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Chairman: Mr. Adnan M. PACHACHI (Iraq).

AGENDA ITEM 38

Study of principles which should guide Members in determining whether or not an obligation exists to transmit the information called for in Article 73 e of the Charter of the United Nations: report of the Special Committee established under General Assembly resolution 1467 (XIV) (A/4526, A/C.4/L.648 and Add.1, A/C.4/L.649) (continued)

CONSIDERATION OF DRAFT RESOLUTIONS (A/C.4/L.648 AND ADD.1, A/C.4/L.649) (continued)

Draft resolution A/C.4/L.648 and Add.1 (continued)

1. Mr. SALAMANCA (Bolivia) recalled that, in the general debate, he had already given his delegation's reasons for supporting the report of the Special Committee of Six on the Transmission of Information under Article 73 e of the Charter (A/4526). The principles enunciated by the Committee in section V, part B, of its report were fully in accord with Article 73 of the Charter, which was applicable both to the States which accepted responsibility and to those which did not.

2. The representative of Portugal had claimed that certain of the criteria mentioned in the principles, and notably geographical and ethnical or cultural distinctness, could not be of general validity. That representative had not, however, referred to the elements of an economic or historical nature which were also referred to in principle V. In the early days of colonial expansion, the motives which had prompted the colonizing Powers had been economic, not philanthropic. That fact was not altered merely because the Portuguese conquest dated back some five hundred years.

3. The mere fact that Portugal or any other Power described its territories as provinces did not place them outside the competence of the United Nations, nor could the United Nations be considered to be

interfering in matters of domestic jurisdiction. All that the Fourth Committee wished was to be provided with information. The Charter did not contemplate coercion. It was the fact that Portugal was not prepared to transmit information that was placing that country in a difficult position.

4. The Special Committee of Six, consisting as it did of administering and non-administering Powers, had accomplished a difficult task and had evolved twelve principles; any change in those principles would destroy the balance that had been achieved. Accordingly, his delegation did not welcome any suggestion to the effect that the principles should be modified; the only result of amendment would be to render agreement more difficult. In his delegation's view, the Fourth Committee's first task was to establish the law which would guide it, and it should then deal with the cases covered by that law. The most important point was that the principles should secure unanimous approval and it was necessary, too, that the Committee should be able to count on the good will of the administering Powers.

5. The amendment submitted by Togo and Tunisia (A/C.4/L.650) to draft resolution A/C.4/L.648 and Add.1 was well intentioned, but he would be glad to learn from the Secretariat whether the procedure which that amendment advocated was feasible and whether it would be costly. It would also be useful to have the views of the Special Committee of Six on the proposal.

6. The CHAIRMAN said that the amendment in question was of a general character. The question of costs would have to be taken up when each individual case was discussed by the General Assembly.

7. U TIN MAUNG (Burma) said that at the present stage the General Assembly could not afford indecision on the question whether the United Nations itself was empowered to determine which territories came within the scope of Article 73.

8. His delegation supported the draft resolution, which clearly reflected the consensus of opinion in the Committee. The United Kingdom representative had indeed made reservations in regard to principles IX, X and XI, which had had the unfortunate effect of weakening the principles. Since, however, that representative had already announced that he accepted the principles, the Burmese delegation assumed that the United Kingdom delegation would not be the last to wish to see those principles applied immediately to certain territories in order to determine whether or not an obligation existed under Article 73 e of the Charter.

9. The draft resolution was clear and simple: its main purpose was to give formal approval to the principles enumerated by the Special Committee and then to apply them in the light of the circumstances

of each case. The reference in the second preambular paragraph to the list of factors appended to General Assembly resolution 742 (VIII) was of particular importance. The twelve principles should act as a guide and should enable the United Nations to assist dependent territories to achieve the objectives set forth in Chapter XI of the Charter; the only guarantee against evasion was eternal vigilance. All responsible Member States should share in the collective responsibility of the United Nations for the maintenance of peace and security and should squarely meet the challenge offered by some Members.

10. The amendment by Togo and Tunisia would not improve the draft resolution; his delegation could not support it and would vote in favour of the draft resolution as it stood.

