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Chairman: Prince WAN WAITHAYAKON (Thailand).

Draft trusteeship agreement for the Territory of Somaliland under Italian administration: special report of the Trusteeship Council (A/1294) (continued)

[Item 21 (c)]*

1. The CHAIRMAN invited the Committee to consider the draft report of the Fourth Committee (A/C.4/L.106).

2. Mr. ANKER (Norway), Rapporteur, thought it unnecessary to comment on the report, which had been in the possession of the members of the Committee for several days and merely summed up the Committee's discussion on the draft trusteeship agreement for the Territory of Somaliland under Italian administration.

3. It was, however, necessary to point out that the text adopted by the Committee was a Committee draft resolution and not a General Assembly draft resolution. That was because the draft trusteeship agreement was itself drawn up in the form of a General Assembly resolution. Hence, when the Assembly adopted the conclusions contained in the Fourth Committee's report, it would *ipso facto* approve the draft trusteeship agreement.

4. He stated that the Ethiopian delegation had requested him to amend the second sentence of paragraph 12 of the report, concerning the withdrawal of the Ethiopian draft resolution, so as to make it read:

"The delegation of Ethiopia complied with this request, while reserving the right to submit this or another draft resolution on that question when the draft agreement relating to trusteeship over former Italian Somaliland comes before the General Assembly. No objection was raised to this reservation."

* Indicates the item number on the General Assembly agenda.

5. Mr. TAJIBAEV (Union of Soviet Socialist Republics) said that he had no objections to make with regard to the first thirteen paragraphs of the draft report but that he was unable to accept paragraph 14, which recommended that the General Assembly should approve the draft trusteeship agreement. His delegation had already explained why it was opposed to the draft agreement. If paragraph 14 were put to the vote separately, his delegation would vote against it, but would, on the other hand, vote in favour of the first thirteen paragraphs. If the draft report were not put to a vote in parts, his delegation would have to vote against the draft report as a whole.

6. The CHAIRMAN said that as there has been no objections to the first thirteen paragraphs of the draft report, they could be regarded as having been adopted.

Paragraphs 1 to 13, inclusive, of the draft report of the Fourth Committee (A/C.4/L.106) were approved unanimously.

7. The CHAIRMAN put to the vote paragraph 14 of the draft report.

Paragraph 14 of the draft report of the Fourth Committee was approved by 38 votes to 5, with no abstentions.

8. The CHAIRMAN put to the vote the draft report of the Fourth Committee as a whole (A/C.4/L.106).

The draft report of the Fourth Committee was approved as a whole by 39 votes to 5, with no abstentions.

Information from Non-Self-Governing Territories (continued)

[Item 34]*

9. The CHAIRMAN invited the Committee to continue the discussion on the report of the Special Committee on Information transmitted under Article 73 e of the Charter (A/1303 and A/1303/Add.1).

10. Mr. ISSIDEEN (Yemen) said that his delegation would vote in favour of the draft resolutions submitted by the Special Committee and contained in annex II to part one of that Committee's report (A/1303). It wished however to make the following reservation. That year, as in previous years, the United Kingdom had transmitted information concerning the territory known as the Colony and Protectorate of Aden and regarded by the United Kingdom as being a Non-Self-Governing Territory falling under Article 73 e of the Charter. The Government of Yemen did not object to the substance of that information but to the political repercussions which might follow its transmission. His delegation had already made similar reservations when the Fourth Committee, at its third session, had studied information transmitted under Article 73 e of the Charter.¹ It had stated clearly that the Government of Yemen considered and would continue to consider the territory in question as forming an integral part of Yemen. As the members of the Committee were probably aware, negotiations had recently taken place in London on the dispute between the United Kingdom and Yemen; the results of those negotiations would make it possible to reach an equitable settlement of the dispute, while faithfully observing the provisions of the treaty of 1934 between the United Kingdom and Yemen.

11. Mr. FLETCHER-COOKE (United Kingdom) reserved his delegation's position with regard to the statement which the representative of Yemen had just made and asked that mention should be made of that reservation in the summary record of the meeting.

12. The CHAIRMAN declared the general debate closed, and asked the Committee to consider the various draft resolutions and related amendments. The Committee would first consider draft resolutions A and B contained in annex II to part one of the Special Committee's report (A/1303) and the amendments and sub-amendments to those draft resolutions submitted by India (A/C.4/L.107), Chile and Peru (A/C.4/L.114) and the Philippines (A/C.4/L.109). It would then consider the draft resolutions on information concerning human rights in the Non-Self-Governing Territories (A/C.4/L.108), comparable statistical information (A/C.4/L.110 and A/C.4/L.111), visits to Non-Self-Governing Territories (A/C.4/L.113) and the cessation of the transmission of information on the Non-Self-Governing Territories (A/C.4/L.115).

