



Monday, 14 October 1957,
 at 10.45 a.m.

NEW YORK

CONTENTS

	Page
Requests for hearings (<i>continued</i>)	
Requests concerning agenda item 13 (Report of the Trusteeship Council) (<i>continued</i>)	91
Agenda item 35:	
Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter: reports of the Secretary-General and of the Committee on Information from Non-Self-Governing Territories:	
(a) Information on economic conditions;	
(b) Information on other conditions;	
(c) General questions relating to the transmission and examination of information;	
(d) Offers of study and training facilities under resolutions 845 (IX) of 22 November 1954 and 931 (X) of 8 November 1955;	
(e) Methods of reproducing summaries of information concerning Non-Self-Governing Territories: report of the Secretary-General	91

Chairman: Mr. Thanat KHOMAN (Thailand).

In the absence of the Chairman, Mr. Božović (Yugoslavia), Vice-Chairman, took the Chair.

Requests for hearings (A/C.4/355/Add.1) (*continued*)

REQUESTS CONCERNING AGENDA ITEM 13 (REPORT OF THE TRUSTEESHIP COUNCIL) (A/C.4/355/Add.1) (*continued*)

1. The CHAIRMAN drew attention to the request for a hearing received from the Confédération générale kamerunaise du travail (A/C.4/355/Add.1) and asked whether the French delegation had any objection to the granting of such a hearing.

2. Mr. DE CAMARET (France) said that, while not objecting to the granting of a hearing, the French delegation felt that the request would have been more suitably addressed to the Trusteeship Council, which was better qualified than the Fourth Committee to deal with the kind of questions Mr. N'Gom was likely to raise.

3. The CHAIRMAN said that in view of the remarks of the French representative he would put the matter to a vote.

The Committee decided, by 38 votes to 2, with 13 abstentions, to grant a hearing to the Confédération générale kamerunaise du travail.

4. Mr. SMOLDEREN (Belgium) said that he had voted against the granting of a hearing because his delegation considered that it was not for petitioners to decide by which organ of the United Nations they should be heard. The competence of the United Nations organs was laid down in the Charter and the Trusteeship

Council was the organ best fitted to grant hearings to petitioners.

AGENDA ITEM 35

Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter: reports of the Secretary-General and of the Committee on Information from Non-Self-Governing Territories (A/3601 and Corr.1, A/3602, A/3603, A/3606/Rev.1, A/3607, A/3608, A/3609, A/3647 and Corr.1)

- (a) Information on economic conditions;
- (b) Information on other conditions;
- (c) General questions relating to the transmission and examination of information (A/C.4/357/Rev.1)
- (d) Offers of study and training facilities under resolutions 845 (IX) of 22 November 1954 and 931 (X) of 8 November 1955 (A/3618 and Add.1);
- (e) Methods of reproducing summaries of information concerning Non-Self-Governing Territories: report of the Secretary-General (A/3619)

5. The CHAIRMAN proposed, in the light of the discussion at the previous meeting, that the Committee should first hold a general debate on the item as a whole and then discuss the five sub-items in four phases, namely, a discussion of sub-items (a) and (b) jointly, followed by separate discussions of (c), (d) and (e). Any member who so desired could, however, make a general statement covering the whole of the five sub-items at the beginning.

It was so decided.

6. Mr. KADRY (Iraq) thought that any draft resolutions that might be submitted should be submitted and discussed under the sub-item to which they belonged.

7. The CHAIRMAN said that that procedure would be followed.

8. Mr. KANAKARATNE (Ceylon) drew attention to the statement in paragraph 100 of part one of the report of the Committee on Information from Non-Self-Governing Territories (A/3647) that the Committee had agreed without objection to the proposal that the correspondence between the Secretary-General and the Government of Belgium contained in document A/AC.35/L.258 should be brought to the knowledge of the General Assembly.

9. He proposed that that correspondence should be circulated to the members of the Fourth Committee in order to assist them in the discussion of sub-item (c).

It was so decided.^{1/}

^{1/} The correspondence was subsequently circulated as document A/C.4/359.

38. Mr. CHAMANDI (Yemen) said that the United Kingdom representative's remarks were indeed surprising, for no claim to sovereignty could be considered valid unless based on the wishes of the inhabitants concerned.