11. Mr. DIALLO (Mali) said that he fully appreciated the concern expressed by certain delegations over the possibility that the Committee might be faced with a series of amendments that would distort the meaning of the twelve principles. The amendment sponsored by Togo and Tunisia, however, was of extreme importance and its sole aim was to strengthen a provision which the Special Committee of Six had itself formulated. It was highly desirable that there should be United Nations supervision in a matter of such importance as the integration of one country with another. The case of the so-called overseas provinces of some States was an example of arbitrary integration which his delegation regarded as unlawful. If the United Nations supervised the process of integration in order to ensure that it was based on universal adult suffrage, the Organization would be on firm ground should there be any subsequent protests. That was a very important point and his delegation would therefore support the amendment.

12. Although in his statement at the 1033rd meeting he had paid a tribute to the Special Committee of Six for the clarity and precision with which it had drafted its report, he was unable to give unconditional support to the draft resolution under consideration. He felt he should explain that apparent contradiction.

13. Most delegations, including the delegation of Portugal, had stated that the report of the Special Committee was, to say the least, acceptable. Hence the only point at issue was that of the application of the principles set forth in the report. His delegation favoured the adoption of a single resolution whose operative part, after approving the twelve principles, would go on to indicate concrete and useful solutions. Such an approach, however, did not suit certain friends of the Portuguese and Spanish colonialists, who had not hesitated to bring pressure to bear in order to secure the submission of two distinct draft resolutions, whereby they would be able to support a diffuse text devoid of practical value and avoid betraying Portugal and Spain by voting in favour of a resolution that would condemn those States in clear and vigorous terms.

14. His delegation would abstain in the vote on draft resolution A/C.4/L.648 and Add.1 in order to demonstrate that it did not wish to become associated with fine statements of principle whose only merit was that they were not harmful, and that it had seen through the manoeuvres of the Powers which were supporting the enemies of the African peoples. Africa would be able to judge which were its friends and

which its enemies. The nationalists in the Portuguese colonies were fully aware of the uselessness of unanimous resolutions which brought no concrete relief to the inhabitants of those colonies.

15. In telling the Committee that his country would not supply the required information, the Portuguese representative had been confident that he could rely on the friendly solicitude of the Powers which ceaselessly manoeuvred to protect Portugal and Spain, thus discrediting the United Nations as a whole. At the appropriate moment his delegation would denounce those Powers.

16. Mr. CARPIO (Philippines) said that he would vote in favour of the draft resolution, which had been drafted very carefully. Its sober wording was devoid of the political emotionalism which had characterized some statements made in the Committee. His delegation endorsed the principles set out in the annex to the draft resolution because it considered that they constituted a step in the right direction and would contribute to the solution of a vexing problem of long standing.

17. Certain observations were, however, called for. The phrase "which were then known to be of the colonial type" in principle I constricted the scope of the idea implicit in the first sentence of principle II and reduced the flexibility implied in the description of the Charter, given in paragraph 18 of the Special Committee's report, as a "living document". If his delegation voted in favour of principle I, it would be on the express understanding that territories of the colonial type included not only those in existence at the time the United Nations Charter had been drafted but also any territories lacking a full measure of self-government which might have come within the scope of the classification since then.

18. With regard to principle IV, his delegation's approval would be subject to the express understanding that its provisions did not apply to a country—such as the Philippines—which consisted of an archipelago inhabited by people of different ethnic origin yet enjoying equal rights.

19. The Committee should pay careful attention to certain inconsistencies in the wording of the principles. Whereas principle IV, for instance, used the expression "ethnically and/or culturally", principle V said "ethnical or cultural", not "and/or". Secondly, while principles VI and VII referred to a "free association", the adjective "free" was not used to qualify "integration" in principle VI (c). Thirdly, principle VII used the terms "peoples" and "people" interchangeably in referring to the inhabitants of a single territory; the plural form "peoples" was correctly used in principle VIII. In all those cases the Committee should know whether the inconsistencies had been deliberate and, if so, for what reason.

20. Mr. BOUZIRI (Tunisia) wished to comment on the amendment submitted by his delegation and that of Togo calling for a new text of the last sentence of principle IX (b). In the general debate his delegation had expressed approval of the report of the Special Committee of Six, of which the present text of the sentence in question formed a part. The report, however, was couched in general terms and his delegation and that of Togo considered that a more positive formulation was desirable. Obviously when a territory was taking so important a step as integra-

tion with an independent State, there must be every safeguard to ensure that the interests of the inhabitants of that territory were protected. The purpose of the proposed amendment was to provide that the processes set forth in principle IX (b) should take place in conditions of genuine freedom. It was not the sponsors of the amendment who had introduced the notion of United Nations supervision; they had simply expressed in more specific terms the idea already embodied in principle IX (b).

