France, Hungary, Iceland, Ireland, Italy, Japan, Luxembourg, the Netherlands, New Zealand, Norway, Poland, Romania, South Africa, Sweden, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America;

7. *Recommends* that the Member States named in paragraph 6 above make voluntary contributions in addition to their assessments under the present resolution in order to finance authorized expenditures in excess of the total amount assessed under this resolution, such voluntary contributions to be credited to a special account by the Secretary-General and transferred to the *Ad Hoc* Account for the United Nations Operation in the Congo as and when an economically less developed country has once paid to the credit of the latter ac-

count its assessment under paragraph 5 (b) above or an equal amount, the transfer to be of an amount which bears the same proportion to the total of such voluntary contributions as the amount of such payment bears to the total of the assessments on economically less developed countries under paragraph 5 (b); any amount left in such special account on 31 December 1965 shall revert to the Member States that made such voluntary contributions in proportion to their respective voluntary contributions;

8. *Appeals* to all other Member States which are in a position to assist to make similar voluntary contributions or alternatively to forgo having their assessments calculated at the rate mentioned in the exception contained in paragraph 5 (b) above;

9. *Decides* that the voluntary contributions referred to in paragraphs 7 and 8 above may be made by a Member State, at its option, in the form of services and supplies acceptable to the Secretary-General, furnished for use in connexion with the United Nations Operation in the Congo during the period 1 January to 30 June 1964, for which the Member State does not require reimbursement, the Member State to be credited with the fair value thereof as agreed upon by the Member State and by the Secretary-General.

7. At the 1016th and 1017th meetings the representative of Nigeria introduced, on behalf of the sponsors, the following changes—incorporated in document A/C.5/L.793/Rev.1—in the draft resolution, which were intended to meet a number of points that had been raised in the course of the discussion:

(a) Operative paragraph 2 to read as follows:

"2. *Authorizes* the Secretary-General to expend up to \$18.2 million for the present phase of the United Nations Operation in the Congo during the period 1 January to 30 June 1964;"

(b) Operative paragraph 4 to read as follows:

"4. *Decides* to appropriate an amount of \$15 million for the United Nations Operation in the Congo for the period 1 January to 30 June 1964;"

(c) Operative paragraph 5 after sub-paragraph 5 (a), to read as follows:

"(b) The \$12 million balance of the amount appropriated in paragraph 4 above among all Member States in accordance with the regular scale of assessments for 1964, except that each economically less developed country shall be assessed an amount calculated at a maximum of 45 per cent of its rate under the regular scale of assessments for 1964,

"provided that this apportionment shall constitute an *ad hoc* arrangement for the financing of this final cost estimate for the United Nations Operation in the Congo and shall not constitute a precedent for any other peace-keeping operation;"

Decision of the Committee

8. At the 1017th meeting the Committee adopted the revised draft resolution (A/C.5/L.793/Rev.1) by a roll-call vote of 68 to 11, with 18 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Australia, Austria, Belgium, Bolivia, Cameroon, Canada, Ceylon, Chad, Chile, China, Congo (Leopoldville), Costa Rica, Cyprus, Dahomey, Denmark, Ecuador, El Salvador, Ethiopia, Finland, Gabon, Ghana, Greece, Guatemala, Guinea, Iceland, India, Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Laos, Lebanon, Liberia, Libya, Malaysia, Mauritania, Mexico, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Philippines, Rwanda, Senegal,

Sierra Leone, Sudan, Sweden, Tanganyika, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela.

Against: Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Hungary, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Argentina, Brazil, Burma, Colombia, France, Iraq, Jordan, Kuwait, Mali, Morocco, Panama, Peru, Portugal, Saudi Arabia, Spain, Syria, United Arab Republic, Yugoslavia.

Recommendation of the Fifth Committee

9. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

UNITED NATIONS OPERATION IN THE CONGO: COST ESTIMATES AND FINANCING FOR THE PERIOD 1 JANUARY TO 30 JUNE 1964

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1247th plenary meeting on 18 October 1963, the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/5567, para. 9). For the final text see resolution 1885 (XVIII) below.

Resolution adopted by the General Assembly

1885 (XVIII). UNITED NATIONS OPERATION IN THE CONGO: COST ESTIMATES AND FINANCING FOR THE PERIOD 1 JANUARY TO 30 JUNE 1964

The General Assembly,

Recalling the Security Council resolutions of 14 July 1960,⁷ 22 July 1960,⁸ 9 August 1960,⁹ 21 February 1961¹⁰ and 24 November 1961¹¹ and General Assembly resolutions 1474 (ES-IV) of 20 September 1960, 1583 (XV) of 20 December 1960, 1595 (XV) of 3 April 1961, 1599 (XV), 1600 (XV) and 1601 (XV) of 15 April 1961, 1619 (XV) of 21 April 1961, 1633 (XVI) of 30 October 1961, 1732 (XVI) of 20 December 1961 and 1876 (S-IV) of 27 June 1963,

Having considered the request of the Government of the Republic of the Congo (Leopoldville) for reduced military assistance up to 30 June 1964, as referred to at the 1007th meeting of the Fifth Committee, on 25 September 1963,

Having noted the support given to the request, particularly by the independent African States,

Having considered the report of the Secretary-General on the cost estimates of the United Nations Operation in the Congo for the period 1 January to 30 June 1964 (A/C.5/983) and the report of the Advisory Committee on Administrative and Budgetary Questions thereon (A/5560),

Having considered that the Secretary-General would like the General Assembly to act in this matter as soon as possible in view of logistic and supply problems in connexion with the maintenance of the United Nations Force in the Congo,

1. *Decides* to continue the *Ad Hoc* Account for the United Nations Operation in the Congo until 30 June 1964;

2. *Authorizes* the Secretary-General to expend up to \$18.2 million for the present phase of the United

Nations Operation in the Congo during the period 1 January to 30 June 1964;

3. *Decides* that in connexion with any necessary expenditures after 30 June 1964 relating to the disposal of United Nations-owned equipment and supplies and the termination of the United Nations Operation in the Congo, including the closing of the accounts, the Secretary-General, with the concurrence of the Advisory Committee on Administrative and Budgetary Questions, is authorized to utilize for these purposes after 30 June 1964, to the extent required, any balance remaining in the *Ad Hoc* Account for the United Nations Operation in the Congo as at 30 June 1964 and, notwithstanding the provisions of rule 111.9 of the Financial Rules of the United Nations, the proceeds from the sale or other disposition after 30 June 1964 of United Nations-owned property;

4. *Decides* to appropriate an amount of \$15 million for the United Nations Operation in the Congo for the period 1 January to 30 June 1964;

5. *Decides* to apportion:

(a) The amount of \$3 million among all Member States in accordance with the regular scale of assessments for 1964,

(b) The \$12 million balance of the amount appropriated in paragraph 4 above among all Member States in accordance with the regular scale of assessments for 1964, except that each economically less developed country shall be assessed an amount calculated at a maximum of 45 per cent of its rate under the regular scale of assessments for 1964,

provided that this apportionment shall constitute an *ad hoc* arrangement for the financing of this final cost estimate for the United Nations Operation in the Congo and shall not constitute a precedent for any other peace-keeping operation;

6. *Decides* that, for the purpose of the present resolution, the term "economically less developed countries" shall mean all Member States except Australia, Austria, Belgium, the Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, Denmark, Finland, France, Hungary, Iceland, Ireland, Italy, Japan, Luxembourg, the Netherlands, New Zealand, Norway, Poland, Romania, South Africa, Sweden, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Re-

⁷ *Ibid.*, Fifteenth Year, Supplement for July, August and September 1960, document S/4387.

⁸ *Ibid.*, document S/4405.

⁹ *Ibid.*, document S/4426.

¹⁰ *Ibid.*, Sixteenth Year, Supplement for January, February and March 1961, document S/4741.

¹¹ *Ibid.*, Supplement for October, November and December 1961, document S/5002.

publics, the United Kingdom of Great Britain and Northern Ireland and the United States of America;

7. *Recommends* that the Member States named in paragraph 6 above make voluntary contributions in addition to their assessments under the present resolution in order to finance authorized expenditures in excess of the total amount assessed under this resolution, such voluntary contributions to be credited to a special account by the Secretary-General and transferred to the *Ad Hoc* Account for the United Nations Operation in the Congo as and when an economically less developed country has once paid to the credit of the latter account its assessment under paragraph 5 (b) above or an equal amount, the transfer to be of an amount which bears the same proportion to the total of such voluntary contributions as the amount of such payment bears to the total of the assessments on economically less developed countries under paragraph 5 (b); any amount left in such special account on 31 December 1965 shall revert to the Member States that made such

voluntary contributions in proportion to their respective voluntary contributions;

8. *Appeals* to all other Member States which are in a position to assist to make similar voluntary contributions or alternatively to forgo having their assessments calculated at the rate mentioned in the exception contained in paragraph 5 (b) above;

9. *Decides* that the voluntary contributions referred to in paragraphs 7 and 8 above may be made by a Member State, at its option, in the form of services and supplies acceptable to the Secretary-General, furnished for use in connexion with the United Nations Operation in the Congo during the period 1 January to 30 June 1964, for which the Member State does not require reimbursement, the Member State to be credited with the fair value thereof as agreed upon by the Member State and the Secretary-General.

*1247th plenary meeting,
18 October 1963.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 59 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/5501/Add.1	Introduction to the annual report of the Secretary-General on the work of the Organization (16 June 1952-15 June 1963)	<i>Official Records of the General Assembly, Eighteenth Session, Supplement No. 1A</i>
A/5510	Report of the Committee on Contributions	<i>Ibid., Supplement No. 10</i>
A/C.5/985 and Add.1	Collection of contributions as at 16 September 1963: report of the Secretary-General	Mimeographed
A/C.5/L.793 and Corr.1 and Add.1 and 2	Cameroon, Central African Republic, Congo (Leopoldville), Dahomey, Gabon, Ghana, Ivory Coast, Liberia, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Sudan, Tanganyika and Uganda: draft resolution	See A/5567, para. 6
A/C.5/L.793/Rev.1	Cameroon, Central African Republic, Congo (Leopoldville), Dahomey, Gabon, Ghana, Ivory Coast, Liberia, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Sudan, Tanganyika and Uganda: revised draft resolution	Adopted without change. See A/5567, para. 9
A/C.5/L.794	Draft report of the Fifth Committee	For the text of this document, as amended by the Fifth Committee at its 1018th meeting, see A/5567



Agenda item 60: Review of the pattern of conferences: report of the Secretary-General*

C O N T E N T S

<i>Document No.</i>	<i>Title</i>	<i>Page</i>
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A/5647	Report of the Advisory Committee on Administrative and Budgetary Questions	11
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* For the discussion of this item, see *Official Records of the General Assembly, Eighteenth Session, Fifth Committee*, 1054th, 1059th and 1060th meetings; and *ibid., Plenary Meetings*, 1284th and 1285th meetings.

DOCUMENT A/5638*

Report of the Secretary-General

[*Original text: English*]
[3 December 1963]

1. In his report¹ to the General Assembly at its seventeenth session, the Secretary-General reviewed both the growth in the annual programme of conferences and the effectiveness of the provisions of General Assembly resolution 1202 (XII) of 13 December 1957. Under the terms of this resolution principles were established to govern the planning and financing of meetings and conferences of the United Nations for the period 1958 to 1962 in order that the most rational and economical use might be made of the resources of the Organization and to provide for the effective participation of Member States. Under operative paragraph 2 of the resolution, the Assembly decided that, as a general principle, meetings of United Nations bodies should be held at the established headquarters of the bodies concerned and, under subparagraphs (a) to (e) thereof, provided for certain specific exceptions to this general principle. The Secretary-General indicated in his report at the seventeenth session that no difficulty had been encountered in the implementation of paragraph 2 of the resolution and further that paragraphs 3 and 4 thereof had facilitated the administration of the conference programme as a whole. The Secretary-General, while maintaining this view, believes that some changes to the present pattern of conferences might well be necessary in the future to provide for:

(a) Other functional commissions of the Economic and Social Council to meet at Geneva in the latter part of the year (the present pattern provides for only one functional commission to meet at Geneva annually);

(b) The decision of the Committee on the Peaceful Uses of Outer Space, taken at its third session from

25 February to 18 March 1963, that its Legal Subcommittee and its Scientific and Technical Subcommittee meet away from Headquarters, and

(c) The United Nations Scientific Committee on the Effects of Atomic Radiation to continue its present practice of meeting alternately at Headquarters and Geneva.

2. The General Assembly at its seventeenth session decided that a review of the pattern of conferences might with advantage be deferred to the eighteenth session. For the interim, the Assembly, by resolution 1851 (XVII), decided to continue for a further period of one more year the pattern established by its resolution 1202 (XII) subject to some minor amendments which had been proposed by the Secretary-General and endorsed by the Advisory Committee on Administrative and Budgetary Questions. It further invited the Secretary-General to bring to the attention of the competent organs the importance and urgency of the measures outlined in paragraph 11 of his report, as well as the need for moderation on their part in fixing their programmes of meetings in New York for 1964, in view of the major reconstruction work to be carried out at Headquarters.

3. The purpose of the present report is to inform the General Assembly of the developments which have taken place since its seventeenth session and to bring up to date the data contained in annex II of the Secretary-General's report at the seventeenth session concerning the number of meetings held by the principal organs and their subsidiary bodies for the years 1958 through 1963. This revised data is given in annex I to this report.