13. Mr. JOBIM (Brazil) said that his delegation's position was indicated in paragraph 100 of the report of the Special Committee (A/1303). While noting with satisfaction that the number of fellowships and scholarships accorded to the inhabitants of the Non-Self-Governing Territories had been increased, his delegation considered that a still greater proportion should be so granted by the United Nations and the specialized agencies. It hoped that the administering Members would take full advantage of all the facilities offered by the technical assistance provided for in resolution 222 (IX) of the Economic and Social Council.

14. His delegation still considered that it was primarily for the administering Powers to provide technical assistance to the Non-Self-Governing Territories; it had

argued in favour of that view at the ninth session of the Economic and Social Council, during the discussion on the draft resolution concerning the expanded programme of technical assistance. Under resolution 222 (IX) of the Economic and Social Council, to which the Philippine amendment referred, it was clear that the United Nations could not compel a Member State to accept the benefit of the technical assistance programme and that such assistance could be provided only if it was requested. The General Assembly could not, therefore, compel the administering Powers to accept technical assistance from the United Nations. In the case in point, however, it was not a question of sovereign States, but of Non-Self-Governing Territories, whose vital interests were proclaimed in Chapter XI of the Charter. At the same time, it could not be denied that those territories were subject to the authority of the administering Powers.

15. His delegation stated once again that it was in favour of increasing technical assistance to Non-Self-Governing Territories but, in connexion with draft resolution A submitted by the Special Committee and the Philippine amendment designed to replace that draft resolution (A/C.4/L.109), it preferred to keep not only to the spirit, but also to the letter of Economic and Social Council resolution 222 (IX). It would therefore abstain from voting on draft resolution A and the Philippine amendment.

16. Mr. S. RAO (India) thanked the members of the Committee who had expressed satisfaction with the work of the Special Committee, of which he had been Chairman. He had already stated the reasons for the amendment (A/C.4/L.107) which he was submitting to draft resolution B of the Special Committee. The purpose of his amendment was, first, to strengthen the Committee's position with regard to information transmitted under Article 73 e of the Charter and, secondly, to ensure the widest possible collaboration by the specialized agencies in the field indicated in resolution 331 (IV) of the General Assembly.

17. Paragraph 1 of the Indian amendment reproduced the wording of the title of the General Assembly resolution and confirmed the importance of international collaboration in regard to economic, social and educational conditions in Non-Self-Governing Territories.

18. Paragraph 3 referred to the interest which the conclusions of the conference of experts to be convened by UNESCO in 1951 would have for the Special Committee. Unfortunately, he had just been informed by the representative of UNESCO that it would not be possible to hold the conference in May as planned, but only in November, which was too late for its conclusions to be used by the Special Committee at its 1951 session.

19. He therefore proposed to revise paragraph 3 of his amendment to draft resolution B of the Special Committee to read:

"Notes the intention of the United Nations Educational, Scientific and Cultural Organization to place before the Special Committee for its consideration at its 1951 session documents relating to the use of the indigenous or national languages for teaching purposes and the eradication of illiteracy."

¹ See *Official Records of the General Assembly, Third Session, Part I, Fourth Committee, 56th meeting.*

20. With regard to the amendment submitted by Chile and Peru (A/C.4/L.114) he saw no reason why its text should not be incorporated in that of his own amendment (A/C.4/L.107). Paragraph 5 of the Indian amendment invited the specialized agencies to collaborate with the Secretary-General with a view to the preparation of the studies on economic conditions and development to be considered by the Special Committee in 1951. It was understood that those studies would have to be based on information transmitted under Article 73 e of the Charter and on the supplementary information submitted to the Secretary-General. To clarify the matter, however, he was prepared to revise the first part of paragraph 5 of his amendment to read:

“Invites the specialized agencies concerned, with a view to the preparation of studies based on the information transmitted under Article 73 e of the Charter and relevant supplemental information in respect of economic conditions and development to be considered by the Special Committee in 1951, to collaborate with the Secretary-General in the study of problems . . .”

21. The problems intended for study concerned FAO, ILO and WHO and were enumerated in paragraph 5 of the Indian amendment. Hence, there could be no overlapping in the work of those three agencies. The study of the prices of tropical export crops and arrangements for their marketing would be most useful to the Special Committee in undertaking the study of the problems set out in items 1 and 2 of its programme of work for 1951 (A/1303, paragraph 131).