21. The delegations sponsoring the amendment had not been convinced by any of the criticisms which had been made so far, which had not touched on the substance of the matter. They would be glad to hear any further comments which delegations might wish to make.

22. Mr. GASSOU (Togo) observed that, while unanimity was of course desirable, if it could be obtained only by the adoption of texts which were open to various interpretations it might be preferable to sacrifice it. In analysing the practical significance of the principles drawn up by the Special Committee of Six it was obvious that it would not be easy to determine what territories should be regarded as non-self-governing. The various ways in which self-government could be achieved were stated in principle VI: (a), emergence as a sovereign independent State, did not call for any comment, nor did (b), free association with an independent State, since it presupposed the previous attainment of independence; (c), integration with an independent State, might, however, lead to conflict between an administering Power, backed by force, and the defenceless people of the territory. Hence, principle IX, which was designed to safeguard the interests of the people, introduced the idea of United Nations supervision. The wording used in the Committee's report was, however, open to serious objection. It was all very well to say that United Nations supervision might be desirable, but the question arose who would decide whether or not it was desirable. If the administering Power concerned did not consider it desirable the United Nations would not be in a position to enforce it or to prevent integration from being carried out. Moreover, the United Nations would be in a difficult position if an administering Power were to inform the General Assembly that no further information on a certain territory would be transmitted because the objectives of the Charter had been attained and integration had been carried out. If the people of the territory in question were integrated with an independent State against their will, they would undoubtedly protest, and might do more, in which case a very serious situation might be created.

23. For all those reasons he hoped that the sponsors would accept the amendment and that it would be unanimously approved by the Committee.

24. Mr. WEEKS (Liberia) observed that the principles outlined by the Special Committee of Six had received the unanimous approval of all delegations with the exception of those of Portugal and Spain, though there had been a few reservations with respect to the phraseology.

25. The principles proclaimed the right of peoples to self-government and stressed the obligation to transmit information in accordance with Article 73 e of the Charter. Principle IV outlined the character-

istics of a territory with regard to which information should be transmitted.

26. The greatest difficulty arose in connexion with the question of integration. Certain Governments which refused to comply with the requirements of Article 73 claimed that their overseas territories were integral parts of the metropolitan countries. Obviously the Fourth Committee could not accept that statement. The way in which a territory could be integrated with an independent State was outlined in principle IX. Furthermore, principle VIII laid down that integration should be on the basis of complete equality.

27. The last sentence of principle IX (b) gave rise to certain difficulties, since it was open to various interpretations. His delegation would therefore support the amendment proposed by the delegations of Togo and Tunisia, which in fact expressed the same idea in different words.

28. Mr. ZIKRIA (Afghanistan) said that he had already expressed his delegation's appreciation of the work done by the Special Committee of Six but had also stated that he would be unable to support the principles unreservedly in their original form. His delegation would remain consistent to the position it had always held regarding the question of United Nations supervision over territories under foreign domination. It would therefore support the amendment proposed by the delegations of Togo and Tunisia, which it felt was more in harmony with the views of the majority of the Committee than the original text. He hoped it would be possible for the sponsors of the draft resolution to accept the amendment.

29. Mr. SHARIF (Indonesia) said that his delegation endorsed the general principles in the report of the Special Committee of Six except for a few reservations, which were based on the fact that, notwithstanding the apparent agreement reached in the Special Committee regarding the multilateral rather than unilateral character of Chapter XI, certain colonial Powers still insisted on a unilateral interpretation of those principles which related to security and constitutional considerations. As long as that position was maintained no real progress could be said to have been achieved, despite the enunciation of the twelve principles by the Special Committee.

30. It followed from the multilateral character of Chapter XI that the General Assembly was fully competent to decide whether or not an obligation to transmit information existed or whether in certain circumstances a colonial Power was justified in resorting to constitutional or security limitations.

31. His delegation was glad that the Special Committee had reached unanimity. It agreed with operative paragraph 1 of the draft resolution. With regard to operative paragraph 2, his delegation had several comments to make. Firstly, it could not support principle VI and would like clauses (b) and (c) to be deleted. The procedures outlined in principles VII and IX did not provide sufficient assurance that the act of association or the request for integration with another country would be based on the genuine will of the representatives of the people. No election or referendum in an occupied and dependent territory could be free from the influence and domination of the administering Power. If the procedures outlined

in principles VII and IX were followed his delegation was afraid that in a few years the administering Powers would report that all the Non-Self-Governing Territories under their administration had become associated or integrated with the metropolitan States in accordance with "the voluntary choice by the peoples of the territory concerned". His delegation would therefore prefer to give the Non-Self-Governing Territories the opportunity first to become independent and only thereafter, by informed and democratic processes, to decide to become associated or integrated with other independent States.