4. In pursuance of General Assembly resolution 1851 (XVII), the Secretary-General has taken several meas-

* Incorporating documents A/5638/Corr.1 and 2.
¹ *Official Records of the General Assembly, Seventeenth Session, Annexes*, agenda item 65, document A/5317.

ures during the course of 1963, all of which were designed to secure a more rational programme of meetings and to meet the requirements of the resolution in question. In paragraphs 20 to 28 of his foreword to the budget estimates for the financial year 1964 (A/5505), the Secretary-General dealt at some length

with the administrative and budgetary problems arising from the growth in the annual programme of conferences. The significant increase in the number of meetings serviced at Headquarters and Geneva, broken down between main fields of activity, is as follows for the period 1960 to 1962:

Year	Assembly General	Security Council and meetings on political matters	Economic and Social Council, and economic, social and human rights activities	Trusteeship Council, Non- Self-Governing Territories and questions of decolonization	Miscel- laneous	Total
1960	934	293	1,264	248	76	2,815
1961	1,380	316	1,688	169	129	3,682
1962	1,119	311	1,801	290	446	3,967

A major contributing factor to the increase in the number of meetings for all of the principal organs as shown above has been the creation of subsidiary bodies in the form of special committees, sub-committees, and *ad hoc* groups. A list of all bodies, together with the number of meetings held by each, is given in annex I to this report.

5. In the light of developments as illustrated by the statistics given in paragraph 4 above, and in the hope that a more disciplined approach both in regard to work programmes and related conference programmes would emerge pursuant to General Assembly resolutions 1797 (XVII) and 1851 (XVII) and from Economic and Social Council resolutions 909 (XXXIV) and 936 (XXXV), the Secretary-General submitted to the Economic and Social Council at its thirty-fifth session reports² on the interrelated problems of rationalizing the programme of conferences and concentrating activity in the economic, social, and human rights fields on the programmes with the highest priority.

6. At its thirty-fifth session in April 1963, the Council adopted resolution 936 (XXXV) whereby, after having considered the reports of the Secretary-General and the records of the discussions during the seventeenth session of the General Assembly on the necessity for limiting the number and length of the meetings of subsidiary bodies, requested its commissions and committees to review the number and timing of their meetings with a view to eliminating all those which were not essential and to reduce the frequency of others in accordance with the principles set forth in its resolution 693 B (XXVI), paragraphs 3 and 4 (*inter alia* that, as a general rule, a biennial pattern of meetings should be adopted by the functional commissions). The commissions and committees were further requested to include in their reports to the Council a statement of the results of the review.

7. The relevant actions taken by the commissions and committees concerned which have held sessions since the adoption of resolution 936 (XXXV) are as follows:

(a) At its fifteenth session the Social Commission adopted a resolution³ that reaffirmed its desire to hold annual sessions, recommended to the Council that it be authorized to hold its sixteenth session at Geneva, and proposed, should it not be possible for the Commission to meet at Geneva in 1964, that the Secretary-

General explore the possibility of alternative sites, in particular by approaching Governments which might be willing to extend host facilities. The Commission recommended and the Council decided at its thirty-sixth session (resolution 975 G (XXXVI)) to elect ten States members of the Commission to serve on an *ad hoc* working group on social welfare to meet immediately prior to the sixteenth session of the Social Commission.

(b) The Commission on Narcotic Drugs stated⁴ in its report of the eighteenth session that it was unanimously of the view that annual sessions of the Commission were essential to the functioning of the international narcotics control system, particularly in view of the annual reporting cycle under narcotics treaties and the specific executive as well as study responsibilities enjoined on the Commission. Nevertheless, in the interest of reducing the duration of the session, the Commission decided that for the coming year there should be no meeting of the Illicit Traffic Committee.

(c) The Commission on International Commodity Trade on its report of the eleventh session expressed the view⁵ that, in the light of the United Nations Conference on Trade and Development, it might usefully hold a session in 1964. It accordingly placed itself at the disposition of the Council with which the decision whether to defer the Commission's twelfth session to 1965 or to hold it in the second part of 1964 would rest.

8. Of those commissions which met in 1963 prior to the adoption of resolution 936 (XXXV) by the Council the following made recommendations concerning their sessions in 1964:

(a) At its seventeenth session the Commission on the Status of Women unanimously adopted a resolution⁶ whereby it recommended to the Council that if there was no invitation from any State Member for the eighteenth session of the Commission, its meetings should take place at Geneva in 1964. It further recommended that its session should not be held at the same time as the Commission on Human Rights.

(b) At its nineteenth session the Commission on Human Rights adopted a formal recommendation⁷ to the Council to provide for the twentieth session of the Commission on Human Rights to last at least five weeks.

9. The Statistical Commission, which meets every second year, is not scheduled to meet in 1963. Therefore, the Secretariat sought the individual opinions of

² Official Records of the Economic and Social Council, Thirty-fifth Session, Annexes, agenda item 17, documents E/3702 and E/3741.

³ *Ibid.*, Thirty-sixth Session, Supplement No. 12, para. 117.

⁴ *Ibid.*, Supplement No. 9, paras. 300-301.

⁵ *Ibid.*, Supplement No. 6, para. 144.

⁶ *Ibid.*, Supplement No. 7, para. 194.

⁷ *Ibid.*, Supplement No. 8, para. 88.

the members concerning the postponement of the 1964 session to 1965. Objections were raised by various members, including the Chairman, on the grounds that a three-year interval between the twelfth and thirteenth sessions was a serious interruption of the work programme and that postponement to 1965 would put the thirteenth session into a year already heavily charged for official statisticians by reason of the Second World Population Conference and the Population Commission as well as the biennial session of the International Statistical Institute.

10. The Advisory Committee, following its review of the initial budget estimates as submitted by the Secretary-General for the financial year 1964 and pursuant to General Assembly resolution 1797 (XVII), made extensive observations concerning the need to rationalize the programme of conferences and further made these observations available to the Economic and Social Council for its consideration at its thirty-sixth session (E/3801).⁸ These observations were made in the knowledge of the response of the functional commissions to requests that they review their schedule of meetings with a view to reduction.

11. At its thirty-sixth session, the Council considered a draft calendar of conferences for 1964 which took into account the proposals made by the Secretary-General and contained in his reports to the Council at its thirty-fifth session. The Council also had before it the recommendations (see paras. 7 and 8 above) of the functional commissions concerning their meetings programmes and the observations of the Advisory Committee concerning the total conference programme. After full consideration the Council approved a calendar of conferences for 1964,⁹ in particular, the Council decided that there should be no sessions of the functional commissions in 1964 other than the Commission on Narcotic Drugs which will meet for one week only in order to attend to urgent business relating to various international agreements. It further decided to limit its main meetings in 1964 to only one session of five weeks in the summer at Geneva instead of the usual practice of holding a spring and a summer session.

12. The Secretary-General gratefully acknowledges the valuable co-operation he has received this year from the Economic and Social Council in reducing its programme of conferences for 1964. The Council's decisions have made it possible for him to prepare a total conference programme for Headquarters and Geneva for 1964 which includes two major special conferences and which can be accommodated within the reduced number of conference rooms available and serviced with the maximum utilization of existing staff resources of the Secretariat. The total conference programme as contained in annex III to this report and as proposed for approval by the General Assembly must be strictly adhered to in view of the special circumstances obtaining in 1964. The Secretary-General hopes that the Council will take full advantage of the opportunity afforded by the reduced activity next year to consider carefully its calendar and pattern of conferences for 1965 and future years. He considers that quite aside from the special situation in 1964, there is an urgent

need to pursue measures for the rationalization of the total annual conference programme as already called for by the relevant resolutions adopted by the General Assembly and the Economic and Social Council. In this regard he fully concurs with the observations of the Advisory Committee as contained in paragraphs 52 to 74 of its main report (A/5507) on the 1964 budget estimates.

13. Under these circumstances the Secretary-General would suggest that the General Assembly postpone a further review of the annual pattern of meetings until its nineteenth session when any decisions which might be taken by the Economic and Social Council during the course of 1964 could be made known. The General Assembly might, however, at its present session, take a number of steps:

(a) The General Assembly may wish to request the Economic and Social Council to give full consideration to certain guiding principles for the formulation of its calendar of meetings for 1965 and future years. In particular, the Council might be asked to consider both the desirability and feasibility of advancing its present spring session to January. Such an advancement might provide the following advantages:

- (i) It would afford the Council an opportunity to review the total work programme in the economic and social fields as it has emerged from the deliberations of the Second and Third Committees of the General Assembly, against the resources appropriated by the General Assembly for that year;
 - (ii) It would also provide the Council with the opportunity of considering the reports of such of its functional commissions and committees as might meet concurrently with the regular session of the General Assembly in the fall of the previous year at Geneva;
 - (iii) Finally, a session of the Council in January might make it possible to eliminate the resumed summer session which is largely a procedural one and which is held normally in late December. It would also have the effect of relieving the heavier concentration of meetings which occurs during the period March to July annually.
- (b) The General Assembly might also request the Council to undertake a study of the optimum frequency for the sessions of its functional commissions, committees and other subsidiary bodies as well as the possibility of either integrating or eliminating such of the subsidiary bodies whose items of reference might overlap. In this connexion, it is relevant to draw attention to the observations of the Advisory Committee as contained in paragraphs 6 and 7 of its report (A/5529) on the revised estimates resulting from decisions of the Economic and Social Council and to paragraph 10 of the Secretary-General's report (A/5317) to the General Assembly at the seventeenth session, which reads:

"There appears to be a growing concern within the General Assembly and within the principal organs at the level of the conference programme. The time allowed for substantive preparation is so short as to endanger the productive results of the conferences, and the financial consequences are considerable. Furthermore, with such a concentration of meetings between regular sessions of the Assembly, serious

⁸ Mimeographed. Same text as A/5507, paras. 52-74.

⁹ For the calendar of conferences approved by the Council, see *Official Records of the Economic and Social Council, Thirty-Sixth Session, Supplement No. 1*, "Other decisions taken by the Council".

difficulties are encountered in scheduling the submission of reports of subsidiary bodies to their parent organs and thus in adhering to the rules of procedure in this regard.”

(c) Finally, the General Assembly might request the Secretary-General to provide the Council with a report on the administrative and budgetary consequences of any changes in the Council's calendar or pattern of meetings along the lines indicated above, so that the Council's study of these broader issues might take these aspects into account. The Council will in any case need to reconsider at its resumed thirty-sixth session this year, its previous decision not to include a session of the Commission on Human Rights in 1964.

14. Pending detailed consideration at its nineteenth session of the outcome of the Council's thirty-seventh session, the General Assembly would also need to continue for one more year until 31 December 1964, the pattern of conferences established in resolution 1202 (XII), with the amendments made in resolution 1851 (XVII).

15. As regards the programme of meetings of the other principal organs and their subsidiary bodies, it is to be expected that the recommendations of the *Ad Hoc*

Committee on the Improvement of the Methods of Work of the General Assembly which were approved by the General Assembly in its resolution 1898 (XVIII) of 11 November 1963—will lead to some reduction in the number of meetings and duration of the regular General Assembly sessions. There remains, however, the question of the programme of meetings of the subsidiary bodies established by the General Assembly and the Trusteeship Council, and the extent to which any rationalization of their meetings programmes can be attempted rests principally with the Member States themselves.

16. Finally, in considering the question of containing the totality of the meetings in the conference programme, account must be taken of major special conferences convened under the auspices of the United Nations. Annex II of this report contains a list of the special conferences that have been held since 1958 and illustrates clearly their growth in number and frequency. The Secretary-General would strongly urge that, as a general rule and until it has been possible to rationalize the normal annual programme of United Nations meetings, no more than one major special conference be scheduled annually.

