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**FOURTH COMMITTEE, 1255th
MEETING**

Tuesday, 19 December 1961,
at 2.25 p.m.



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Chairman: Miss Angie BROOKS (Liberia).

AGENDA ITEM 39

Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations (A/C.4/L.728, A/C.4/L.729) (continued)

1. The CHAIRMAN recalled that at the 1254th meeting the delegation of Ghana had proposed that item 39 of the agenda of the General Assembly should be left open.
2. Mr. ALWAN (Iraq) pointed out that the Committee had already taken a decision to that effect. He did not think that a fresh decision on the subject was called for unless a proposal was made to close the question.
3. The CHAIRMAN said that in her opinion, in view of the decision of the General Committee at its 143rd meeting to recommend that only item 27 (The situation in Angola) and item 49 (Question of the future of Ruanda-Urundi) should be considered at the resumed session, the Fourth Committee would do well to bring its decision on item 39 to the attention of the General Assembly.
4. Mr. KHOSLA (India), speaking on behalf of the sponsors of draft resolution A/C.4/L.728, proposed that that draft resolution should be considered at the resumed session. The sponsors were making that proposal in a spirit of compromise and in the hope that the two parties mentioned in the draft resolution would be able to reach a solution before the matter came up for discussion at the resumed session.
5. Sir Hugh FOOT (United Kingdom) expressed appreciation of the spirit in which the Indian representative had spoken. Nevertheless, in order to avoid any possible misunderstanding, he wished to make it plain that for a number of reasons, some of them unconnected with the work of the Fourth Committee, his delegation was opposed to any items, other than the two proposed by the General Committee, being left open for the resumed session.
6. Mr. BINGHAM (United States of America) associated his delegation with the reservations made by the United Kingdom representative.

7. The CHAIRMAN said that if there were no further observations she would consider that, subject to the reservations made by the United Kingdom and United States representatives, the Committee had decided that item 39 should be left open and that draft resolutions A/C.4/L.728 and A/C.4/L.729 should be considered at the resumed session.

It was so decided.

8. The CHAIRMAN suggested that in view of the General Assembly's decision that the first part of the session should be concluded on the following day, the Committee should authorize the Rapporteur to present his report on the action taken at its 1252nd to 1255th meetings inclusive direct to the General Assembly.

It was so decided.^{1/}

AGENDA ITEM 79

Non-compliance of the Government of Portugal with Chapter XI of the Charter of the United Nations and with General Assembly resolution 1542 (XV) (A/4998) (continued)*

9. The CHAIRMAN invited the members of the Committee to consider the question of the election of the seven members of the special committee to be set up under the draft resolution approved at its 1207th meeting (A/4998, para. 19) to examine information concerning Territories under Portuguese administration.
10. Mr. BINGHAM (United States of America) said that a number of delegations, including his own, felt that it would be preferable for the members of the special committee to be appointed by the President of the General Assembly, like the members of the Special Committee of seventeen set up by General Assembly resolution 1654 (XVI) and of the special committee for South West Africa recommended in the draft resolution approved at the Committee's 1247th meeting. The draft resolution concerning the Portuguese Territories (A/4998, para. 19) provided that the members of the special committee should be elected by the General Assembly, but since the approval of that draft resolution some of the difficulties of proceeding in that manner had become apparent and many delegations now considered that the proper procedure would be for the whole matter to be referred to the President of the General Assembly.
11. He accordingly suggested, informally, that the members of the special committee of seven members should be appointed by the President of the General Assembly, and he asked for comments on that suggestion.
12. The CHAIRMAN said that, if there was no support for the United States suggestion, the Committee should

^{1/} See A/4997/Add.1.

*Resumed from the 1230th meeting.

proceed to the election of the seven members of the special committee.

13. Mr. BINGHAM (United States of America) said that he interpreted the absence of comment on his suggestion to mean that there was no objection to it. He therefore formally moved that the beginning of operative paragraph 3 of the draft resolution should be amended to read: "Decides to establish a special committee of seven members to be appointed by the President of the General Assembly to examine...".

14. Since his delegation had voted in favour of the draft resolution he was entitled to move an amendment to it.

15. The CHAIRMAN pointed out that under rule 124 of the rules of procedure a proposal that had been adopted could not be reconsidered at the same session unless the Committee, by a two-thirds majority of the members present and voting, so decided.

16. Mr. DIALLO (Mali) opposed the United States proposal, which his delegation considered would place an undue burden of responsibility on the President of the General Assembly. The draft resolution had been approved by an overwhelming majority of the Fourth Committee. Now the United States representative claimed that the election of the members of the special committee by the General Assembly might be fraught with difficulties. The delegation of Mali was unable to see what difficulties could arise in that connexion. He appealed to the United States delegation not to reopen the whole question at the present stage. If the proposal was brought before the General Assembly the delegation of Mali would vigorously oppose it.

17. Mr. OBEREMKO (Union of Soviet Socialist Republics) also opposed the United States proposal. The submission of such a proposal at the present juncture was merely an attempt to disorganize the Committee's work. Since it was clear that the consensus of opinion in the Committee was against the United States proposal, he hoped it would be withdrawn.

18. Mr. EDMONDS (New Zealand), speaking on a point of order, asked what the alternative was to the United States proposal. He had been shown a list of seven countries which were said to be candidates for election to the special committee, but three of the delegations concerned had informed him that they were not candidates. It was impossible to compel a sovereign State to serve. It might therefore be better to discuss the matter a little further.

19. The CHAIRMAN said that the reply to the New Zealand representative's question was to be found in paragraph 3 of the draft resolution approved by the Committee.

20. She put to the vote the United States proposal that the draft resolution approved at the 1207th meeting of the Committee should be reconsidered.

The proposal was rejected by 32 votes to 23, with 17 abstentions.

21. The CHAIRMAN said that in view of the result of the vote, the draft resolution stood and that if there were no further comments the question of the election would be taken up in plenary session.

22. Mr. PARRY (Canada), Mr. YLLARRAMENDI (Venezuela), Mrs. SKOTTSBERG-AHMAN (Sweden) and Mr. UMAÑA BERNAL (Colombia) stated that, although the names of their countries had appeared on some of the lists of candidates for the special committee that were being circulated, their countries would not be willing to serve on that committee.

23. Mr. ACHKAR (Guinea) said that he knew of over twenty countries which would be willing to serve on the special committee. It had been in a spirit of compromise that his delegation and some others had approached all delegations with a view to ascertaining their attitude in the matter. Certain delegations had categorically refused to serve on the Committee. There was naturally no desire to force any delegation to serve against its will. There could be no doubt that at least seven African delegations would be willing.

24. Mr. KHOSLA (India) wished to assure the representatives of the African and other countries which had achieved independence in recent years that the fact that his delegation had decided not to stand for election to the special committee did not mean that it did not intend to continue the fight against organized colonialism.

25. Mr. YOMEKPE (Ghana) noted with regret that some countries were not prepared to serve on the special committee. It had been hoped that the membership of the committee could be based on wide geographical distribution, but if countries from certain areas of the world were unwilling to serve, the responsibility would be theirs if the committee were somewhat one-sided.

26. Mr. SALL (Senegal) said that if there was any difficulty in finding sufficient candidates for the committee his delegation would be ready to be regarded as a candidate.

27. Mr. GOEDHART (Netherlands) observed that it would be useful for the Committee to know which delegations were willing to serve so that the members of the special committee could be chosen from among them.

The meeting rose at 3.5 p.m.