32. Secondly, his delegation would have no great objection to principle VI if to the first sentence of principle VII (a) could be added the words "where possible under United Nations supervision". While realizing that elections were a matter of domestic jurisdiction, he would nevertheless appeal to the administering Powers to agree to United Nations supervision in such an important question.

33. Thirdly, his delegation associated itself with the reservations expressed by the delegation of Morocco (A/4526, para. 14) in connexion with the words "may be" in principle IX (b) and thought that the sentence in question should read: "United Nations supervision of such processes is desirable". It would prefer that wording to that suggested in the amendment proposed by the delegations of Togo and Tunisia.

34. Fourthly, if principle VI (b) and (c) could be deleted, principles VII, VIII and IX could also be deleted.

35. Mr. CABA (Guinea) said that his delegation would vote in favour of draft resolution A/C.4/L.648 and Add.1, which provided the means of attaining the essential objectives of Chapter XI of the Charter. Nevertheless, despite the juridical force of the twelve principles laid down, the Fourth Committee should make its meaning absolutely clear so as to avoid any danger of misunderstanding in the future.

36. The amendment submitted by the delegations of Togo and Tunisia rendered the last sentence of principle IX (b) more precise. No doubt the administering Powers would be willing to organize plebiscites on the question of integration, but they would ensure that the results were in accordance with their plans by installing puppet governments in the Territories concerned which would agree to integration regardless of the wishes of the people. Thus little by little all the colonial possessions would be swallowed up. For that reason his delegation strongly supported the amendment proposed by Togo and Tunisia; indeed it considered that amendment too moderate and would prefer the word "indispensable" to "necessary".

37. Mr. CUEVAS CANCINO (Mexico) observed that the Fourth Committee had had many debates in an attempt to draw up a series of principles which would enable it to deal with the difficult problem of Member States which refused to transmit information on their overseas territories. Objections might be raised to one or another of the principles set forth in the report. Indeed, the report itself had not been entirely satisfactory to his delegation. In that connexion he drew attention to his Government's reply to the Secretary-General's communication (A/AC.100/1, paras. 73-118). His delegation, together with the other non-administering members of the Special Committee of Six, had, however, been able to accept

the principles enumerated in the report because it felt that in the struggle in the Fourth Committee with regard to the obligations incurred by Administering Members it was essential to have a sound juridical basis. He considered that the report of the Special Committee deserved wide support and hoped that it would be approved unanimously.

38. He appealed to the delegations of Togo and Tunisia to withdraw their amendment. He was convinced that all the problems which caused them concern could be solved in accordance with principle IX as it stood. Once the principles had been adopted it would be possible to apply them in specific cases. Their adoption therefore would be for the ultimate benefit of the peoples under foreign domination.

39. Mr. SRDANOV (Yugoslavia) said that the principles proposed by the Special Committee of Six were in general acceptable to his delegation, since they were derived from the Charter. The principles had been formulated in connexion with the debates relating to the Portuguese and Spanish colonies, but they were valid for all colonies and their implementation should, and indeed must, cover all colonial territories in the world. Furthermore, they should be implemented in the spirit of the statement in paragraph 18 of the Special Committee's report that the Charter was a living document and that the obligations under Chapter XI must be viewed in the light of the changing spirit of the times.

40. His delegation would vote in favour of the draft resolution and of the amendment proposed by Togo and Tunisia, which it considered would greatly improve the wording of principle XI.

41. Mr. BOUZIRI (Tunisia), replying to the representative of Mexico, said that his delegation and that of Togo had merely suggested more explicit wording for an idea which was already implied in the original text. The two sponsoring delegations would be ready to withdraw their amendment if the majority of the Committee was opposed to it, but they had not so far heard any arguments which would influence them to do so.

42. Mrs. SKOTTSBERG-AHMAN (Sweden) said that, given the composition of the Special Committee of Six, it was obvious that a unanimous report could only have been achieved by both sides making concessions. No doubt many delegations in the Fourth Committee would have preferred a different wording, but there was a risk that any tampering with the delicate compromise so achieved might destroy it and undo all the Special Committee's work. Her delegation supported the principles. The very fact that they had been adopted by both the administering and the non-administering Powers marked a most significant step forward. She appealed to members of the Committee to leave the wording of the principles untouched.