ANNEX I

Number of meetings held at Headquarters and at Geneva and which required conference services

	1960	1961	1962	1963*
<i>General Assembly</i>				
General Assembly regular, resumed and special sessions	573	789	720	63
Special Committee on the Policies of <i>apartheid</i> of the Government of the Republic of South Africa	—	—	—	33
United Nations Scientific Committee on the Effects of Atomic Radiation	53	67	50	20
Committee on the Peaceful Uses of Outer Space (and Sub-Committees)	—	1	45	32
United Nations Conciliation Commission for Palestine Peace Observation Commission.....	4	5	2	—
Disarmament Commission	5	—	—	—
Committee established under General Assembly resolution 1181 (XII) (Question of defining Aggression)	—	—	5	—
Committee on Arrangements for a Conference for the Purpose of Reviewing the Charter.....	—	1	1	11
Commission of Investigation established by General Assembly resolution 1601 (XV); Conciliation Commission for the Congo; Advisory Committee on the Congo	24	139	6	3
Preparatory Committee on the International Cooperation Year	—	—	—	12
Commission of investigation into the conditions and circumstances resulting in the tragic death of Mr. Dag Hammarskjöld and of members of the party accompanying him	—	14	15	—
International Law Commission.....	64	61	50	72
United Nations Conference on the Elimination or Reduction of Future Statelessness.....	—	18	—	—
Second United Nations Conference on the Law of the Sea	48	—	—	—
<i>Ad hoc</i> Committee on the Improvement of the Methods of Work of the General Assembly.....	—	—	—	17
Working Group of Fifteen on the Examination of the Administrative and Budgetary Procedures of the United Nations.....	—	26	—	—

ANNEX I (continued)

	1960	1961	1962	1963*
<i>General Assembly (continued)</i>				
Working Group on the Examination of the Administrative and Budgetary Procedures of the United Nations	—	—	—	32
Committee of Experts on the Review of the Activities and Organization of the Secretariat	24	35	—	—
Advisory Committee on Administrative and Budgetary Questions	107	136	135	65
Board of Auditors	1	2	20	1
Committee on Contributions	10	31	21	15
United Nations Pledging Conference on the Expanded Programme of Technical Assistance and the Special Fund	—	—	1	—
Negotiating Committee for Extra-budgetary Funds ..	3	5	—	—
Consultative Committee for Public Information	—	15	19	—
United Nations Scientific Advisory Committee	2	3	—	4
United Nations Joint Staff Pension Board	1	9	23	8
United Nations Staff Pension Committee	—	1	—	—
United Nations Administrative Tribunal	1	—	6	1
International Civil Service Advisory Board	8	12	—	9
Expert Committee on Post Adjustments	6	9	—	—
TOTAL	934	1,380	1,119	399
<i>Security Council and meetings on political matters</i>				
Security Council (including Military Staff Committee)	98	95	65	70
Conference of the Ten-Nation Committee on Disarmament	49	—	—	—
Conference of the Eighteen-Nation Committee on Disarmament	—	—	221	201
Conference on the Discontinuance of Nuclear Weapon Tests	146	76	8	—
Conference for the Settlement of the Laotian Question	—	145	17	—
TOTAL	293	316	311	271
<i>Economic and Social Council and economic, social and human rights activities</i>				
Economic and Social Council	131	136	130	120
Commission on Human Rights	26	35	36	47
Sub-Commission on Prevention of Discrimination and Protection of Minorities	31	32	36	27
Commission on the Status of Women	26	28	27	32
Commission on International Commodity Trade	26	33	59	32
Social Commission	—	26	18	25
Population Commission	—	15	—	17
Statistical Commission	20	—	24	—
Commission on Narcotic Drugs (and Committee on Illicit Traffic)	34	30	32	32
Permanent Central Opium Board and Drug Supervisory Body	42	42	44	16
Committee for Industrial Development	—	29	27	29
Committee on Housing, Building and Planning	—	—	—	18
Committee on a United Nations Capital Development Fund	—	19	14	18
Council Committee on Non-Governmental Organizations	2	1	2	4
United Nations Commission on Permanent Sovereignty over Natural Resources	13	15	—	—
Committee on the Right of Everyone to be free from Arbitrary Arrest, Detention and Exile	9	—	2	1

ANNEX I (continued)

	1960	1961	1962	1963 ^a
<i>Economic and Social Council and economic, social and human rights activities (continued)</i>				
<i>Conferences</i>				
World Population Conference: Preparatory Committee	—	—	6	6
United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas	—	4	21	183
International Conference on Input-Output Techniques	5	17	—	—
United Nations Conference on Trade and Development: Preparatory Committee	—	—	—	160
Plenipotentiary Conference for the Adoption of a Single Convention on Narcotic Drugs	—	140	—	—
<i>Commodity meetings</i>				
Interim Co-ordinating Committee for International Commodity Arrangements	—	5	—	—
United Nations Tin Conference	57	—	—	—
<i>Ad hoc</i> committee on tungsten	—	—	—	7
International Lead and Zinc Study Group	44	38	47	8
United Nations Sugar Conference	—	136	—	—
United Nations Cocoa Conference	—	—	—	16
United Nations Wheat Conference	—	—	155	—
United Nations Conference on Coffee	—	—	156	—
United Nations Conference on Olive Oil	7	—	—	56
<i>Regional economic commissions</i>				
Economic Commission for Europe	648	705	658	466
Economic Commission for Latin America: Committee of the Whole	4	—	3	—
<i>Ad hoc, special, consultative or other groups</i>				
<i>Ad hoc</i> Working Group on the Question of a Declaration on International Economic Co-operation. . .	—	—	—	13
Advisory Committee of Experts on Industrial Development Activities of the United Nations System	—	—	—	19
Group of Experts on Planning for Economic Development	—	—	8	34
Committee of Experts for Further Work on the Transport of Dangerous Goods	—	19	—	10
Group of Experts on Explosives	—	—	—	8
Group of Experts on Geographical Names	16	—	—	—
Group of Experts on Commodity and Trade Problems of Developing Countries	—	—	—	27
Group of Experts on the Organization and Administration of Social Services	—	27	—	—
Consultative Group of Experts on Long-Term Economic Projections	—	—	18	—
Group of Experts on International Travel and Tourism	—	—	19	—
<i>Ad hoc</i> Group of Experts on Housing and Urban Development	—	—	20	—
United Nations inter-regional Seminar on the Techniques of Petroleum Development	—	—	40	—
<i>Ad hoc</i> Group of Experts on Community Development	9	—	—	28
Special Committee for the Preparation of Plans for the Celebration of the Fifteenth Anniversary of the Universal Declaration of Human Rights	—	—	—	6
<i>Ad hoc</i> Group of Experts on Review of Sampling Terminology	—	—	—	17
<i>Ad hoc</i> Working Group of Specialists in Sample Survey Methods	—	11	—	—
Consultative Group of Experts on the Economic and Social Consequences of Disarmament	—	18	33	—
United Nations Consultative Group and <i>ad hoc</i> Advisory Committee of Experts on the Prevention of Crime and Treatment of Offenders	—	17	—	15

ANNEX I (continued)

	1960	1961	1962	1963*
<i>Co-ordinating and governing bodies</i>				
Administrative Committee on Co-ordination	18	24	45	30
<i>Ad hoc</i> Working Group on Co-ordination (established by Economic and Social Council resolution 798 (XXX))	—	2	2	—
Special Committee on Co-ordination (established by Economic and Social Council resolution 920 (XXXIV))	—	—	—	11
Special Fund: Governing Council	9	6	21	14
Technical Assistance Committee.....	5	8	15	—
Technical Assistance Board.....	16	10	21	7
<i>Ad hoc</i> Committee on Co-ordination of Technical Assistance Activities (established under Council resolution 851 (XXXII)).....	—	—	14	15
Executive Committee of the Programme of the United Nations High Commissioner for Refugees.....	38	18	21	7
United Nations Children's Fund.....	28	42	27	10
United Nations/FAO Inter-Governmental Committee on the World Food Programme.....	—	—	—	1
United Nations Research Institute for Social Development	—	—	—	5
International Council of Voluntary Agencies.....	—	—	—	9
TOTAL	1,264	1,688	1,801	1,606
<i>Trusteeship Council, Non-Self-Governing Territories, and questions of decolonization</i>				
Trusteeship Council	121	50	26	23
Committee on Rural Economic Development of the Trust Territories	6	—	—	—
Drafting Committee on Western Samoa.....	6	—	—	—
Drafting Committee on Nauru.....	5	2	2	6
Drafting Committee on New Guinea.....	12	—	1	1
Drafting Committee on Tanganyika.....	4	—	—	—
Drafting Committee on Ruanda-Urundi.....	3	—	—	—
Drafting Committee on Northern Rhodesia	—	—	4	—
Drafting Committee on the Trust Territory of the Pacific Islands	2	5	4	4
United Nations Visiting Mission to the Trust Territory of the Pacific Islands	3	15	—	—
United Nations Visiting Mission to the Trust Territories of Nauru and New Guinea.....	—	2	9	—
United Nations Visiting Mission to Trust Territories in East Africa	8	—	—	—
Sub-Committee on the Questionnaire: <i>Ad hoc</i> Committee on the Basic Questionnaire.....	13	2	—	—
United Nations Commission for Ruanda-Urundi.....	—	—	1	—
Special Committee for South West Africa.....	—	—	1	—
Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	—	—	155	152
Committee on South West Africa.....	31	75	28	—
Special Committee of Six on the Transmission of Information under Article 73 e of the Charter....	14	—	—	—
Special Committee on Territories under Portuguese administration	—	—	41	—
Committee on Information from Non-Self-Governing Territories	20	18	18	31
TOTAL	248	169	290	217

ANNEX I (continued)

	1960	1961	1962	1963 ^a
<i>Miscellaneous</i>				
African-Asian group	33	71	78	42
African group	—	10	32	26
Latin American group	—	7	23	17
Non-aligned group	—	—	3	—
Cairo conference group.....	—	—	3	—
World Federation of United Nations Associations....	21	16	16	22
United Nations Training Programme for Foreign Service Officers from Newly-Independent Countries	—	—	281	232
Various (Press conferences, etc.).....	22	25	10	16
TOTAL	76	129	446	355

^a 1 January to 30 September 1963.

ANNEX II

Important conferences held under United Nations auspices

<i>Year</i>	<i>Conference</i>	<i>Place of meeting</i>
1958	Conference of Experts on Measures for Preventing Surprise Attack	Geneva
	First United Nations Conference on the Law of the Sea.....	Geneva
	Second United Nations International Conference on the Peaceful Uses of Atomic Energy.....	Geneva
	Conference of Experts to Study the Possibility of Detecting Viola- tions of a Possible Agreement on the Suspension of Nuclear Tests	Geneva
	Conference on the Discontinuance of Nuclear Weapons Tests....	Geneva
1959	United Nations Conference on the Elimination or Reduction of Future Statelessness	Geneva
	Conference on the Discontinuance of Nuclear Weapons Tests.....	Geneva
1960	Second United Nations Conference on the Law of the Sea	Geneva
	Conference on the Discontinuance of Nuclear Weapons Tests (two sessions)	Geneva
	Second United Nations Congress on the Prevention of Crime and the Treatment of Offenders....	London
	Conference of the Ten-Nation Committee on Disarmament....	Geneva
1961	United Nations Conference on Diplomatic Intercourse and Im- munities	Vienna
	Plenipotentiary Conference for the Adoption of a Single Conven- tion on Narcotic Drugs.....	New York
	United Nations Conference on Solar Energy, Wind Power and Geothermal Energy	Rome
	Conference on the Discontinuance of Nuclear Weapons Tests.....	Geneva
	Consultative Group on the Economic and Social Consequences of Disarmament	Geneva
1962	Conference on the Discontinuance of Nuclear Weapons Tests.....	Geneva
	Conference of the Eighteen-Nation Committee on Disarmament ..	Geneva
	Sub-Committee on a Treaty for the Discontinuance of Nuclear Weapons Tests	Geneva
1963	United Nations Conference on the Application of Science and Technology for the Benefit of Less Developed Areas	Geneva
	Conference of the Eighteen-Nation Committee on Disarmament ..	Geneva
	International Conference of Plenipotentiaries on Consular Relations	Vienna
	United Nations Conference on International Travel and Tourism ..	Rome

ANNEX III

Basic programme of meetings for 1964

PART I. HEADQUARTERS, NEW YORK

	<i>Date</i>
<i>General Assembly and related bodies</i>	
Peace Observation Commission.....	January or February (1 meeting)
Committee on the Peaceful Uses of Outer Space .	10-14 February
Committee on Information from Non-Self-Govern- ing Territories and Sub-Committee (fifteenth session)	6 April-1 May
Board of Auditors	4 May-9 June
International Civil Service Advisory Board. . .	May (2 weeks)
Advisory Committee on Administrative and Budget- ary Questions	mid May-end June (6 weeks)
Investments Committee	1-8 June (3-5 days)
United Nations Scientific Committee on the Effects of Atomic Radiation (fourteenth session).....	22 June-3 July
Committee on Contributions.....	July (2 weeks)
General Assembly (nineteenth session).....	15 September (12-13 weeks)
Advisory Committee on Administrative and Budget- ary Questions	15 September (12-13 weeks)
United Nations Training Programme for Foreign Service Officers from Newly-Independent Coun- tries	November-mid December
United Nations Administrative Tribunal.....	November (2-3 weeks)
United Nations Pledging Conference on the Ex- panded Programme of Technical Assistance and the Special Fund	November (2 meetings)
<i>Ad hoc</i> Committee of the General Assembly for the announcement of voluntary contributions to the programmes of the United Nations High Commis- sioner for Refugees.....	November (2 meetings)
Committee on Application for Review of Adminis- trative Tribunal Judgements	as required
Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	undetermined
Special Committee on the Policies of <i>apartheid</i> of the Government of the Republic of South Africa	undetermined
Advisory Committee on the Congo.....	as required
Committee on Arrangements for a Conference for the Purpose of Reviewing the Charter.....	undetermined
Working Group on the Examination of the Admin- istrative and Budgetary Procedures of the United Nations	undetermined
<i>Security Council and related bodies</i>	
Security Council	as required
Disarmament Commission	as required
Military Staff Committee.....	once every fortnight
<i>Economic and Social Council and related bodies</i>	
Special Fund: Governing Council (eleventh session)	13-20 January
Sub-Commission on Prevention of Discrimination and Protection of Minorities (sixteenth session)	13-31 January
Committee on Housing, Building and Planning....	22 January-4 February
United Nations Conference on Trade and Develop- ment: Preparatory Committee (third session)...	3-14 February
United Nations Children's Fund: election meeting	February (1 meeting)
<i>Ad hoc</i> Committee on Co-ordination of Technical Assistance Activities (established under Economic and Social Council resolution 851 (XXXII))... .	17-28 February
Interim Co-ordinating Committee on International Commodity Arrangements	February (1 week)

ANNEX III (continued)