39. Mr. GUYER (Argentina) wished to state that the transmission of information on the Islas Malvinas (Falkland Islands) by the United Kingdom authorities did not in any way affect Argentina's sovereignty over that territory, which the United Kingdom held by virtue of an act of force which his Government had never recognized. Furthermore, he wished to make it clear that the Islas Malvinas, the South Sandwich Islands, South Georgia Island and the land included in the Antarctic Sector of the Argentine Republic were not colonies or possessions of any country but formed an integral part of the national territory of Argentina, were part of its domain and subject to its sovereignty.

40. Sir Andrew COHEN (United Kingdom) said that his Government had no doubt concerning its sovereignty over the Falkland Islands and the Falkland Island Dependencies and formally reserved its rights in the matter. It had indicated that it was prepared to accept the jurisdiction of the International Court of Justice with regard to the Dependencies but the other Governments concerned had not agreed to do likewise.

41. Mr. GUYER (Argentina) said that the designation "Dependencies" was meaningless, since the territories so described belonged to Argentina. As his delegation had pointed out in the past, there was no legal or moral law requiring a State to submit its own territorial rights to the jurisdiction of the International Court of Justice. That was a principle observed by all States. His Government was legally and historically entitled to the territory in question. The United Kingdom Government's stand in the matter was incompatible with the aspirations of the countries of the Americas, which had clearly shown that it was their intention to extirpate every vestige of colonialism from the western hemisphere.

42. Mr. AGUERO (Chile) said that his Government could not accept the jurisdiction of the International Court of Justice with regard to its Antarctic territory, for to do so would be tantamount to submitting to a third party a domestic matter which was the exclusive concern of the Chilean Government. There could be no question regarding Chile's rights over its Antarctic territory, which formed a part of the Province of Magallanes and in which Chile had established five permanent bases where Chilean authorities functioned in the same manner as in the part of its territory in South America. For the above reasons, the Government of Chile had not accepted the intervention of the International Court of Justice in the question of the Antarctic.

43. Mr. ROLZ BENNETT (Guatemala), noting that the Territories on which the United Kingdom had transmitted information included Belize (British Honduras), said that Guatemala categorically denied that the United Kingdom had any rights whatsoever over Belize. For that reason, before the debate on information from Non-Self-Governing Territories started, his delegation wanted once again to make a clear and definite reservation in respect of Guatemala's rights over Belize. The fact that this delegation participated in the work of the Committee on Information from Non-

Self-Governing Territories and of the Fourth Committee did not mean and could not be interpreted to mean that his country had renounced or in any way modified its unalterable position on that question; on the contrary it provided the opportunity for a renewed statement of Guatemala's rights over Belize. The situation in Belize constituted a violation of the territorial integrity of Guatemala and was an affront to the sovereignty of his country and that of the entire American continent, whose nations had declared at inter-American conferences their desire to eliminate the last vestiges of colonialism in America. He accordingly registered Guatemala's protest at the continued illegal occupation of Belize by the United Kingdom and expressed the hope that a settlement might soon be found consistent with the lawful rights of his country and that the occupying Power would agree to that settlement.

44. Mr. ESPINOSA Y PRIETO (Mexico) said that if the status of Belize was to be changed, Mexico's interests in that territory should be taken into account.

45. Sir Andrew COHEN (United Kingdom) said that his Government had no doubt regarding its sovereignty over the Territory of British Honduras and formally reserved its rights in the matter.

46. Mr. ROLZ BENNETT (Guatemala) said that the statement the Mexican representative had just made with regard to the alleged rights of Mexico should there by any change in the situation of Belize as a result of Guatemala's protests compelled his delegation to state that Mexico's recently advanced claims were not being made jointly with his country, which for nearly one hundred years had been demanding the restitution of its exclusive rights over Belize from the occupying Power. He wished to emphasize, however, the close ties of friendship which existed between his country and Mexico.

47. Mr. ESPINOSA Y PRIETO (Mexico) said that as his Government's position with regard to Belize had already been stated in detail elsewhere he would not dwell on the matter. He would like, however, to express once more the feeling of friendship which the people and Government of Mexico had for the people and Government of Guatemala.