43. Mr. LAMANI (Albania) said that his delegation had already stated that it could not support the report of the Special Committee of Six as a whole. The intention of the amendment proposed by Togo and Tunisia was to lessen a danger that might arise when the time came to put principle IX into effect, and the points raised by the representative of Tunisia had been very pertinent. The colonialist Powers, who had plenty of experience in the matter, could exploit the situation created by the vagueness of the existing

wording to their own advantage. Were they to decide in what circumstances United Nations supervision was desirable? The position taken by certain colonialist Powers led his delegation to believe that they were not ready to make a gesture to assist the colonial peoples to achieve their freedom. The amendment was an improvement on the original text and his delegation would support it.

Mr. Ortiz de Rozas (Argentina), Vice-Chairman, took the Chair.

44. Mr. NOGUEIRA (Portugal) observed that his delegation had been fully prepared to take part in a serious and objective debate on the principles, without prejudice to its position with regard to the interpretation of the Charter. As it had turned out, however, the principles were in fact being used merely as an instrument with which to attack two particular delegations. In such circumstances, and given the fact that the Committee was not prepared to make the principles of general application, his delegation could not support them. Instead of dealing with the question submitted to it under its terms of reference, the Special Committee of Six had drawn up the principles on the assumption that the obligation in question already existed. For those reasons, and also because it was not in accord with the facts, his delegation would be obliged to vote against the draft resolution.

45. Mr. KENNEDY (Ireland) said that, although his delegation appreciated the intentions of the sponsors of the amendment (A/C.4/L.650), it felt that it would be unwise to incorporate that amendment in the text of the draft resolution. There undoubtedly were occasions when it would be desirable that the United Nations should supervise the processes referred to in principle IX, but it did not seem necessary to state that that should always be the case. Where the Trust Territories were concerned, it was a different matter, but, in the case of the Non-Self-Governing Territories some flexibility was desirable. It was conceivable, for example, that the administering Powers might postpone consultations if they knew that they would be obliged to invoke the cumbersome machinery of United Nations supervision and they would thus be given an excuse for delay. It was most important to secure the widest possible support, including that of the administering Powers, when the Committee was taking so historic a step as the approval of the principles. For that reason, he appealed to the sponsors of the amendment not to press it to a vote.

46. Mr. DORSINVILLE (Haiti) said that his delegation was prepared to vote in favour of the draft resolution, but that he would like formally to reserve his delegation's position on principles VIII and IX, which dealt with the integration of a Non-Self-Governing Territory with an independent State.

47. With regard to the question of integration, it would suffice for the present to recall the Haitian delegation's very firm position at the time of the discussion on two Trust Territories, the former Territory of Togoland under United Kingdom administration, and the Territory of the Cameroons under United Kingdom administration.

48. He did not think that the amendment proposed by the delegations of Togo and Tunisia made any change at all in the substance of the problem. In the light of

what the members of the Special Committee of Six and the sponsors of the draft resolution had said, it seemed that the present version of the last sentence of principle IX was the best possible in view of the circumstances.

49. The delegation of Haiti would abstain if the amendment was put to the vote. It knew, better than anyone else, what safeguards the presence of the United Nations could provide in a given situation but considered it preferable that the necessary decision should be taken in each particular case.

50. Sir Andrew COHEN (United Kingdom) said that the members of the Special Committee of Six had shown it to be possible to reach agreement by way of discussion and compromise. The statement in paragraph 18 of its report that the Charter was a living document was very apposite. The Charter was no mere legal document; it was concerned with the lives and aspirations of the human race. He agreed that the Charter should be viewed against the changing spirit of the times, though that did not mean that the Charter should itself be changed.

51. The reference in principle II to a dynamic state of evolution and progress was important and stemmed clearly from Article 73 of the Charter. That was the sense in which Chapter XI envisaged the Non-Self-Governing Territories and his country interpreted its obligations in that sense.

52. He would very much have liked to be able to vote for the draft resolution but the amendment proposed to it created great difficulties for his delegation. In his view, the language of the last sentence of principle IX was clear and precise. To say that supervision by the United Nations was necessary in all cases of integration, as the sponsors of the amendment wished to do, would mean that a plebiscite under United Nations supervision would have had to be held in Hawaii and Alaska before they had been integrated into the United States. That was not necessarily a bad thing, but the point was that there had not been any need for United Nations supervision of the plebiscite that had led to integration. It was undesirable to lay down in absolute terms what should be done.