	<i>Date</i>
<i>Economic and Social Council and related bodies</i> (continued)	
Advisory Committee on the Application of Science and Technology to Development	24 February-6 March
Technical Assistance Board (fifty-ninth session)	March (1 week)
Council Committee on Non-Governmental Organizations	9-10 March
Committee on Industrial Development	9-27 March
Consultative Committee on Administrative Questions	25 March-6 April
Special Fund: Governing Council	1-8 June
Special Committee on Co-ordination	end May-early June (2 weeks)
United Nations Children's Fund: Committee on Administrative Budget	15 June (2-3 days)
United Nations Children's Fund: Programme Committee	June (5 days)
United Nations Children's Fund: Executive Board	June (5 days)
Consultative Group of Experts on Long-Term Economic Projections	17 August (2 weeks)
<i>Ad hoc</i> Working Group on the Question of a Declaration on International Economic Co-operation	August-September (2 weeks)
Technical Assistance Board (sixty-first session)	October (1 week)
Administrative Committee on Co-ordination: Preparatory Committee	October (7-10 days)
Technical Assistance Committee	November (1 week)
Economic and Social Council (resumed thirty-seventh session)	during or after the General Assembly
<i>Trusteeship Council and Committees</i>	
Trusteeship Council (thirty-first session)	20 May-19 June
Drafting Committees of the Council	20 May-19 June

PART II. EUROPEAN OFFICE, GENEVA

	<i>Date</i>
<i>Headquarters-based bodies</i>	
United Nations Scientific Committee on the Effects of Atomic Radiation (thirteenth session)	24 February-6 March
Committee on the Peaceful Uses of Outer Space: Legal Sub-Committee	9-26 March
Advisory Committee on Administrative and Budgetary Questions	10-26 March
United Nations Conference on Trade and Development	23 March-15 June
Administrative Committee on Co-ordination: Preparatory Committee	14 April (2 weeks)
Committee on the Peaceful Uses of Outer Space: Scientific Sub-Committee	11-29 May
International Law Commission	11 May-17 July
United Nations/FAO Inter-Governmental Committee on the World Food Programme	6 July (1 week)
Economic and Social Council (thirty-seventh session)	13 July-15 August
<i>Geneva-based bodies</i>	
World Health Organization: Committee on Administration, Finance and Legal Matters	6-13 January
World Health Organization: Executive Board (thirty-second session)	14-28 January
Eighteen-Nation Disarmament Committee	21 January
Seventeenth World Health Assembly	3-21 March
Economic Commission for Europe (nineteenth session)	13 April-1 May

ANNEX III (continued)

	<i>Date</i>
<i>Geneva-based bodies</i> (continued)	
Commission on Narcotic Drugs (nineteenth session)	4-8 May
World Health Organization: Executive Board (thirty-third session)	25-31 May
Permanent Central Opium Board (eighty-fourth session); Drug Supervisory Body (sixty-first session); Permanent Central Opium Board/Drug Supervisory Committee (thirty-first joint session)	June (2 weeks)
Executive Committee of the Programme of the United Nations High Commissioner for Refugees	1-5 June
International Labour Conference (forty-eighth session)	17 June-9 July
Third International Conference on the Peaceful Uses of Atomic Energy	31 August-9 September
Executive Committee of the Programme of the United Nations High Commissioner for Refugees	October (1 week)
Permanent Central Opium Board (eighty-fifth session); Permanent Central Opium Board/Drug Supervisory Committee (thirty-second joint session)	October (2 weeks)
Interim Co-ordinating Committee for International Commodity Arrangements	October (1 week)
Economic Commission for Europe: technical committee	regularly throughout the year

PART III. LOCATIONS OTHER THAN NEW YORK OR GENEVA

	<i>Date</i>	<i>Place of meeting</i>
United Nations Children's Fund: Programme Committee and Executive Board	13-24 January	Bangkok, Thailand
Economic Commission for Africa (sixth session)	19 February-3 March	Addis Ababa, Ethiopia
Economic Commission for Latin America: Committee of the Whole.....	12-14 February	Santiago, Chile
Economic Commission for Asia and the Far East (twentieth session).....	2-17 March	Teheran, Iran
Consultative Committee for Public Information	April (2 weeks)	FAO—Rome, Italy
United Nations Scientific Advisory Committee	21 April (2 days)	Tashkent, USSR
Administrative Committee on Co-ordination	28-30 April	Paris, France
United Nations Joint Staff Pension Board (twelfth session)	22 June-3 July	Paris, France
Fourth United Nations Regional Cartographic Conference for Asia and the Far East	October/December (2 weeks)	Manila, Philippines

DOCUMENT A/5647

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[9 December 1963]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (A/5638) on the review of the pattern of conferences, which brings up to date a report he had submitted at the seventeenth session¹⁰ and in

¹⁰ *Official Records of the General Assembly, Seventeenth Session, Annexes, agenda item 65, document A/5317.*

which he received the growth in the annual programme of conferences and the effectiveness of the provisions of General Assembly resolution 1202 (XII) of 13 December 1957.

2. Under the terms of that resolution, principles were established to govern the planning and financing of meetings and conferences of the United Nations for the

period 1958 to 1962 in order that the most rational and economical use might be made of the resources of the Organization and to provide for the effective participation of Member States. Under operative paragraph 2 of the resolution, the Assembly decided that, as a general principle, meetings of United Nations bodies should be held at the established headquarters of the bodies concerned and, under sub-paragraphs (a) and (e) thereof, provided for certain specific exceptions to this general principle.

3. The Secretary-General indicated in his report at the seventeenth session that no difficulty had been encountered in the implementation of paragraph 2 of the resolution and, further, that paragraphs 3 and 4 thereof had facilitated the administration of the conference programme as a whole. The Secretary-General, while maintaining this view, believes that some changes to the present pattern of conferences might well be necessary in the future to provide, *inter alia*, for other functional commissions of the Economic and Social Council to meet at Geneva in the latter part of the year (the present pattern provides for only one functional commission, in addition to the Commission on Narcotic Drugs, to meet at Geneva annually). In this connexion, the Advisory Committee was given to understand that this suggestion would apply to organs of a technical character, such as the Statistical Commission and the Population Commission, the servicing of which would not require the presence in Geneva of substantive personnel needed for the regular session of the General Assembly in New York. The Committee was informed that the holding of such sessions in Geneva during the last quarter of the year would, by spreading out the calendar of meetings, make possible a more rational utilization of the conference staff of the European Office where there would usually appear to be at that time a relative lull in conference activity.

4. The Secretary-General recalls that, at its seventeenth session, the General Assembly, by resolution 1851 (XVII), decided to continue for a further period of one more year the pattern established by its resolution 1202 (XII) subject to some minor amendments which had been proposed by the Secretary-General and endorsed by the Advisory Committee. It further invited the Secretary-General to bring to the attention of the competent organs the importance and urgency of the measures outlined in paragraph 11 of his report, as well as the need for moderation on their part in fixing their programmes of meetings in New York for 1964, in view of the major reconstruction work to be carried out at Headquarters.

5. In paragraph 4 of his current report, the Secretary-General indicates that, in pursuance of General Assembly resolution 1851 (XVII), he took several measures during the course of 1963, designed to secure a more rational programme of meetings and to meet the requirements of the resolution in question. In paragraphs 5 to 12 of his report, the Secretary-General recounts the steps he took and the response which his appeals elicited.

6. He indicates, *inter alia*, that even though, at its thirty-fifth session in April 1963, the Economic and Social Council adopted resolution 936 (XXXV) requesting its commission and committees to review the number and timing of their meetings with a view to eliminating all those which were not essential and to reduce the frequency of others in accordance with the

principles set forth in its resolution 693 B (XXVI) paragraphs 3 and 4 (*inter alia* that, as a general rule, a biennial pattern of meetings should be adopted by the functional commissions), two of the three functional commissions which met between the thirty-fifth and thirty-sixth sessions of the Council expressed the view that they ought to meet annually, while the third stated that it might usefully hold a session in 1964. Two other functional commissions which met in 1963 before the adoption of Economic and Social Council resolution 936 (XXXV) recommended annual sessions for themselves.

7. At its 1963 summer session, the Advisory Committee, following its review of the initial budget estimates submitted by the Secretary-General for the financial year 1964 (A/5505) and pursuant to General Assembly resolution 1797 (XVII), made extensive observations concerning the need to rationalize the programme of conferences and further made these observations available to the Economic and Social Council for its consideration at its thirty-sixth session (E/3801).¹¹ These observations were made in the knowledge of the response of the functional commissions to requests that they review their schedule of meetings with a view to reduction (see para. 6 above).

8. At its thirty-sixth session in July 1963, the Council approved a calendar of conferences for 1964,¹² in particular the Council decided that there should be no sessions of the functional commissions in 1964 other than the Commission on Narcotic Drugs which would meet for one week only in order to attend to urgent business relating to various international agreements. It further decided to limit its main meetings in 1964 to only one session of five weeks in the summer at Geneva instead of the usual practice of holding a spring and a summer session.

9. In paragraph 12 of his report, the Secretary-General states that the Council's decisions have made it possible for him to prepare a total conference programme for Headquarters and Geneva for 1964 which includes two major special conferences and which can be accommodated within the reduced number of conference rooms available and serviced with the maximum utilization of existing staff resources of the Secretariat. The Advisory Committee would call particular attention to the fact that, in the view of the Secretary-General, this total conference programme as contained in annex III of his report and as proposed for approval by the General Assembly must be strictly adhered to in view of the special circumstances obtaining in 1964. The Secretary-General hopes that the Council will take full advantage of the opportunity afforded by the reduced activity next year to consider carefully its calendar and pattern of conferences for 1965 and future years; he believes that, quite aside from the special situation in 1964, there is an urgent need to pursue measures for the rationalization of the total annual conference programme as already called for by the relevant resolutions adopted by the General Assembly and the Economic and Social Council. In this regard he fully concurs with the observations of the Advisory Committee as contained in paragraphs 52 to 74 of its main report (A/5507) on the 1964 budget estimates.

¹¹ Mimeographed. Same text as A/5507, paras. 52-74.

¹² For the calendar of conferences approved by the Council, see *Official Records of the Economic and Social Council, Thirty-Sixth Session, Supplement No. 1*, "Other decisions taken by the Council".

10. Under these circumstances the Secretary-General suggests that the General Assembly postpone a further review of the annual pattern of meetings until its nineteenth session when any decisions which might be taken by the Economic and Social Council during the course of 1964 could be made known. Pending detailed consideration at its nineteenth session of the outcome of the Council's thirty-seventh session, the General Assembly would also need to continue for one more year, until 31 December 1964, the pattern of conferences established in resolution 1202 (XII), with the amendments made in resolution 1851 (XVII).

11. There are, however, in the opinion of the Secretary-General, a number of steps which the General Assembly might usefully take at its present session. He suggests that:

(a) The General Assembly request the Economic and Social Council to give full consideration to certain guiding principles for the formulation of its calendar of meetings for 1965 and future years and, in particular, to consider both the desirability and feasibility of advancing its present spring session to January; such an advancement might provide the following advantages:

- (i) It would afford the Council an opportunity to review the total work programme in the economic and social fields as it has emerged from the deliberations of the Second and Third Committees of the General Assembly, against the resources appropriated by the General Assembly for that year;
- (ii) It would also provide the Council with the opportunity of considering the reports of such of its functional commissions and committees as might meet concurrently with the regular session of the General Assembly in the fall of the previous year at Geneva;
- (iii) Finally, a session of the Council in January might make it possible to eliminate the resumed summer session which is largely a procedural one and which is held normally in late December. It would also have the effect of relieving the heavier concentration of meetings which occurs during the period March to July annually;

(b) The General Assembly request the Council to undertake a study of the optimum frequency for the sessions of its functional commissions, committees and other subsidiary bodies as well as the possibility of either integrating or eliminating such of the subsidiary bodies whose terms of reference might overlap;

(c) The General Assembly request the Secretary-General to provide the Council with a report on the administrative and budgetary consequence of any changes in the Council's calendar or pattern of meetings along the lines indicated in sub-paragraphs (a) and (b) of this paragraph as well as in paragraph 3 above, so that the Council's study of these broader issues might take these aspects into account. Following the adoption by the General Assembly on 5 December 1963, of resolution 1922 (XVIII), the Council will in any case need to reconsider at its resumed thirty-sixth session this year, its previous decision not to include a session of the Commission on Human Rights in 1964.

12. In paragraph 15 of his report, the Secretary-General discusses the situation as regards the programme of meetings of the other principal organs, and

their subsidiary bodies. While he expects that the recommendations of the *Ad Hoc* Committee on the Improvement of the Methods of Work of the General Assembly—which were approved by the General Assembly in its resolution 1898 (XVIII) of 11 November 1963—will lead to some reduction in the number of meetings and duration of the regular General Assembly sessions, he points out that there remains the question of the programme of meetings of the subsidiary bodies established by the General Assembly and the Trusteeship Council, and the extent to which any rationalization of their meetings programmes can be attempted rests principally with the Member States themselves.

13. Finally, it is the view of the Secretary-General that, in considering the question of containing the totality of the meetings in the conference programme, account must be taken of major special conferences convened under the auspices of the United Nations. Annex II of his report contains a list of the special conferences that have been held since 1958 and illustrates clearly their growth in number and frequency. The Secretary-General strongly urges that, as a general rule and until it has been possible to rationalize the normal annual programme of United Nations meetings, no more than one major special conference be scheduled annually.

OBSERVATIONS AND RECOMMENDATIONS OF THE ADVISORY COMMITTEE

14. In paragraphs 52 to 74 of its main report on the 1964 budget estimates, the Advisory Committee set forth in detail the reasons why it considers necessary and urgent a rationalization of the Organization's programme of conferences and meetings. Paragraphs 55 to 62 of that report give a summary of the action taken by the General Assembly, the Economic and Social Council, the Advisory Committee and the Secretary-General to give practical effect to the principles laid down by the General Assembly in resolution 1202 (XII) of 13 December 1957 in order that the most rational and economical use might be made of the resources of the Organization and the effective participation of Members facilitated. In paragraph 62 of its report, the Advisory Committee noted with regret that, despite repeated exhortations over the past five years urging rationalizations and restraint, the practical results were less than encouraging.