22. The question of migrant labour in Africa had already been broached by a conference of experts called by ILO in 1947 and considerable work had already been done in that field.

23. The International Labour Organisation had also acquired some experience in the matter of the development of co-operative societies in agricultural communities. That problem was one of the most important in the list of items for study by the forthcoming conference which ILO was to convene at Karachi, and the conclusions reached at that conference would undoubtedly be of great value to the Special Committee.

24. Lastly, the question of the economic value of preventive medicine was included in the agenda for the next Assembly of WHO. The economic value of preventive medicine could not be disputed and the question was of vital importance for the Non-Self-Governing Territories. In that respect, too, the results of the study on the problem would be of great value to the Committee.

25. Mr. ARNALDO (United Nations Educational, Scientific and Cultural Organization) confirmed what had been said by the Indian representative regarding the conference of experts to be convened by UNESCO in 1951. UNESCO had contemplated holding that conference in May 1951 so that its conclusions could be considered by the General Assembly at its sixth session. Unfortunately, however, the Director-General of UNESCO had just informed him that the conference could not be held before November 1951. UNESCO still intended to prepare, as indicated in the new text

of paragraph 3 of the Indian amendment, at least two documents on the use of indigenous or national languages for teaching purposes and the eradication of illiteracy; both documents could be submitted to the Special Committee at its 1951 session.

26. Mr. RYCKMANS (Belgium) said he would abstain from voting on draft resolution A submitted by the Special Committee.

27. With regard to the Indian amendment to draft resolution B (A/C.4/L.107), he did not altogether understand the significance of paragraph 5.

28. The Secretary-General had to base his work upon information furnished by the administering Powers under Article 73 e of the Charter and upon supplementary information transmitted to him. The Indian amendment would confine the basis of the proposed studies to such information. It would, however, be embarrassing for the Secretary-General to determine what information he was authorized to use. The specialized agencies could not be asked to make a choice from among their own documents. It was, moreover, impossible to base serious studies upon fragmentary documentation. In the circumstances, the administering Powers would prefer to make use of the complete studies of the specialized agencies; hence, paragraph 5 of the Indian amendment seemed unnecessary.

29. Paragraph 1 of the operative part of the Philippine amendment (A/C.4/L.109), which would replace draft resolution A submitted by the Special Committee, invited Administering Members which needed technical assistance for the economic, social and educational advancement of their Non-Self-Governing Territories to submit requests to that effect. He wondered if it served any purpose to address such an invitation to the administering Powers as they would surely present their requests without being invited to do so.

30. Paragraph 2 of the same operative part seemed to contain a contradiction. On the one hand, it spoke of the statistical information transmitted by the administering Powers under Article 73 e of the Charter, while, on the other, it requested them to transmit “as full a report as possible” on all applications made on behalf of their respective Non-Self-Governing Territories. But those words could only apply to Trust Territories, governed by Chapter XII of the Charter and not to Non-Self-Governing Territories, which came under Chapter XI. The Philippine text did not take that difference into account.

31. Furthermore, General Assembly resolution 336 (IV) had already requested the Secretary-General to keep the Special Committee informed of the nature of technical assistance which was accorded from time to time to Non-Self-Governing Territories by specialized international bodies. To request the administering Powers to report directly to the Assembly on such assistance would reflect a certain lack of confidence in the Secretary-General. If it were merely a matter of supplementing the information transmitted to the Secretary-General by indicating only what assistance had been refused, then that should be stated. But, in any event, his delegation could not accept a text such as that submitted by the Philippine delegation.

32. Mr. TAJIBAEV (Union of Soviet Socialist Republics) said the Soviet Union had always favoured the advancement of Non-Self-Governing and Trust Territories as well as all forms of assistance to such territories. It could not, therefore, be opposed to draft resolution A submitted by the Special Committee. The Philippine amendment was, however, more complete and specific than the text of the Special Committee, and his delegation preferred it. As to draft resolution B of the Special Committee, the second paragraph of its operative part placed the emphasis on the special report on education. But it was on the progress actually made in education that emphasis should be laid and his delegation was submitting a formal amendment in that sense. The USSR amendment would change paragraph 2 of draft resolution B (A/1303, annex II) to read:

“Approves the brief but considered indication contained in the special report on education of the importance of educational advancement and the problems still to be faced in the Non-Self-Governing Territories”.

33. His delegation had no objections to paragraphs 1, 3 and 4 of draft resolution B and supported the Indian amendment (A/C.4/L.107). If the USSR amendment were adopted, his delegation would vote for draft resolution B of the Special Committee; if not, it would abstain from the vote.