53. He protested against the allegations of some delegations, like that of Guinea, that elections held by an administering Power could not be satisfactory. So far as the United Kingdom was concerned, there were several members of the Committee who could testify to the contrary, as could most of the peoples for whom the United Kingdom had been responsible.

54. He did not think that his Government, Parliament or public opinion in the United Kingdom would be prepared to agree to what was proposed in the amendment. If it was adopted, his delegation would, to its great regret, be unable to vote in favour of the draft resolution, which it had wished to see approved by a large majority so that it would carry greater weight.

55. Members of the United Nations must believe in the good faith of other Members; to be put into effect, a draft resolution depended on the action of individual Members and to question the good faith of those Members was hardly the best way of achieving that result. He appealed to the Committee to leave the draft resolution as it stood; more speedy results would be achieved in that way than by approving words

which were unacceptable to many delegations and then expecting those delegations to comply with them.

Mr. Pachachi (Iraq) resumed the Chair.

56. Mr. KUCHAVA (Union of Soviet Socialist Republics) said that at the 1034th meeting his delegation had explained its attitude concerning the report of the Special Committee of Six. The trend of the debate had shown that the wording of the principles was too general and inadequate and open to arbitrary interpretation. The attitude of Spain, Portugal and other colonial Powers which had been distorting the principles in an attempt to justify their untenable policies showed that that was indeed the case. It was, of course, hardly to be expected that a committee with the composition of the Special Committee of Six could have produced different results. The non-administering Powers on that Committee had found it impossible to do more than they had done, particularly in view of the fact that the Committee had from the outset set itself the task of producing unanimously approved principles. A compromise was impossible when two radically opposed outlooks—opposition to and defence of colonialism—were involved. The reservations made by the representative of the United Kingdom reduced the principles to nought and showed that the United Kingdom attached a completely different interpretation to the principles from that of the representatives of the non-colonial Powers.

57. For the foregoing reasons, the delegation of the USSR was unable to support the draft resolution and would abstain when it was put to the vote. It would, however, support the amendment submitted by Togo and Tunisia, which was perfectly justified and was indeed indispensable, for the objections raised to that amendment had failed to convince it.

58. Mr. RAHNEMA (Iran) said that he was gratified by the general approval with which his earlier remarks had been received in the Committee, especially those concerning the role of the United Nations in the attainment of independence by dependent territories and in processes involving their integration or association. Even those Members who had objected to his suggestions had not criticized their substance but had merely put forward other reasons, in particular the fact that Chapter XI of the Charter imposed certain limitations. In the light of the statement in paragraph 18 of the report of the Special Committee of Six to the effect that the Charter was a living document, it was his hope that the limitations in questions would in their turn be limited.

59. Another—and more weighty—argument advanced in the discussion was that of the need to secure unanimity in support of the principles and to retain the balance of the text and the spirit in which it had been drafted. The text was of such importance that it would perhaps be wise to sacrifice certain notions in order to preserve it as it stood, and, especially, to secure unanimity or the biggest possible majority. If that was achieved, the resolution would be acted upon by the parties responsible for its implementation.

60. He regretted the tendency of certain colonial Powers to interpret requests for greater control or intervention by the United Nations as casting aspersions on the good faith of the Powers concerned. His delegation believed in their good faith but that did not preclude it from asking for more guarantees and greater controls.

61. His delegation was sympathetic towards the idea behind the amendment submitted by Togo and Tunisia but thought that its wording had perhaps proved more sweeping than its sponsors had intended to make it. To ask for the exercise of United Nations supervision in every case might be going too far. The existence of such a provision, for instance, might have prevented the process whereby Hawaii had become a State of the United States. In the circumstances, his delegation would be happy if Togo and Tunisia were to withdraw their amendment. The matter could, indeed, be considered further.

62. His delegation would not press for the acceptance of the amendments it had suggested to the draft resolution at the previous meeting but it thought that they made the text clearer.

63. In his statement at the 1036th meeting the representative of Portugal had ascribed to Iran the view that after fifteen years, many legal concepts of the Charter were out of date and failed to meet reality. Mr. Rahnema had never expressed that view: what he had said was that the Committee had often found itself powerless and frustrated by the attempts made by certain administering Powers to set the letter of the Charter, in the way their distinguished jurists wished to reveal it, against the spirit of the Charter. In brief, he had merely restated what had been said by the Special Committee of Six in paragraph 18 of its report and had made the point that the Charter should be interpreted dynamically.

The meeting rose at 6.35 p.m.