15. It is clear that the restrictive influences which might have resulted from the application of operative paragraphs 4 and 5 of resolution 1202 (XII) have not made themselves felt to the extent expected. It should be noted, for example, that over the past five years, the total number of meetings serviced by the Secretariat in New York and in Geneva has increased from 2,711 in 1959 to 4,231 in 1962.¹³ This is attributable, in the main to:

(a) The establishment by the General Assembly of a considerable number of subsidiary bodies to undertake specific tasks;

(b) The expansion of activities in the economic and social fields which has resulted in an increase in the number of standing and *ad hoc* committees, groups

¹³ These figures include meetings serviced outside the pattern laid down by resolution 1202 (XII) which have increased from approximately 600 in 1959 to 1,200 in 1962.

of experts, international commodity conferences and meetings related to technical assistance activities;

(c) The convening, each year, of a number of large special conferences.

16. The time has now come when the total demands for servicing conferences and meetings exceed the resources which can be placed at the disposal of the Secretary-General. The availability of funds is not the sole determining factor when it is proposed to hold a meeting; competing demands on a limited supply of qualified staff make some form of "rationing" unavoidable. As it stated in paragraph 72 of its report, the Advisory Committee firmly believes that "only if decision-making bodies are prepared to take a rational approach to future programmes, exercising the utmost restraint and making sacrifices where necessary, will meetings and conferences continue to be fully effective within the Organization's over-all activities. It is, indeed, essential that they ensure that the available resources are directed to a carefully elaborated programme of priorities rather than being dispersed over an ever-expanding *ad hoc* schedule of meetings, the preparation for which, both by the Secretariat and by Member Governments, would be inadequate, the servicing of which would be unsatisfactory, and the effectiveness incommensurate with the efforts deployed and the costs incurred".

17. Despite the welcome action of the Economic and Social Council in reducing its programme of meetings for 1964, and the assurance given by the Secretary-General in paragraph 12 of his report that he can accommodate and service the total 1964 programme, the Advisory Committee would still doubt whether all of the meetings should be held in that year, whether they can be adequately prepared, or whether they will all produce results commensurate with the efforts and expenditure devoted to them.

18. While concurring in the suggestion of the Secretary-General that a further review of the pattern of conferences be postponed until the nineteenth session of the General Assembly, the Advisory Committee wishes it to be understood that this does not mean that it considers the rationalization of the conference programme less urgent than hitherto. It believes, however, that there would be some advantage if the next review were undertaken at a time when all material facilities will again be available and when needs arising out of the United Nations Conference on Trade and Development are known. The Committee recommends most strongly that this matter be given high priority by the General Assembly.

19. The Advisory Committee endorses the Secretary-General's proposals concerning the Economic and Social Council contained in paragraph 13 of his report. It would, however, suggest that at the same time as the Council considers advancing its spring session to January, it should also look into the possibility of bringing forward its summer session in order that its programme of activities for the following year might be included in the budget estimates for that year. The Committee would recall that it made such a recommendation in paragraph 51 of its main report on the 1964 budget estimates.

20. As regards the Secretary-General's suggestion that the General Assembly might request the Economic and Social Council to undertake a study of the optimum frequency for the sessions of its functional commissions,

committees and other subsidiary bodies as well as the possibility of either integrating or eliminating such of the subsidiary bodies whose terms of reference might overlap, the Advisory Committee considers that such a study would be of the utmost importance to the General Assembly when it reviews the pattern of conferences at its nineteenth session. It should be understood however that the object of the study would be to present the Council's proposals for the rationalization of meetings in the economic and social fields and not merely a statement of the individual views of each of its subsidiary bodies. The Advisory Committee does not believe that the existing frequency of meetings is necessarily conducive to effectiveness in the formulation or implementation of work programmes in the case of all the Council bodies. Well-established programmes do not call for, indeed are likely to be more productive without, annual review by policy-making bodies, and the Advisory Committee would again venture to suggest that for them, a biennial pattern of meetings would be appropriate. In this connexion, the Committee would recall that the Economic Commission for Latin America functions in a most effective manner with a biennial session.

21. The Advisory Committee agrees that the Secretary-General should be requested to provide the Council with such information of an administrative and budgetary nature as may assist in rationalizing its over-all programme of meetings.

22. Finally, the Advisory Committee wishes to support most strongly the Secretary-General's recommendation that, as a general rule, and until it has been possible to rationalize the regular annual programme of meetings, no more than one major special conference be scheduled annually.

23. To sum up, subject to the observations made in the preceding paragraphs, the Advisory Committee:

(a) Concurs in the Secretary-General's proposal that the General Assembly postpone a further review of the pattern of conferences until its nineteenth session, and that it accordingly continue until 31 December 1964, the pattern of conferences established in resolution 1202 (XII), with the amendments made in resolution 1851 (XVII);

(b) Recommends that the General Assembly request the Economic and Social Council:

(i) To advance its "spring" session to January and consider the possibility of advancing its summer session to May or early June;

(ii) To undertake in 1964 a study of the optimum frequency for the sessions of its functional commissions, committees and other subsidiary bodies, as well as the possibility of either integrating or eliminating such of the subsidiary bodies whose terms of reference might overlap, so that the Council's conclusions might be available to the General Assembly at its nineteenth session;

(c) Recommends that the General Assembly request the Secretary-General to provide the Council with such information of an administrative and budgetary nature as may assist the Council carrying out the above-mentioned study;

(d) Recommends that, as a general rule, and at least until it has been possible to rationalize the regular annual programme of conferences, no more than one major special conference should be scheduled annually.

DOCUMENT A/5681

Report of the Fifth Committee

[Original text: English and French]
[16 December 1963]

[The Fifth Committee submitted a report on agenda items 22 (Third International Conference on the Peaceful Uses of Atomic Energy: report of the Secretary-General), 58 (Budget estimates for the financial year 1964) and 60. For the text of that report see Official Records of the General Assembly, Eighteenth Session, Annexes, agenda item 58, document A/5681.]

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1285th plenary meeting on 17 December 1963, the General Assembly adopted draft resolution IV submitted by the Fifth Committee (A/5681, para. 106). For the final text, see resolution 1987 (XVIII) below.

Resolution adopted by the General Assembly

1987 (XVIII). PATTERN OF CONFERENCES

[For the text of this resolution see Official Records of the General Assembly, Eighteenth Session, Annexes, agenda item 58.]

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 60 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/5505	Budget estimates for the financial year 1964 and information annexes	<i>Official Records of the General Assembly, Eighteenth Session, Supplement No. 5</i>
A/5507	Fifth report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid., Supplement No. 7</i>
A/5529	Report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid., Eighteenth Session, Annexes, agenda item 58</i>
A/C.5/L.828	Draft report of the Fifth Committee	For the text of this document as amended by the Fifth Committee at its 1060th meeting, see A/5681



Agenda item 61: Appointments to fill vacancies in the membership of subsidiary bodies of the General Assembly:*

- (a) **Advisory Committee on Administrative and Budgetary Questions;**
- (b) **Committee on Contributions;**
- (c) **Board of Auditors;**
- (d) **United Nations Administrative Tribunal;**
- (e) **United Nations Staff Pension Committee;**
- (f) **Investments Committee: confirmation of the appointment made by the Secretary-General**

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* For the discussion of this item, see *Official Records of the General Assembly, Eighteenth Session, Fifth Committee*, 1027th to 1031st, 1046th, 1050th and 1060th meetings; and *ibid., Plenary Meetings*, 1255th, 1265th, 1276th and 1284th meetings.

(a) Advisory Committee on Administrative and Budgetary Questions

DOCUMENT A/5464

Note by the Secretary-General

[Original text: English]
[31 July 1963]

1. The rules of procedure of the General Assembly provide that:

“Rule 156

“The General Assembly shall appoint an Advisory Committee on Administrative and Budgetary Questions (hereinafter called the ‘Advisory Committee’),

with a membership of twelve, including at least three financial experts of recognized standing.

“Rule 157

“The members of the Advisory Committee, no two of whom shall be nationals of the same State, shall

be selected on the basis of broad geographical representation, personal qualifications and experience, and shall serve for three years corresponding to three financial years, as defined in the regulations for the financial administration of the United Nations. Members shall retire by rotation and shall be eligible for reappointment. The three financial experts shall not retire simultaneously. The General Assembly shall appoint the members of the Advisory Committee at the regular session immediately preceding the expiration of the term of office of the members, or, in case of vacancies, at the next session.”

2. The present membership of the Committee is as follows:

Mr. Thanassis Aghnides (Greece);
 Mr. Mohamed Abdel Maged Ahmed (Sudan);
 Mr. Albert F. Bender (United States of America);
 Mr. André Ganem (France);
 Mr. James Gibson (United Kingdom of Great Britain and Northern Ireland);
 Mr. Alfonso Grez (Chile);
 Mr. Ismat T. Kittani (Iraq);
 Mr. Raúl A. Quijano (Argentina);
 Mr. E. Olu Sanu (Nigeria);

Mr. Dragos Serbanescu (Romania);

Mr. Agha Shahi (Pakistan);

Mr. Alexei F. Sokirkin (Union of Soviet Socialist Republics).

3. At its fifteenth session, the General Assembly (resolution 1548 (XV) of 18 December 1960) appointed Mr. Thanassis Aghnides, Mr. Raúl A. Quijano and Mr. Alexei F. Sokirkin as members of the Committee for a three-year term beginning on 1 January 1961; at its sixteenth session (resolution 1688 (XVI) of 18 December 1961), it appointed Mr. Albert F. Bender for a two-year term beginning on 1 January 1962.

4. Since the terms of office of Mr. Aghnides, Mr. Bender, Mr. Quijano and Mr. Sokirkin are due to expire on 31 December 1963, it will be necessary for the General Assembly, at its eighteenth session, to appoint four persons to fill the resulting vacancies. The members so appointed will serve for a period of three years, commencing on 1 January 1964.

5. At previous sessions, the Fifth Committee, after a secret ballot, has submitted to the General Assembly a draft resolution containing the names of the persons recommended for appointment. It is suggested that a similar procedure should be followed at the eighteenth session.

DOCUMENT A/C.5/L.808

Note by the Secretary-General

[Original text: English]
 [20 November 1963]

1. By a letter dated 19 November 1963, Mr. Alexei F. Sokirkin (Union of Soviet Socialist Republics) submitted his resignation, with effect from 22 November 1963, from the Advisory Committee on Administrative and Budgetary Questions.

2. It will be necessary, therefore, for the General Assembly at its present session to appoint a person to fill the unexpired portion of Mr. Sokirkin's term of office, that is, until 31 December 1963.

3. Mr. Viktor F. Ulanchev has been proposed for election to this vacancy. It will be recalled that by General Assembly resolution 1891 A (XVIII) Mr. Ulanchev was elected as a member of the Advisory Committee for a three-year term beginning on 1 January 1964.

DOCUMENT A/C.5/L.830

Note by the Secretary-General

[Original text: English and French]
 [14 December 1963]

1. The Secretary-General has been informed that Mr. Ismat T. Kittani (Iraq) will resign as a member of the Advisory Committee on Administrative and Budgetary Questions with effect from 1 January 1964. It will therefore be necessary for the General Assembly at its current session to elect one person to serve for the unexpired portion of Mr. Kittani's term of office, i.e., until 31 December 1965.

The following two candidates have been proposed for election:

Mr. Raouf Boudjakdji (Algeria);

Mr. Mohamed Riad (United Arab Republic).

[Biographical information on the candidates appears in the mimeographed version of this document.]

DOCUMENTS A/5591* AND ADD.1-2

Report of the Fifth Committee

DOCUMENT A/5591*

[Original text: English and French]
[1 November 1963]

1. At its 1027th meeting, held on 29 October 1963, the Fifth Committee considered a note by the Secretary-General (A/5464) concerning the vacancies which will occur in the membership of the Advisory Committee on Administrative and Budgetary Questions as a result of the expiration of the terms of office of four of its members on 31 December 1963.

2. The members of the Fifth Committee had previously been invited to suggest the names of persons who might be recommended to the General Assembly for appointment to the Advisory Committee in accordance with the provisions of rules 156 and 157 of the rules of procedure of the General Assembly. At the time the matter was considered by the Fifth Committee, four names had been put forward in respect of the above-mentioned vacancies.

3. To decide who should be recommended for appointment, the Committee voted by secret ballot. The result of the ballot was as follows:

Number of ballot papers:	87
Invalid ballots:	0
Number of valid ballots:	87
Abstentions:	1
Number of members voting:	86
Required majority:	44
Number of votes obtained:	
Mr. Jan P. Bannier	82
Mr. Raúl A. Quijano	82
Mr. Albert F. Bender	81
Mr. V. F. Ulanchev	74

Six other persons received a total of eight votes.

4. Mr. Bannier (Netherlands), Mr. Quijano (Argentina), Mr. Bender (United States of America) and Mr. Ulanchev (Union of Soviet Socialist Republics), having received the required majority, were declared recommended for appointment as members of the Advisory Committee on Administrative and Budgetary Questions for a three-year term beginning on 1 January 1964.

5. Numerous delegations acclaimed the magnificent services which Mr. Thanassis Aghnides, the retiring Chairman of the Advisory Committee, had rendered continuously since November 1946 to the Fifth Committee and to the United Nations.