34. Mr. SALAZAR ROMERO (Peru) defended the amendment submitted jointly by the Chilean and Peruvian delegations (A/C.4/L.114).

35. Education was an essential element in the advancement of Non-Self-Governing Territories, and the training of teachers in such territories must therefore be ensured. In that sphere, quality was more important than quantity. The training of teachers must, accordingly, be undertaken with the greatest possible care. Yet the report of the Special Committee had hardly any suggestions to offer on that point. That was why his delegation had joined the Chilean delegation in presenting an amendment (A/C.4/L.114) to the Indian amendment (A/C.4/L.107); the joint amendment requested that full account should be taken, in the formulation of policies on teacher-training in Non-Self-Governing Territories, of the special studies carried out by UNESCO. That amendment had been accepted by India and would considerably improve draft resolution B of the Special Committee.

36. Mr. HAY (Australia) said he had no formal objections to the Philippine amendment (A/C.4/L.109), but preferred the original text of draft resolution A. He did, however, feel that paragraph 2 of the operative part of the Philippine amendment limited the volume of information which might be used by the Special Committee. Resolution 336 (IV), adopted by the General Assembly on the initiative of Australia, referred not only to the specialized agencies, but also to international inter-governmental organizations. Information transmitted by the specialized agencies was incomplete and did not suffice. Hence it was necessary to make use of information transmitted by international organizations, including in particular the inter-governmental regional commissions.

37. With regard to draft resolution B of the Special Committee, his delegation had no objection, unless it were to the amendment submitted orally by the USSR representative; and even there, it was more a question of form than of substance. In the form proposed by the USSR representative, the draft resolution would imply that the General Assembly did not approve of the special report on education. For that reason his delegation was opposed to the USSR amendment.

38. Mr. UDOVICHENKO (Ukrainian Soviet Socialist Republic) and Mr. JOBIM (Brazil) moved the closure of the debate.

39. Mr. SIMIC (Yugoslavia) opposed the motion, because he still had some remarks to make.

40. The CHAIRMAN put the motion for closure of the debate to the vote.

The motion for closure of the debate was adopted by 25 votes to 6, with 16 abstentions.

41. The CHAIRMAN put to the vote the Philippine amendment (A/C.4/L.109) to draft resolution A. He pointed out that adoption of that amendment would preclude a vote on the original draft resolution, since the amendment was intended to replace it.

The Philippine amendment was approved by 30 votes to 3, with 12 abstentions.

42. Mr. COOK (United Kingdom) stated that his delegation would have voted for draft resolution A, which it found entirely satisfactory; he had therefore abstained from voting on the Philippine amendment.

43. The CHAIRMAN put to the vote draft resolution B submitted by the Special Committee and the relevant amendments.

Paragraph 1 of the original text of draft resolution B was approved.

Paragraph 1 of the Indian amendment (A/C.4/L.107) was approved as paragraph 2 of the draft resolution by 46 votes to none, with 2 abstentions.

The amendment submitted by the USSR delegation to paragraph 2 of the original text was rejected by 11 votes to 9, with 25 abstentions.

Paragraph 2 of the original text was approved as paragraph 3 of the draft resolution by 41 votes to none, with 5 abstentions.

Paragraph 3 of the original text was unanimously approved as paragraph 4 of the draft resolution.

The amendment submitted by Chile and Peru (A/C.4/L.114) was approved as paragraph 5 of the draft resolution by 43 votes to none, with 5 abstentions.

Paragraph 3 of the Indian amendment (A/C.4/L.107), as revised, was approved as paragraph 6 of the draft resolution by 48 votes to none, with no abstentions.

Paragraph 4 of the original text was approved as paragraph 7 of the draft resolution by 43 votes to none, with 5 abstentions.

Paragraph 5 of the Indian amendment (A/C.4/L.107) was approved as paragraph 8 of the draft resolution by 45 votes to none, with 2 abstentions.