48. Mr. HARJONO (Indonesia) strongly protested against the transmission by the Government of the Netherlands of information on conditions in West Irian (Netherlands New Guinea), which for historical, political and legal reasons had always been and still was a part of Indonesia. It was only because of the intransigence of the Netherlands Government that the people of West Irian were still denied the rights enjoyed by the people of other parts of Indonesia. His Government considered it wholly inappropriate that the territory should be described as a Non-Self-Governing Territory and that conditions prevailing there should be reported to the United Nations under the provisions of Article 73 e of the Charter. Accordingly, he wished to record its protest against the listing of West Irian as a Non-Self-Governing Territory in official United Nations documents.

49. In open defiance of the position taken by his Government, the Netherlands Government was continuing to submit reports on conditions in West Irian with a view to obtaining implicit United Nations recognition of its unlawful incorporation of the territory

into the constitutional structure of the Netherlands. His delegation wished to stress that the provisions of Article 73 e were not applicable to West Irian, because that territory constituted a province of the territory under the sovereignty of the Republic of Indonesia and as such was represented in the Indonesian Parliament and Constituent Assembly. The Government of Indonesia was supported in that stand by a majority of the States Members of the United Nations. Furthermore, inasmuch as the question of West Irian was to be discussed as a political item in the First Committee it should not be touched upon in the Fourth Committee.

50. In conclusion, he wished to state that the Government of the Republic of Indonesia was the only sovereign Power in West Irian and as such reserved all rights over that territory.

51. Mr. VIXSEBOXSE (Netherlands) said that his Government regarded its sovereignty over Netherlands New Guinea—whether *de jure* or *de facto*—beyond question. The Netherlands administered the Territory in conformity with its obligations under Chapter XI of the Charter, and in view thereof had transmitted information on that Territory to the Secretary-General over the year 1956 pursuant to the terms of Article 73 e.

52. Mr. KADRY (Iraq) associated his delegation with the remarks made by the Indonesian representative concerning West Irian and recalled that at the 152nd meeting of the Committee on Information from Non-Self-Governing Territories his Government had reserved its position with regard to the question of sovereignty over West Irian.

53. Mr. JAIPAL (India) associated his delegation with the reservations expressed by the Indonesian representative concerning West Irian. The Government of India had no doubt concerning Indonesia's sovereignty over that territory. The problem was to effect a peaceful transfer of power to that Government. His delegation would express its views on the subject more fully, however, when the matter came up for discussion in the First Committee.

54. His Government had reservations also about the fact that no information had been transmitted to the

Secretary-General about certain other Non-Self-Governing Territories and it hoped that at a suitable time the Committee would examine the matter in detail.

55. Mr. PERERA (Ceylon) said that his delegation could not accept the claim of the Netherlands Government that it had either *de facto* or *de jure* sovereignty over West Irian. It would make a detailed statement on the matter at a later date.

56. Mr. FILALI (Morocco) protested against the inclusion of the French-occupied territory of Mauritania, Spanish Sahara and the Ifni enclave among the Non-Self-Governing Territories and expressed the hope that the Powers concerned would soon terminate their occupation of those areas, which were integral parts of Moroccan territory.

57. Mr. KOSCZIUSKO-MORIZET (France) said that the remarks made by the Moroccan representative were entirely unfounded. Mauritania had an autonomous Government and an assembly which had been elected recently by universal suffrage, both of which had unequivocally declared themselves in favour of Mauritania's participation in the Franco-African community. The French delegation therefore had not the slightest doubt concerning the validity of the position which it had adopted with regard to Mauritania.

58. Mr. SEDO (Spain) said that his Government had no doubt concerning its sovereignty over the territories of Spanish Sahara and Ifni. Moreover, as the Fourth Committee had received no communication concerning those territories the Moroccan representative's observation was out of order.

59. Mr. LOIZIDES (Greece) said that he thought the present discussion might also affect the legal status of Cyprus and he was therefore obliged to protest against the illegal occupation of that territory by United Kingdom forces. His delegation had no doubt that Cyprus was indeed non-self-governing; sovereignty in such cases rested, however, not with the administering Power but with the people of the Non-Self-Governing Territories themselves.

The meeting rose at 12.5 p.m.