Recommendation of the Fifth Committee

6. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

* Incorporating document A/5591/Corr.1.

DOCUMENT A/5591/ADD.1

[Original text: English and French]
[21 November 1963]

1. At its 1046th meeting, held on 21 November 1963, the Fifth Committee considered a note by the Secretary-General (A/C.5/L.808) announcing the resignation, with effect from 22 November 1963, of Mr. Alexei F. Sokirkin as a member of the Advisory Committee on Administrative and Budgetary Questions.

2. The members of the Fifth Committee had previously been invited to suggest the name of a person who might be recommended to the General Assembly for appointment to the Advisory Committee in accordance with the provisions of rules 156 and 157 of the rules of procedure of the General Assembly. At the time the matter was considered by the Fifth Committee, one name had been put forward in respect of the above-mentioned vacancy.

3. To decide who should be recommended for appointment, the Committee voted by secret ballot. The result of the ballot was as follows:

Number of ballot papers:	76
Invalid ballots:	0
Number of valid ballots:	76
Abstentions:	1
Number of members voting:	75
Required majority:	38
Number of votes obtained:	
Mr. Viktor F. Ulanchev	74

One other person obtained one vote.

4. Mr. Ulanchev (Union of Soviet Socialist Republics), having received the required majority, was declared recommended for appointment as a member of the Advisory Committee on Administrative and Budgetary Questions for the unexpired portion of Mr. Sokirkin's term of office, namely, for the period ending on 31 December 1963.

Recommendation of the Fifth Committee

5. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

DOCUMENT A/5591/Add.2

[Original text: English and French]
[16 December 1963]

1. At its 1059th meeting, held on 16 December 1963, the Fifth Committee considered a note by the Secretary-General (A/C.5/L.830) announcing the resignation, with effect from 1 January 1964, of Mr. Ismat T. Kittani as a member of the Advisory Committee on Administrative and Budgetary Questions.

2. The members of the Fifth Committee had previously been invited to suggest the name of a person who might be recommended to the General Assembly for appointment to the Advisory Committee in accord-

ance with the provisions of rules 156 and 157 of the rules of procedure of the General Assembly. At the time the matter was considered by the Fifth Committee, two names had been put forward in respect of the above-mentioned vacancy.

3. To decide who should be recommended for appointment, the Committee voted by secret ballot. The result of the ballot was as follows:

<i>Number of ballot papers:</i>	71
<i>Invalid ballots:</i>	1
<i>Number of valid ballots:</i>	70
<i>Abstentions:</i>	3
<i>Number of members voting:</i>	67
<i>Required majority:</i>	34
<i>Number of votes obtained:</i>	
Mr. Raouf Boudjakdji	34

Mr. Mohamed Riad 32

One other person obtained one vote.

4. Mr. Boudjakdji (Algeria), having received the required majority, was declared recommended for appointment as a member of the Advisory Committee on Administrative and Budgetary Questions for the unexpired portion of Mr. Kittani's term of office, namely, for the period ending on 31 December 1965.

Recommendation of the Fifth Committee

5. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

(b) Committee on Contributions

DOCUMENT A/5465

Note by the Secretary-General

[Original text: English]
[31 July 1963]

1. The rules of procedure of the General Assembly provide:

"Rule 159

"The General Assembly shall appoint an expert Committee on Contributions, consisting of ten members.

"Rule 160

"The members of the Committee on Contributions, no two of whom shall be nationals of the same State, shall be selected on the basis of broad geographical representation, personal qualifications and experience, and shall serve for a period of three years corresponding to three financial years, as defined in the regulations for the financial administration of the United Nations. Members shall retire by rotation and shall be eligible for reappointment. The General Assembly shall appoint the members of the Committee on Contributions at the regular session immediately preceding the expiration of the term of office of the members, or, in case of vacancies, at the next session."

2. The present membership of the Committee is as follows:

Mr. Raymond T. Bowman (United States of America);
Mr. Birendra Narayan Chakravarty (India);
Mr. Pavel Mikhailovich Chernyshev (Union of Soviet Socialist Republics);
Mr. Trevett Wakeham Cutts (Australia);

Mr. James Gibson (United Kingdom of Great Britain and Northern Ireland);

Mr. F. Nouredin Kia (Iran);

Mr. David Silveira da Mota (Brazil);

Mr. José Pareja (Peru);

Mr. Stanislaw Raczkowski (Poland);

Mr. Maurice Viaud (France).

3. At its fifteenth session, the General Assembly (resolution 1549 (XV) of 18 December 1960) appointed Mr. Pavel Mikhailovich Chernyshev, Mr. José Pareja and Mr. Maurice Viaud for a three-year term beginning 1 January 1961; at its seventeenth session (resolution 1792 B (XVII) of 19 December 1962) it appointed Mr. Birendra Narayan Chakravarty for a one-year term beginning on 1 January 1963.

4. Since the terms of office of Mr. Chakravarty, Mr. Chernyshev, Mr. Pareja and Mr. Viaud are due to expire on 31 December 1963, it will be necessary for the General Assembly, at its eighteenth session, to appoint four persons to fill the resulting vacancies. The members thus appointed will serve for a period of three years beginning on 1 January 1964.

5. At previous sessions, the Fifth Committee, after a secret ballot, has submitted to the General Assembly a draft resolution containing the names of the persons recommended for appointment. It is suggested that a similar procedure should be followed at the eighteenth session.

DOCUMENT A/5592

Report of the Fifth Committee

[Original text: English and French]
[1 November 1963]

1. At its 1028th meeting, held on 30 October 1963, the Fifth Committee considered a note by the Secretary-General (A/5465) concerning the vacancies which will occur in the membership of the Committee on Contribu-

tions as a result of the expiration of the terms of office of four of its members on 31 December 1963.

2. The members of the Fifth Committee had previously been invited to suggest the names of persons

who might be recommended to the General Assembly for appointment to the Committee on Contributions in accordance with the provisions of rule 160 of the rules of procedure of the General Assembly. At the time the matter was considered by the Fifth Committee, four names had been put forward in respect of the above-mentioned vacancies.

3. To decide who should be recommended for appointment, the Committee voted by secret ballot. The result of the ballot was as follows:

Number of ballot papers:	87
Invalid ballots:	0
Number of valid ballots:	87
Abstentions:	0
Number of members voting:	87
Required majority:	45
Number of votes obtained:	
Mr. B. N. Chakravarty	83

Mr. Maurice Viaud	83
Mr. Jorge Pablo Fernandini	81
Mr. V. G. Solodovnikov	77

Five other persons received a total of six votes.

4. Mr. Chakravarty (India), Mr. Viaud (France), Mr. Fernandini (Peru), and Mr. Solodovnikov (Union of Soviet Socialist Republics), having received the required majority, were declared recommended for appointment as members of the Committee on Contributions for a three-year term beginning on 1 January 1964.

Recommendation of the Fifth Committee

5. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

(c) Board of Auditors

DOCUMENT A/5466

Note by the Secretary-General

*[Original text: English]
[3 September 1963]*

1. Resolution 74 (I) adopted by the General Assembly on 7 December 1946 provides:

"That in 1947 and every year thereafter, the General Assembly shall appoint an Auditor to take office from 1 July of the following year and to serve for a period of three years."

2. The present membership of the Board of Auditors is as follows:

The Auditor-General (or officer holding the equivalent title) of Colombia;

The Auditor-General (or officer holding the equivalent title) of the Netherlands;

The Auditor-General (or officer holding the equivalent title) of Pakistan.

3. The Auditor-General of Pakistan was appointed by the General Assembly at its fifteenth session (resolution 1550 (XV) of 18 December 1960) for a three-year term to expire on 30 June 1964. Accordingly, the General Assembly will be required, at its eighteenth session, to fill the resulting vacancy by the appointment, as a member of the Board, of the Auditor-General (or officer holding the equivalent title) of a Member State. The Auditor thus appointed will serve for a period of three years beginning 1 July 1964.

4. The existing system of external audit involves provision by members of the Board of Auditors of technical staff from their respective national audit services for the performance of detailed audit of the accounts,

based on an allocation of work agreed from time to time among the members of the Board. Under the current arrangements, the Auditor-General of Pakistan provides staff for the audit of the accounts of the European Office, Geneva, the voluntary funds administered by the United Nations High Commissioner for Refugees (UNHCR) at Geneva, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) at Beirut, and the United Nations Operation in the Congo (ONUC). The audit of the accounts of the European Office and the voluntary funds administered by UNHCR involves the assignment of three auditors during two periods in a year for a total of 120 days. Similarly, the audit of UNRWA at Beirut involves the assignment of three auditors during two periods in a year for a total of 90 days, and that of ONUC the assignment of four auditors during two periods in a year for a total of 130 days. Further, these audits require the supervision of a Directing External Auditor during two periods of each year for a total of 80 days. The Auditor-General devotes an average of 68 days per year to United Nations business.

5. At previous sessions, a draft resolution including the name of a Member State whose Auditor-General (or officer holding the equivalent title) was recommended for appointment has been submitted by the Fifth Committee to the General Assembly. It is suggested that a similar procedure be followed at the eighteenth session.

DOCUMENT A/5593

Report of the Fifth Committee

*[Original text: English and French]
[4 November 1963]*

1. At its 1031st meeting, held on 4 November 1963, the Fifth Committee considered a note by the Secretary-

General (A/5466) concerning the vacancy in the membership of the Board of Auditors which will occur as

a result of the expiration of the term of office of one of its members on 30 June 1964.

2. The members of the Fifth Committee had previously been invited to make suggestions in regard to the Auditor-General (or officer holding the equivalent title) who might be recommended to the General Assembly for appointment as a member of the Board of Auditors. At the time the matter was considered by the Committee, the Government of Pakistan had presented the candidature of its Auditor-General for appointment to the Board of Auditors in respect of the above-mentioned vacancy.

3. To decide on its recommendation to the General Assembly, the Committee voted by secret ballot. The result of the ballot was as follows:

<i>Number of ballot papers:</i>	73
<i>Invalid ballots:</i>	1
<i>Number of valid ballots:</i>	72

<i>Abstentions:</i>	1
<i>Number of members voting:</i>	71
<i>Required majority:</i>	36
<i>Number of votes obtained:</i>	
The Auditor-General of Pakistan	71

4. The Auditor-General of Pakistan, having received the required majority, was declared recommended for appointment as a member of the Board of Auditors for a three-year term beginning on 1 July 1964.

Recommendation of the Fifth Committee

5. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

(d) United Nations Administrative Tribunal

DOCUMENT A/5467

Note by the Secretary-General

[Original text: English]
[31 July 1963]

1. Article 3 (paragraphs 1 and 2) of the Statute of the Administrative Tribunal (General Assembly resolution 351 A (IV)) provides that:

"1. The Tribunal shall be composed of seven members, no two of whom may be nationals of the same State. Only three shall sit in any particular case.

"2. The members shall be appointed by the General Assembly for three years, and they may be reappointed; provided, however, that of the members initially appointed, the terms of two members shall expire at the end of one year and the terms of two members shall expire at the end of two years. A member appointed to replace a member whose term of office has not expired shall hold office for the remainder of his predecessor's term."

2. The present composition of the Tribunal is as follows:

Mr. James W. Barco (United States of America);
Mrs. Paul Bastid (France);
The Right Honourable Lord Crook (United Kingdom of Great Britain and Northern Ireland);
Mr. Héctor Gros Espiell (Uruguay);
Mr. Bror Arvid Sture Petré (Sweden);

Mr. Louis Ignacio-Pinto (Dahomey);

Mr. R. Venkataraman (India).

3. At its fifteenth session, the General Assembly (resolution 1551 (XV) of 18 December 1960) appointed Mr. Bror Arvid Sture Petré for a three-year term beginning on 1 January 1961; at the same session (resolution 1613 (XV) of 21 April 1961), it appointed Mr. Héctor Gros Espiell for a period beginning on 21 April 1961 and ending on 31 December 1963.

4. Since the terms of office of Mr. Petré and Mr. Gros Espiell are due to expire on 31 December 1963, it will be necessary for the General Assembly, at its eighteenth session, to appoint two persons to fill the resulting vacancies. The persons so appointed will serve for a period of three years beginning on 1 January 1964.

5. At previous sessions, the Fifth Committee, after a secret ballot, has submitted to the General Assembly a draft resolution containing the names of the persons recommended for appointment to the Tribunal. It is suggested that a similar procedure should be followed at the eighteenth session.

DOCUMENT A/5594

Report of the Fifth Committee

[Original text: English and French]
[1 November 1963]

1. At its 1029th meeting, held on 31 October 1963, the Fifth Committee considered a note by the Secretary-General (A/5467) concerning the vacancies which will occur in the membership of the United Nations Administrative Tribunal as a result of the expiration of the terms of office of two of its members on 31 December 1963.

2. The members of the Fifth Committee had previously been invited to suggest the names of persons who might be recommended to the General Assembly for appointment to the Administrative Tribunal in accordance with the provisions of article 3 of its Statute. At the time the matter was considered by the Committee, two names had been put forward in respect of the above-mentioned vacancies.

3. To decide who should be recommended for appointment, the Committee voted by secret ballot. The result of the ballot was as follows:

<i>Number of ballot papers:</i>	81
<i>Invalid ballots:</i>	0
<i>Number of valid ballots:</i>	81
<i>Abstentions:</i>	0
<i>Number of members voting:</i>	81
<i>Required majority:</i>	42
<i>Number of votes obtained:</i>	
Mr. Héctor Gros Espiell	81
Mr. Bror Arvid Sture Petré	78

One other person received one vote.