44. The CHAIRMAN put to the vote the entire draft resolution, as amended.
- The draft resolution, as amended, was approved by 43 votes to none, with 6 abstentions.*
45. Mr. TAJIBAEV (Union of Soviet Socialist Republics) asked whether the two draft resolutions just approved by the Committee were to be considered as independent of one another.
46. The CHAIRMAN replied in the affirmative.
47. He invited the Committee to take up the draft resolution submitted jointly by the delegations of Haiti, Mexico, the Philippines and Syria (A/C.4/L.108).
48. Mr. PEREZ CISNEROS (Cuba) warmly supported the joint draft resolution as a further expression of the general tendency which had appeared in the Third Committee when it had decided at its 302nd meeting to delete the colonial clause from the draft covenant on human rights, in conformity with the spirit of the second paragraph of article 2 of the Universal Declaration of Human Rights. Moreover, the draft resolution was in accordance with General Assembly resolution 327 (IV), which recommended that information on human rights should cease to be classified under the optional category of the Standard Form; it was also timely because the Special Committee was to deal at its following session with respect for human rights in the Non-Self-Governing Territories. He thought the matter urgent and hoped that members of the Special Committee and the Secretariat would succeed in finding a formula by which it could be examined as soon as possible.
49. Mr. JOBIM (Brazil) approved the joint draft resolution in principle, mainly because it accorded with the Universal Declaration of Human Rights, which provided that no distinction should be made on the basis of the political, jurisdictional or international status of territories. Nevertheless, the Brazilian delegation feared that the draft resolution was premature. The Special Committee had not yet studied human rights from the point of view of the Non-Self-Governing Territories and would not do so until it considered the revision of the Standard Form as its following session.
50. Mr. FARRAG (Egypt) said that information on human rights should not be classified under the optional category of the Standard Form but in the second, the compulsory, part of the Form. Respect for human rights and fundamental freedoms was one of the basic principles of the United Nations. The Preamble to the Charter stated that the peoples of the United Nations were determined to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women, and of nations large and small. Further, Article 1, paragraph 3, of the Charter proclaimed that one of the purposes of the United Nations was to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all, without distinction as to race, sex, language, or religion.
51. Moreover, the fact that Articles 55, 62 and 68 of the Charter, which dealt with the functions of the Economic and Social Council, specifically mentioned human rights was proof that human rights should be regarded as a social question. The transmission of information on such questions was therefore not optional but compulsory.
52. For that reason the Egyptian delegation supported the joint draft resolution and also requested that the Special Committee's sub-committee on revision of the Standard Form should classify information on human rights in part II of the Form.
53. Mr. GARREAU (France) recalled that the French delegation had already stated in the Special Committee, the previous year, that it would agree that information on human rights should be regarded as a social question. Although the matter was at present classified under the optional category of the Standard Form, the French delegation had declared itself willing to provide all necessary information concerning human rights. It would therefore support the draft resolution before the Committee.
54. Mr. DE MARCHENA (Dominican Republic) approved the principle of the draft resolution. However, the question was very important and might have legal and constitutional implications. For that reason the Dominican delegation could not adopt a definite attitude until the authors of the draft resolution had given some explanation concerning the points he had just mentioned.
55. Mr. RIFAI (Syria) thought it unnecessary to prove the usefulness of the draft resolution, as the need for it was obvious. The Third Committee had already decided to delete the colonial clause from the draft covenant on human rights, on the ground that it would not be right to make any distinction with regard to Non-Self-Governing Territories, which should actually be the first to benefit from the Universal Declaration of Human Rights. The administering Powers had solemnly accepted as a sacred trust the obligation to promote to the utmost the well-being of the inhabitants of the Non-Self-Governing Territories, ensure their political, economic and social development, their just treatment and their protection against abuses. Hence the draft resolution was based directly upon the provisions of the Charter (Article 73).
56. Mr. RYCKMANS (Belgium) thought it premature for the Committee to consider the draft resolution at present. That question should, rather, be postponed until the following session, for the resolution could be usefully discussed by the Fourth Committee only in the light of the discussions which had taken place in the Third Committee. The Third Committee had already pronounced itself in favour of a uniform application of the Universal Declaration of Human Rights, meaning that no distinction was to be made in that field between sovereign countries and Non-Self-Governing Territories. In addition, Economic and Social Council resolution 275 C (X) provided that the Yearbook on Human Rights should contain information supplied by governments. The Belgian Government was willing to conform to that provision, but would not go farther.
57. He also pointed out that the information on economic and social matters transmitted under the Stand-

ard Form contained data on labour conditions and trade union problems in the Non-Self-Governing Territories. Only purely political problems were excluded.

58. Mr. QUESADA ZAPIOLA (Argentina) approved the principle behind the draft resolution. However, like the Brazilian representative, he thought the time was not ripe to submit such a resolution because the question of human rights was still being studied in other organs of the United Nations. The Dominican representative, moreover, had raised certain legal questions of the highest importance which had not yet been dealt with satisfactorily. For those reasons, if the sponsors of the draft resolution did not withdraw it, the Argentine delegation would abstain from voting, for it did not approve of taking a hasty vote on a matter of such importance.