4. Mr. Espiell (Uruguay) and Mr. Petré (Sweden), having received the required majority, were declared recommended for appointment as members of the Administrative Tribunal for a three-year term beginning on 1 January 1964.

Recommendation of the Fifth Committee

5. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

(e) United Nations Staff Pension Committee

DOCUMENT A/5468

Note by the Secretary-General

[Original text: English]
[31 July 1963]

1. At its sixteenth and seventeenth sessions the General Assembly, by resolutions 1690 (XVI) of 18 December 1961 and 1796 (XVII) of 11 December 1962, appointed the following persons, for terms of office ending on 31 December 1964, as members and alternate members of the United Nations Staff Pension Committee, in accordance with article XXI of the Regulations of the United Nations Joint Staff Pension Fund:

Members:

Mr. Albert F. Bender;
Mr. James Gibson;
Mr. Rigoberto Torres Astorga;

Alternate members:

Mr. Arthur C. Liveran;
Mr. Brendan T. Nolan;
Mr. Nathan Quao.

2. Since Mr. Liveran resigned from the Committee with effect from 21 May 1963, it will be necessary for the General Assembly, at its eighteenth session, to appoint one member to serve for the unexpired portion of Mr. Liveran's term of office. The person so appointed will serve for a period ending on 31 December 1964.

DOCUMENT A/5595

Report of the Fifth Committee

[Original text: English and French]
[1 November 1963]

1. At its 1030th meeting, held on 1 November 1963, the Fifth Committee considered a note by the Secretary-General (A/5468) announcing the resignation, with effect from 21 May 1963, of Mr. Arthur C. Liveran as an alternate member of the United Nations Staff Pension Committee.

2. The members of the Fifth Committee had previously been invited to suggest the name of a person who might be recommended to the General Assembly for appointment to the Staff Pension Committee for the unexpired portion of Mr. Liveran's term of office, namely, for the period ending on 31 December 1964. At the time the matter was considered by the Fifth

Committee, one name had been put forward in respect of this vacancy.

3. To decide who should be recommended for appointment, the Committee voted by secret ballot. The result of the ballot was as follows:

<i>Number of ballot papers:</i>	80
<i>Invalid ballots:</i>	0
<i>Number of valid ballots:</i>	80
<i>Abstentions:</i>	4
<i>Number of members voting:</i>	76
<i>Required majority:</i>	39

Number of votes obtained:

Mr. Shilendra K. Singh 75

One other person received one vote.

4. Mr. Singh (India), having received the required majority, was declared recommended for appointment as an alternate member of the United Nations Staff Pension Committee for the unexpired portion of Mr. Liveran's term of office, namely, for the period ending on 31 December 1964.

Recommendation of the Fifth Committee

5. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

(f) Investments Committee: confirmation of the appointment made by the Secretary-General

DOCUMENT A/5620

Note by the Secretary-General

*[Original text: English]
[22 November 1963]*

1. By resolution 155 (II) of 15 November 1947 the General Assembly established an Investments Committee in accordance with the provisions of section 25 of the Provisional Regulations for the United Nations Joint Staff Pension Fund and provided, *inter alia*, as follows:

"The normal term of office of a member of the Investments Committee shall be three years, and members shall be eligible for reappointment. At the regular session of the General Assembly each year, the Secretary-General shall submit the appointments which he has made after consultation with the Advisory Committee on Administrative and Budgetary Questions."

2. The General Assembly, at its fifteenth session, approved, *inter alia*, an amendment to article XXV of the Regulations of the United Nations Joint Staff Pension Fund (resolution 1561 (XV), section II, of 18 December 1960), under the terms of which the Investments Committee was enlarged from three to six members.

3. The present membership of the Committee is the following:

Mr. Eugene Black;
Mr. Roger de Candolle;
Mr. R. McAllister Lloyd;

Mr. B. K. Nehru;
Mr. Jacques Rueff.

4. Mr. David Rockefeller, who was appointed a member of the Committee for the period ending 31 December 1964, has submitted his resignation from the Committee, which the Secretary-General has accepted with regret.

5. With the concurrence of the Advisory Committee on Administrative and Budgetary Questions, the Secretary-General has appointed Mr. George A. Murphy to the position left vacant by Mr. David Rockefeller. In accordance with the provisions of section 25 of the Provisional Regulations for the Joint Staff Pension Fund, the Secretary-General seeks the General Assembly's confirmation of this appointment.

6. A graduate of Oglethorpe University, the Harvard School of Business Administration and the New York University Law School, Mr. Murphy was elected in 1960 Chairman of the Board and Chief Executive Office of the Irving Trust Company, which he had joined in 1931. A Director of numerous companies, Mr. Murphy is also President of the Federal Advisory Council of the Federal Reserve System, President of the New York State Bankers Association, Chairman of the Board of Trustees of New York University, General Chairman of the Greater New York Fund Campaign and member of the New York Clearing House Committee.

DOCUMENT A/5637

Report of the Fifth Committee

*[Original text: English and French]
[3 December 1963]*

1. At its 1050th meeting, held on 2 December 1963, the Fifth Committee considered a note by the Secretary-General (A/5620) concerning an appointment to the Investments Committee which the Secretary-General had made, subject to the confirmation of the General Assembly, in order to fill a vacancy resulting from the resignation of one of the members.

2. In accordance with the provisions of General Assembly resolution 155 (II) of 15 November 1947, the Advisory Committee on Administrative and Budgetary Questions had been consulted and had concurred in the appointment of Mr. George A. Murphy as a member of the Investments Committee for the unexpired portion of Mr. David Rockefeller's term of office.

3. The Fifth Committee decided, without objection, to recommend to the General Assembly that it should confirm the appointment made by the Secretary-General in paragraph 5 of his note (A/5620).

Recommendation of the Fifth Committee

4. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1255th plenary meeting, held on 6 November 1963, the General Assembly adopted the draft resolutions submitted by the Fifth Committee on parts (a) (A/5591, para. 6); (b) (A/5592, para. 5); (c) (A/5593, para. 5); (d) (A/5594, para. 5) and (e) (A/5595, para. 5). For the final texts see resolutions 1891 A (XVIII), 1892 (XVIII), 1893 (XVIII), 1894 (XVIII) and 1895 (XVIII) below.

At its 1265th plenary meeting, held on 27 November 1963, the General Assembly adopted the draft resolution submitted by the Fifth Committee on part (a) (A/5591/Add.1, para. 5). For the final text see resolution 1891 B (XVIII) below.

At its 1276th plenary meeting, held on 11 December 1963, the General Assembly adopted the draft resolution submitted by the Fifth Committee on part (f) (A/5637, para. 4). For the final text see resolution 1926 (XVIII) below.

At its 1284th plenary meeting, held on 17 December 1963, the General Assembly adopted the draft resolution submitted by the Fifth Committee on part (a) (A/5591/Add.2, para. 5). For the final text see resolution 1891 C (XVIII) below.

Resolutions adopted by the General Assembly

1891 (XVIII). APPOINTMENTS TO FILL VACANCIES IN THE MEMBERSHIP OF THE ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS

A

The General Assembly

1. Appoints the following persons as members of the Advisory Committee on Administrative and Budgetary Questions:

Mr. Jan P. Bannier,
Mr. Albert F. Bender,
Mr. Raúl A. Quijano,
Mr. V. F. Ulanchev;

2. Declares Mr. Bannier, Mr. Bender, Mr. Quijano and Mr. Ulanchev to be appointed for a three-year term beginning on 1 January 1964.

*1255th plenary meeting,
6 November 1963.*

B

The General Assembly

1. Appoints the following person as a member of the Advisory Committee on Administrative and Budgetary Questions:

Mr. V. F. Ulanchev;

2. Declares Mr. Ulanchev to be appointed for a period beginning on the date of the present resolution and ending on 31 December 1963.

*1265th plenary meeting,
27 November 1963.*

C

The General Assembly

1. Appoints the following person as a member of the Advisory Committee on Administrative and Budgetary Questions:

Mr. Raouf Boudjakdji;

2. Declares Mr. Boudjakdji to be appointed for a two-year term beginning on 1 January 1964.

*1284th plenary meeting,
17 December 1963.*

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As a result of the above appointments, the Advisory Committee on Administrative and Budgetary Questions will be composed as follows: Mr. Mohamed Abdel Maged Ahmed (Sudan), Mr. Jan P. Bannier (Netherlands), Mr. Albert F. Bender (United States of America), Mr. Raouf Boudjakdji (Algeria), Mr. André Ganem (France), Mr. James Gibson (United Kingdom of Great Britain and Northern Ireland), Mr. Alfonso Grez (Chile), Mr. Raúl A. Quijano (Argentina), Mr. E. Olu Sanu (Nigeria), Mr. Dragos Serbanescu (Romania), Mr. Agha Shahi (Pakistan) and Mr. V. F. Ulanchev (Union of Soviet Socialist Republics).

1892 (XVIII). APPOINTMENTS TO FILL VACANCIES IN THE MEMBERSHIP OF THE COMMITTEE ON CONTRIBUTIONS

The General Assembly

1. Appoints the following persons as members of the Committee on Contributions:

Mr. B. N. Chakravarty,
Mr. Jorge Pablo Fernandini,
Mr. V. G. Solodovnikov,
Mr. Maurice Viaud;

2. Declares Mr. Chakravarty, Mr. Fernandini, Mr. Solodovnikov and Mr. Viaud to be appointed for a three-year term beginning on 1 January 1964.

1255th plenary meeting,
6 November 1963.

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As a result of the above appointments, the Committee on Contributions will be composed as follows: Mr. Raymond T. Bowman (United States of America), Mr. B. N. Chakravarty (India), Mr. T. W. Cutts (Australia), Mr. Jorge Pablo Fernandini (Peru), Mr. James Gibson (United Kingdom of Great Britain and Northern Ireland), Mr. F. Nouredin Kia (Iran), Mr. D. Silveira da Mota (Brazil), Mr. Stanislaw Raczkowski (Poland), Mr. V. G. Solodovnikov (Union of Soviet Socialist Republics) and Mr. Maurice Viaud (France).

1893 (XVIII). APPOINTMENT TO FILL A VACANCY IN THE MEMBERSHIP OF THE BOARD OF AUDITORS

The General Assembly

Appoints the Auditor-General of Pakistan as a member of the Board of Auditors for a three-year term beginning on 1 July 1964.

1255th plenary meeting,
6 November 1963.

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As a result of the above appointment, the Board of Auditors will be composed as follows: the Auditor-General of Colombia, the Auditor-General of the Netherlands and the Auditor-General of Pakistan.

1894 (XVIII). APPOINTMENTS TO FILL VACANCIES IN THE MEMBERSHIP OF THE UNITED NATIONS ADMINISTRATIVE TRIBUNAL

The General Assembly

1. Appoints the following persons as members of the United Nations Administrative Tribunal:

Mr. Héctor Gros Espiell,
Mr. Bror Arvid Sture Petré;

2. Declares Mr. Gros Espiell and Mr. Petré to be appointed for a three-year term beginning on 1 January 1964.

1255th plenary meeting,
6 November 1963.

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As a result of the above appointments, the United Nations Administrative Tribunal will be composed as follows: Mr. James W. Barco (United States of America), Mrs. Paul Bastid (France), the Right Honourable Lord Crook (United Kingdom

of Great Britain and Northern Ireland), Mr. Héctor Gros Espiell (Uruguay), Mr. Louis Ignacio Pinto (Dahomey), Mr. Bror Arvid Sture Petré (Sweden) and Mr. R. Venkataraman (India).

1895 (XVIII). APPOINTMENT TO FILL A VACANCY IN THE MEMBERSHIP OF THE UNITED NATIONS STAFF PENSION COMMITTEE

The General Assembly

1. Appoints the following person as alternate member of the United Nations Staff Pension Committee:

Mr. Shilendra K. Singh;

2. Declares Mr. Singh to be appointed for a period beginning on the date of the present resolution and ending on 31 December 1964.

1255th plenary meeting,
6 November 1963.

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As a result of the above appointment, the members and alternate members elected by the General Assembly to the United Nations Staff Pension Committee will be as follows:

Members

Mr. Albert F. Bender (United States of America);
Mr. James Gibson (United Kingdom of Great Britain and Northern Ireland);
Mr. Rigoberto Torres Astorga (Chile).

Alternate members

Mr. Brendan T. Nolan (Ireland);
Mr. Nathan Quao (Ghana);
Mr. Shilendra K. Singh (India).

1926 (XVIII). CONFIRMATION OF THE APPOINTMENT MADE BY THE SECRETARY-GENERAL TO FILL A VACANCY IN THE MEMBERSHIP OF THE INVESTMENTS COMMITTEE

The General Assembly

Confirms the appointment by the Secretary-General of Mr. George A. Murphy as a member of the Investments Committee for a period beginning on the date of the present resolution and ending on 31 December 1964.

1276th plenary meeting,
11 December 1963.

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As a result of the above appointment, the Investments Committee will be composed as follows: Mr. Eugene Black, Mr. Roger de Candolle, Mr. R. McAllister Lloyd, Mr. George A. Murphy, Mr. B. K. Nehru and Mr. Jacques Rueff.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 61 which are not reproduced in the present fascicle.

Document No.	Title	Observations and references
A/C.5/L.795	Note by the Secretariat containing biographical information on candidates for the vacancies on the Advisory Committee on Administrative and Budgetary Questions	Mimeographed
A/C.5/L.796 and Corr.1	Note by the Secretariat containing biographical information on candidates for the vacancies on the Committee on Contributions	Replaced by A/C.5/L.796/Rev.1

<i>Document No.</i>	<i>Title</i>	<i>Page</i>
A/C.5/L.796/Rev.1	Note by the Secretariat containing biographical information on candidates for the vacancies on the Committee on Contributions	Mimeographed
A/C.5/L.797	Note by the Secretariat containing biographical information on candidates for the vacancies on the United Nations Administrative Tribunal	Ditto
A/C.5/L.798	Note by the Secretariat containing biographical information on a candidate for the vacancy on the United Nations Staff Pension Committee	Ditto
A/C.5/L.799	Note by the Secretariat concerning a candidate for the vacancy on the Board of Auditors	Ditto



**Agenda item 62: Scale of assessments for the apportionment of the expenses of the United Nations:
report of the Committee on Contributions***

C O N T E N T S

<i>Document No.</i>	<i>Title</i>	<i>Page</i>
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* For the discussion of this item, see *Official Records of the General Assembly, Eighteenth Session, Fifth Committee*, 1045th, 1046th, and 1054th meetings; and *ibid., Plenary Meetings*, 1276th meeting.

DOCUMENT A/5659

Report of the Fifth Committee

[Original text: English and French]
[10 December 1963]

1. The Fifth Committee, at its 1045th and 1046th meetings held on 20 and 21 November 1963, considered agenda item 62—Scale of assessments for the apportionment of the expenses of the United Nations: report of the Committee on Contributions. It had before it the report of the Committee on Contributions (A/5510), a draft resolution proposed by the United Arab Republic and Yugoslavia (A/C.5/L.806) and a report of the Secretary-General on the collection of contributions as at 16 September 1963 (A/C.5/985 and Add.1).

2. The Chairman of the Committee on Contributions, in introducing the report, recalled that under resolution 1870 (XVII) the General Assembly had requested the Committee to make recommendations concerning possible revisions in the scale of assessments, in the light of the results of an expert study of different systems of national accounting which the Secretary-General was to undertake. The General Assembly and the Committee on Contributions had long been concerned with the problem of improving the comparability of the two main systems of national accounting, namely, the United Nations System of National Accounts (SNA) and the Material Product System (MPS). The Secretary-General's report to the Committee on Contributions on the first phase of the expert study, which had been initiated by consultations with four experts from Czechoslovakia, Hungary, the United Kingdom and the United States showed that progress had been made in the comparison of the two systems. In the light of the expert study, the Committee on Contributions had reviewed the information submitted by Member States and in two cases, Czechoslovakia and Hungary, had recommended a downward revision of their assessments with retroactive effect to the years 1962 and 1963. Referring to the assessment of the Member States admitted to the Organiza-

tion at the seventeenth session and at the fourth special session, the Chairman explained that since the Committee on Contributions was required to undertake a general review of the scale in 1964, it had decided not to integrate the rates for the new Members in the scale of 100 per cent at the present time. With regard to the contributions of the new Members for their year of admission, the Committee on Contributions had suggested that if the General Assembly should decide to make an exception to the rule and fix their contributions at less than one-third of the contribution for the full year, the reduced contribution should not be less than one-ninth. In conclusion, he called on Member States to provide the Committee with as complete statistical data as possible to assist it in its review of the scale at its session in 1964.

3. In introducing the draft resolution proposed by the United Arab Republic and Yugoslavia (A/C.5/L.806), the representative of the United Arab Republic explained that the difference between the draft resolution recommended by the Committee on Contributions and the one now presented was mainly a question of form. In the opinion of the sponsors, a scale of assessments should be recommended every three years and in the interim the recommendations should be limited to changes in the scale. They had incorporated in the draft text the recommendations of the Committee on Contributions on the assessments of Czechoslovakia and Hungary and of the new Member States. Certain Members and groups of Members were not completely satisfied with the existing scale of assessments and the Committee on Contributions was endeavouring to achieve greater comparability in the statistical data used as a guide in determining the assessments of Member States. It was also important that the developing countries, in view of their special eco-

conomic and financial problems, receive due consideration in the calculation of rates of assessment and that a directive be given to the Committee on Contributions to that effect. As guidance to the Committee and to assist it in its work, the following two paragraphs (2 and 3) had therefore been included in the proposed draft resolution:

"2. *Requests* the Committee on Contributions, in calculating rates of assessment, to give due attention to the developing countries in view of their special economic and financial problems;

"3. *Requests* the Secretary-General to transmit to the Committee on Contributions the record of the discussions of the scale of assessments at the eighteenth session of the General Assembly together with the report of the Fifth Committee on that subject."

With reference to operative paragraph 1 *d* in which a blank had been left for the proportion to be contributed by Algeria, Burundi, Jamaica, Rwanda, Trinidad and Tobago and Uganda for their year of admission, he suggested that unless there were other proposals the recommendations of the Committee on Contributions be endorsed by the insertion of the word "one-ninth" in the last phrase, which would then read "... an amount equal to one-ninth of their percentage assessment...".

4. In the course of the discussion, the recommendations by the Committee on Contributions received general support. Several delegations expressed satisfaction with the progress made in the study of the important and difficult problem of the comparability of the national income statistics of Member States. It was hoped that progress would continue in this field, and that the Committee on Contributions for its next review of the scale would take into account the conclusions of the expert consultants, as well as the work of the Conference of European Statisticians. It was also suggested that the Committee might consider the possibility of using as a guide net national product at market prices, instead of national income estimates at factor cost as used at present.

5. With reference to paragraph 2 of the draft resolution, it was pointed out that the problems of the developing countries had always been given special consideration by the Committee on Contributions in accordance with previous General Assembly directives. It would therefore be more correct and more in line with previous practice to request the Committee to "continue" to give due attention to these countries. In reply, it was stated that the sponsors recognized that the situation of the developing countries had always been taken into account in drawing up the scale of assessments, but that there were new elements in the situation which should be weighed. As the text of the proposed draft resolution was the result of consultations among a large number of delegations, and in fact represented a compromise text, it was hoped that it could be accepted by the Fifth Committee without amendment.

6. With regard to the terms of reference of the Committee on Contributions, it was stressed by some delegations that in arriving at the scale of assessments, the Committee should continue to have regard to the main factors specifically mentioned therein, namely, comparative income per head of population, temporary dislocation of national economies arising out of the Second World War and the ability of Member States to secure foreign currency. They could not accept the

conclusion that the effects of the Second World War on the economies of countries were fully reflected in the national income estimates. They maintained that allowance should continue to be made for the fact that a certain proportion of the national income was still used in some countries to cover expenses arising out of the war. The difficulty experienced by many Member States in obtaining foreign currency should also be given greater weight. A formula to make allowance for this factor might, it was suggested, be developed by calculating coefficients based on the relationship between the proceeds, in convertible currencies, from exports on the one hand and national income *per caput* on the other. In addition, the Committee on Contributions might review the question of the ceiling on the highest contribution which in principle was to apply only "in normal times". The view was also expressed that the ceiling principle should apply only to the scale for the apportionment of the administrative expenses of the Organization.

7. Other delegations felt that reconstruction and the alleviation of the devastating effects of the Second World War had now been completed in most countries. The gap between the *per caput* income of the economically developed and under-developed countries continued, however, to widen, a tendency which was so disturbing that the United Nations had decided to convene a special conference on trade and development in 1964. In the course of the discussion of the various factors to be taken into account by the Committee on Contributions in arriving at the scale of assessments and the weight to be given to each of these factors, the warning was given that a modification of any of the guiding principles might upset the delicate balance that had been achieved over the years.

8. In arriving at the rates of assessments for the new Member States, the Committee on Contributions had made allowance for the fact that, in the case of Algeria, national income estimates for the base period 1957-1959 would not reflect the country's current capacity to pay. The Committee had emphasized however that the assessment recommended would not necessarily determine the level for future years. The representative of Algeria drew attention to the various factors affecting the economy of his country and to the enormous task of rehabilitation and economic reconversion with which it was faced and which, he stated, would absorb the country's limited resources. National income statistics were not readily available, but it was known that the *per caput* income was one of the lowest in the world, estimated at \$26 in certain regions regarded as relatively prosperous. Furthermore, such figures as were available on national income showed a decline from some \$2,000 million in 1959 to \$1,200 million in 1963. It was probable therefore that when the necessary statistics became available they would justify a reduction in the assessment of Algeria to the minimum of 0.04 per cent.

9. During the discussion, other delegations, whose views are summarized in the records of the Fifth Committee, advanced arguments for a reduction in their assessments—China, Chile (1046th meeting). Other delegations referred to statements made by them in connexion with agenda item 58 during the general discussion on the budget estimates for 1964, in which they had explained their positions with regard to the apportionment of the expenses of the United Nations: Bulgaria (1030th meeting), Byelorussian Soviet So-

cialist Republic (1028th meeting), Union of Soviet Socialist Republics (1022nd meeting).

DECISION OF THE FIFTH COMMITTEE

10. At the close of the discussion, the draft resolution (A/C.5/L.806) submitted by the United Arab Republic and Yugoslavia, with the word "one-ninth" inserted in operative paragraph 1 *d* was adopted unanimously by the Fifth Committee.

Recommendation of the Fifth Committee

11. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1276th plenary meeting, on 11 December 1963, the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/5659, para. 11). For the final text see resolution 1927 (XVIII) below.

Resolution adopted by the General Assembly

1927 (XVIII). SCALE OF ASSESSMENTS FOR THE AP-
PORTIONMENT OF THE EXPENSES OF THE UNITED
NATIONS

The General Assembly,

Having considered the report of the Committee on Contributions (A/5510),

1. *Resolves* that:

(a) The rates of assessment for Czechoslovakia and Hungary for 1964, established in paragraph 1 of General Assembly resolution 1691 A (XVI) of 18 December 1961, shall be decreased for Czechoslovakia to 1.04 per cent and for Hungary to 0.51 per cent;

(b) For the year 1964, the rates of assessment for the States admitted to membership in the United Nations at the seventeenth regular and the fourth special sessions of the General Assembly shall be as follows:

<i>Member State</i>	<i>Per cent</i>
Algeria	0.10
Burundi	0.04
Jamaica	0.05
Kuwait	0.04
Rwanda	0.04
Trinidad and Tobago ..	0.04
Uganda ..	0.04

and these rates shall be added to the scale of assessments for 1964;

(c) For the year 1963, the rates of assessment for the States admitted to membership in the United Nations at the seventeenth session of the General Assembly shall be as follows:

<i>Member State</i>	<i>Per cent</i>
Algeria	0.10
Burundi	0.04
Jamaica	0.05
Rwanda	0.04
Trinidad and Tobago ..	0.04
Uganda ..	0.04

These rates shall be in addition to the scale of assessments for 1963 under General Assembly resolutions 1691 A (XVI) and 1870 (XVII) and shall be applied to the same basis of assessment as for other Member States;

(d) Burundi, Jamaica, Rwanda and Trinidad and Tobago, which became Members of the United Nations

on 18 September 1962, and Algeria and Uganda, which became Members on 8 and 25 October 1962 respectively, shall contribute for the year of admission an amount equal to one-ninth of their percentage assessment for 1963 applied to the net budget for 1962;

(e) Kuwait, which became a Member of the United Nations on 14 May 1963, shall contribute for the year of admission one-half of its percentage assessment for 1964 applied to the net budget for 1963;

(f) The reductions in the rates of assessment for Czechoslovakia (0.13 per cent) and Hungary (0.05 per cent) for 1964 shall also apply to their contributions to the United Nations regular budget for 1962 and 1963 and the resulting credits to the two States shall, notwithstanding regulation 5.2 (c) of the Financial Regulations of the United Nations, be derived from the contributions to be made by new Member States for the years 1962 and 1963 under sub-paragraphs (c), (d) and (e) above;

(g) Under regulation 5.8 of the Financial Regulations of the United Nations, Algeria, Burundi, Jamaica, Kuwait, Rwanda, Trinidad and Tobago and Uganda shall make advances to the Working Capital Fund corresponding to the 1964 rates of assessment for these States applied to the amount of the Fund for 1964,¹ such advances to be carried as additional to the authorized level of the Fund, pending the inclusion of the rates of assessment for the new Member States in a scale of 100 per cent;

(h) The reductions in the advances to the Working Capital Fund of Czechoslovakia and Hungary, resulting from the downward revision in their rates of assessment for 1964, shall constitute a reduction in the amount carried as additional to the authorized level of the Fund in respect of the advances to the Fund by new Member States under sub-paragraph (g) above;

2. *Requests* the Committee on Contributions, in calculating rates of assessment, to give due attention to the developing countries in view of their special economic and financial problems;

3. *Requests* the Secretary-General to transmit to the Committee on Contributions the record of the discussions on the scale of assessments at the eighteenth session of the General Assembly, together with the report of the Fifth Committee on that subject (A/5659).

*1276th plenary meeting,
11 December 1963.*

¹ See paragraph 1 of General Assembly resolution 1986 (XVIII) of 17 December 1963.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 62 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/5510	Report of the Committee on Contributions	<i>Official Records of the General Assembly, Eighteenth Session, Supplement No. 10</i> Mimeographed
A/C.5/985 and Add.1	Collection of contributions as at 16 September 1963: report of the Secretary-General	
A/C.5/L.806	United Arab Republic and Yugoslavia: draft resolution	See A/5659, paras. 10 and 11
A/C.5/L.819	Draft report of the Fifth Committee	For the text of this document as amended by the Fifth Committee at its 1054th meeting, see A/5659