59. Mr. COOK (United Kingdom) said his delegation was opposed to the draft resolution.

60. With regard to the third paragraph of the preamble, he did not think the present was either the time or the place to embark upon a further discussion concerning the colonial application clause in international agreements; he would therefore confine himself to pointing out that his government's views on the subject had been fully and clearly expressed at the 294th meeting of the Third Committee.

61. The United Kingdom delegation had two objections to paragraph 1 of the operative part of the draft resolution. In the first place, the Universal Declaration of Human Rights was a statement of the ideals and aspirations of mankind, a declaration of the aims of policy which should inspire all progressive governments. As such it had been approved in 1948 by a large majority of the General Assembly, including the United Kingdom. The preamble to the Universal Declaration of Human Rights described it as a standard of achievement which should constantly be borne in mind and toward which every individual and every organ of society should strive. It had, however, been clearly understood that some of the objectives set forth in the Declaration were not such as could be attained at once, even in the most highly developed countries. It had also been understood that those human rights which were susceptible of immediate implementation were to be embodied in the covenant of human rights, which, by its nature, would constitute a series of legal obligations binding on all States acceding to it. That was the very reason for having a covenant in addition to a Declaration. In such circumstances the United Kingdom delegation felt that the use of the word "implementation" was hardly appropriate to the Universal Declaration of Human Rights, though it would of course be quite appropriate in the context of the covenant of human rights.

62. His delegation's main objection to paragraph 1 of the operative part, however, was that there was nothing in the Universal Declaration of Human Rights requiring Members of the United Nations to report to the General Assembly on the extent to which they might have been able to attain the objectives set forth in the Declaration. If a provision to that effect had been accepted by all the Member States which had voted in favour of the Declaration, the United Kingdom Government would have accepted it without the least hesitation

in so far as the Non-Self-Governing Territories under its administration were concerned. On the other hand, the United Kingdom delegation did not see why only Members responsible for the administration of Non-Self-Governing Territories should be required to accept such an obligation. Moreover, Article 73 e of the Charter could not be interpreted as imposing such an obligation upon administering Powers.

63. He felt bound to point out that two of the authors of the draft resolution, Mexico and Syria, had been among the delegations which had abstained from voting, at the 314th meeting of the Third Committee, on a proposal to delete from the draft covenant on human rights all measures of implementation at present contained therein. Yet they were now advocating what amounted to measures of implementation for the Declaration in the Non-Self-Governing Territories. If the inference was that those delegations considered measures of implementation necessary for Non-Self-Governing Territories but not for sovereign States, or justified in the former but not in the latter case, the United Kingdom delegation would be obliged to place on record that it could not support such a view.

64. The provisions of paragraph 2 of the operative part were also unacceptable to the United Kingdom delegation. It considered, in the first place, that measures for the implementation of human rights should not be restricted to Non-Self-Governing Territories but should apply to all Member States, whether or not they were responsible for the administration of such territories. It considered, in the second place, that to vest in the Special Committee the functions proposed for it in the matter was neither desirable nor proper. To do so would, in its opinion, be a very wide departure indeed from Article 73 e of the Charter.

65. He had a sincere appeal to make to all members of the Fourth Committee. They would undoubtedly recall that, when the Special Committee had been set up for a period of three years, the United Kingdom Government had been one of the governments which had thought it necessary to make a number of reservations.² After careful consideration of the matter, however, the United Kingdom delegation had decided to continue to participate and to collaborate fully in the Special Committee's work, as it had at the Special Committee's 1950 session. He would ask members of the Fourth Committee to show the same spirit of co-operation and to abstain from proposing further extensions of the Special Committee's functions every year. That Committee had been given specific terms of reference for a period of three years and he earnestly asked that it should be allowed to function according to the terms of reference for that period.

66. He thought that was a reasonable request to make, particularly since the question of implementation of the covenant on human rights was at present under consideration by the United Nations organs directly concerned on a world-wide basis, as the United Kingdom delegation felt it ought to be. There was no justification for prejudging the issue so far as Non-Self-Governing Territories were concerned.

² *Ibid.*, Fourth Session, Fourth Committee, 120th meeting.

67. He had stated his objections frankly and sincerely, with a clear conscience, since his government had nothing to hide in the matter of human rights in the Non-Self-Governing Territories. The imposing number of documents which the United Kingdom published regularly on the territories it administered was sufficient proof of that.

68. He had two remarks to make in that connexion. First, the Yearbook on Human Rights would, from the coming year, include information on the application, in as many countries as possible, of one of the rights or of a group of closely-related rights listed in the Universal Declaration of Human Rights. That survey would be based on the information transmitted by governments. The United Kingdom Government itself would transmit whatever information was thought necessary for that survey, including information on the situation in the Non-Self-Governing Territories it administered. It would certainly not seek to exclude those territories from any such general survey to be undertaken by the Secretary-General, since to do so would be contrary to the policy it had always followed in the matter. Its previous conduct was a guarantee that it would gladly submit the information requested in regard to the Non-Self-Governing Territories as soon as the Commission on Human Rights had determined the particular subjects to be studied in the following year. It would also gladly assist in providing the information desired in connexion with part H of Economic and Social Council resolution 303 (XI) in regard to Non-Self-Governing Territories.

69. Secondly, the United Kingdom Government had already indicated that it was quite prepared to include in the information transmitted under Article 73 e of the Charter such information relating to human rights as it considered necessary for a proper understanding of the technical and statistical information relating to social, economic and educational conditions in its Non-Self-Governing Territories; and in fact it was already doing so. It could not, however, agree that the obligations specified in Article 73 e of the Charter should be increased every year by new General Assembly resolutions.

70. The explanations he had given were enough to show that the United Kingdom did not oppose the draft resolution (A/C.4/L.108) because it had anything to hide. He repeated that his government had nothing whatsoever to hide. It was quite ready at any time to see what it had achieved and was striving to achieve in the field of human rights in its territories measured against world standards of achievement, and feared no comparison on that basis.

71. The United Kingdom had accepted the Universal Declaration of Human Rights as a statement of the aims of the United Kingdom and of the governments of the Non-Self-Governing Territories for which it was responsible. In adopting the Declaration, the United Kingdom delegation had stated that it was also doing so on behalf of the governments of the Non-Self-Governing Territories for which the United Kingdom was responsible.³ That statement had been made with the full agreement of those governments, which had been previously consulted.

³ *Ibid.*, Third Session, Part I, Plenary Meetings, 181st meeting.

72. The United Kingdom was resolved to do its utmost to promote respect for and enjoyment of human rights in all the territories it administered. History showed that in the matter of human rights and fundamental freedoms the efforts made and the results achieved by the United Kingdom bore favourable comparison with what had been accomplished in the rest of the world. The United Kingdom's opposition to the draft resolution could not therefore by any means be interpreted as opposition to the principle that human rights should be respected both in the Non-Self-Governing Territories and in other countries. That principle would, on the contrary, continue to guide the United Kingdom until it had achieved the stated objectives of its policy with regard to the territories for which it was responsible. Its opposition related solely to the procedure proposed, in the draft resolution, because it considered it to be wrong and out of place to extend the functions of the Special Committee in a way which it did not believe the Charter warranted.

73. The United Kingdom would readily accept in regard to its Non-Self-Governing Territories any procedure for reporting on the extent to which human rights, as embodied in the Universal Declaration of Human Rights, the covenant, or any other internationally accepted document, were implemented in those territories, provided that the obligation related equally to all Members of the United Nations and not solely to those Members responsible for Non-Self-Governing Territories. It did not, however, see any reason to accept such an obligation for its Non-Self-Governing Territories alone, since no such obligation was imposed either by the Universal Declaration of Human Rights or by the Charter.

74. Mr. FARRAG (Egypt) thought the moment appropriate to read out two extracts from *International Law* by L. Oppenheim, seventh edition, volume I, entitled *Peace*. The first extract, from page 287, read:

"Although it is expressly laid down in the Charter of the United Nations that it does not authorize intervention with regard to matters which are essentially within the domestic jurisdiction of States, the provision in question does not exclude action, short of dictatorial interference, undertaken with the view to implementing the purposes of the Charter. Thus with regard to the protection of human rights and freedoms—a prominent feature of the Charter—the prohibition of intervention does not preclude study, discussion, investigation and recommendation on the part of the various organs of the United Nations".

75. The second extract, from pages 671 and 672, read: ". . . the question of the observance of fundamental human rights has, as the result of the Charter, ceased to be one of exclusive domestic jurisdiction of States and, though not involving a right of direct intervention on the part of the United Nations, has become a matter of legitimate concern to its members and to the Organisation as a whole".

76. Mr. HAY (Australia) supported those representatives who considered that the question raised in the draft resolution under discussion could not be settled until it had been thoroughly studied.

77. He agreed that the wording of paragraph 1 of the operative part did not seem quite logical, and thought

it might be improved by replacing the end of the paragraph by some such words as:

“ . . . a summary of the way in which rights set forth in the Universal Declaration of Human Rights are applied in the Non-Self-Governing Territories under their administration.”

78. The draft resolution raised a general question, that of how information on the application of the Declaration of Human Rights should be communicated. In considering that matter, the Committee should take full account of the discussions that had taken place, and would take place, in other United Nations bodies, particularly the Commission on Human Rights and the Economic and Social Council.

79. In its report on its sixth session (E/CN.4/507) the Commission on Human Rights had proposed for consideration by the Economic and Social Council a draft resolution providing for the inclusion in the Yearbook on Human Rights of statements on the way in which States had, during the preceding year, promoted respect for human rights. During its consideration by the Economic and Social Council, that draft resolution had been criticized by delegations as too vaguely drafted. Other delegations had maintained that reports of the kind described might lead to unjustified comparison between States. The Economic and Social Council had therefore decided to refer the draft resolution to the Commission for further study (A/1345, paragraph 208). The Economic and Social Council had then adopted a resolution of much more restricted scope (303 H (XI)). It had done no more than provide that the Yearbook should contain information of a comparatively restricted range, referring only to the application of certain selected rights or groups of rights set forth in the Declaration.

80. If the decisions of the Economic and Social Council were now compared with what was proposed in the draft resolution under discussion (A/C.4/L.108) it must be observed, first, that instead of a report on the application of one of the rights or on one of the closely connected groups of rights in the Universal Declaration of Human Rights, the draft provided for a comprehensive report on the application of the whole Declaration; secondly, such a report was proposed only in regard to the Non-Self-Governing Territories. He did not think that more could be asked from the Non-Self-Governing Territories than of the Member States. To ask for comprehensive reports on the implementation of human rights in Non-Self-Governing Territories before all Member States had stated their willingness to submit such reports in regard to their respective countries did not seem logical.

81. The question raised in the draft resolution should be given more thorough consideration by the Commission on Human Rights, the Economic and Social Council and the Third Committee of the General Assembly; those bodies would consider that problem on a worldwide basis as it affected all countries and not merely the Non-Self-Governing Territories.

82. The Australian delegation would therefore support any proposal to defer consideration of the question raised in the draft resolution (A/C.4/L.108).

83. Mr. JOBIM (Brazil), on a point of order, observed that the Committee still had to consider two items of its agenda which would involve very lengthy discussions: the question of South West Africa and the question of administrative unions. The Committee must without fail take up the next item on its agenda on Monday, 27 November; consideration of the item at present under discussion must therefore be concluded during the present day.

84. He moved that the Committee should meet on Saturday afternoon, 25 November, if discussion of the present item of the agenda were not concluded at the morning meeting.

85. The CHAIRMAN pointed out that before taking such a decision the Committee must be sure that it would be possible to hold a meeting on Saturday afternoon.

86. Mr. S. RAO (India) observed that the meeting should properly have risen some minutes earlier.

87. After a brief exchange of views, the CHAIRMAN stated that the meeting would rise as soon as the Mexican representative had spoken.

88. The Brazilian motion would be put to the vote at the following meeting, which would be held on Saturday morning.

89. Mr. NORIEGA (Mexico) wished to show that, despite what had been said, there was nothing contradictory in the position taken by his delegation.

90. The Mexican delegation had considered the adoption of machinery for implementation of the draft covenant on human rights premature because the final form of that draft was still unknown. He recalled that the Mexican delegation had, at the 300th meeting of the Third Committee, urged the latter to ask the Commission on Human Rights to consider the proposals of Uruguay and Israel regarding the methods of implementation of the draft covenant; that fact showed that the Mexican delegation welcomed all possibilities of studying the question thoroughly. Furthermore, the Mexican delegation had abstained from voting on the deletion of those articles of the draft covenant dealing with implementation, suggested by the USSR delegation.

91. Turning to the draft resolution under discussion, Mr. Noriega stated that Chapters XI, XII and XIII of the Charter really all expressed the same principles. In that connexion, he was glad that the French delegation had promised that it would transmit pertinent information on respect for human rights in the Non-Self-Governing Territories under its administration. In conformity with the decision taken by the Third Committee at its 311th meeting, it was for the Commission on Human Rights to consider the form in which provisions on the right of peoples to self-determination should be included in the draft covenant.

92. The main objection which the draft resolution (A/C.4/L.108) seemed to raise would be overcome if its operative part were amended so that administering Powers would be asked to submit concise summaries regarding the extent to which human rights were protected in the Non-Self-Governing Territories under their administration.

The meeting rose at 1.40 p.m.