



CONTENTS

	<i>Page</i>
Questions concerning documents .....	93
Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter ( <i>continued</i> ) .....	93

**Chairman: Mr. Rodolfo MUNOZ (Argentina).**

**Questions concerning documents**

1. The CHAIRMAN called on the representative of the Dominican Republic to speak on a point of order.

2. Mr. DE MARCHENA (Dominican Republic) wished to protest against the manner in which the summary records were drafted, particularly in Spanish. Since Spanish was a working language of the General Assembly and its Committees, it was inexcusable that a statement made in Spanish should not be reproduced in the summary record in the speaker's own words. But although the original Spanish text of the statement he had made at the Committee's 256th meeting had been transmitted to the department concerned, the provisional summary record contained a number of inaccuracies and errors and omitted important passages. His delegation therefore insisted that the summary record of his statement should be corrected to bring it into line with the original text and that the present system, which was quite unjustifiable in view of the fact that Spanish was a working language on an equal footing with English and French, should be discontinued.

3. The CHAIRMAN said that the statement by the representative of the Dominican Republic would be included in the summary record of the meeting.

**Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter (*continued*)**

[Item 33]\*

4. Mr. PIGNON (France) replying to the statement on French settlements in India made by the Indian representative at the 261st meeting, said that he might have confined himself to pointing out that the Fourth Committee was not competent to deal with such matters and that, moreover, the settlements in question were not Non-Self-Governing Territories. The Indian

representative had, however, linked his remarks to the statement which he, Mr. Pignon, had made at the 260th meeting on the subject of racial discrimination. In so doing, the Indian representative had unfortunately created a misunderstanding, which he felt bound to dispel.

5. While wishing to avoid all controversial discussion, and leaving aside the references to terrorism and smuggling, Mr. Pignon reserved the right of his Government to make a statement on the substance of the problem whenever and wherever it might deem it advisable to do so. He would endeavour to keep to the subject, if not within the terms of reference of the Fourth Committee. He would point out, first, that, as French citizens, the inhabitants of those settlements enjoyed all the democratic liberties and did not suffer from racial discrimination in any form. That was borne out by the number of senior French officials who were natives of the settlements, and by the fact that a famous Indian philosopher and poet had established his school there.

6. Article 27 of the French Constitution prohibited any cession of territory or territorial changes without the consent of the population. The settlements in question, therefore, raised serious constitutional and moral issues, since France could not abandon populations which had been French for almost three centuries without their consent. India's dispute with France could thus be settled only by the procedure which India itself had recommended in a draft resolution (E/CN.4/L.26/Rev.1) on the right of peoples to self-determination, i.e., by a plebiscite. The example of Chandernagor testified to France's good faith in that respect.

7. Mr. HOPKINSON (United Kingdom) said that in a spirit of compromise he would withdraw his amendment (A/C.4/L.218) to the third paragraph of the preamble of draft resolution B (A/2219 and Corr. 1, part one, annex II).

8. Mr. TAJIBNAPIS (Indonesia) announced that he would also withdraw his amendment (A/C.4/L.219)

\* Indicates the item number on the agenda of the General Assembly.

to paragraph 5 of the operative part of draft resolution B for the same reason.

9. Mr. KHALIDY (Iraq) said that he would vote for draft resolutions A and B (A/2219 and Corr. 1, part one, annex II), and for the joint draft resolution (A/C.4/208) of which his delegation was a sponsor.

10. Speaking of the various amendments to draft resolution B, he said he would vote for the Venezuelan amendments (A/C.4/L.216), which made a number of improvements. With regard to the United Kingdom amendments (A/C.4/L.215) to that resolution, he would vote against the amendment to paragraph 2 of the operative part, as it restricted the scope of that paragraph, but in favour of the amendment to paragraph 3, since he thought it useful to refer to religious grounds in conjunction with racial grounds. He did not regard the United States amendment (A/C.4/L.217) as satisfactory for several reasons. In his view, the Commission on Human Rights was not competent in the matter; it did not in fact have a sufficient knowledge of the situation peculiar to Non-Self-Governing Territories. The reference in the draft resolution to the Universal Declaration of Human Rights was sufficient. Moreover, if the question were referred to the Commission on Human Rights, it would also have to be referred to other bodies such as the Economic and Social Council; the phrase "give it appropriate consideration" seemed too vague. Lastly, to refer the matter to the Commission on Human Rights would unduly delay the application of the resolution. He therefore felt compelled to ask the sponsor of that amendment not to press for its adoption.

11. Mr. JESSUP (United States of America) asked for the floor in order to make the scope of his delegation's amendment clear. Far from opposing the discussion of racial discrimination by the Fourth Committee either at the present time or in future, and far from wishing to delay the application of draft resolution B, his delegation was proposing to draw the attention of the Commission on Human Rights to that resolution, which, though it dealt with problems of discrimination peculiar to Non-Self-Governing Territories, also touched on more general considerations which should be brought to the attention of the Commission on Human Rights; for example, the distinction to be drawn between discriminatory practices and protective measures, and the idea stated in paragraph 6 of the operative part that the establishment of improved race relations largely depended on the development of educational policies. That was the sole purpose of his delegation's amendment.

12. With regard to the Iraqi representative's reference to the words "give it appropriate consideration", he thought the Commission on Human Rights itself was competent to decide what action it should take in the matter.

13. Mr. BAZHAN (Ukrainian Soviet Socialist Republic) pointed out that the reports mentioned in the third paragraph of the preamble of the joint draft resolution did not give a clear idea of economic, social and educational conditions in the Non-Self-Governing Territories; the objectives of the administering Powers in those territories were not those which they claimed in the Committee to be following. His delegation had accordingly submitted an amendment (A/C.4/L.220)

to the effect that the third paragraph of the preamble should be deleted.

14. Mr. SCOTT (New Zealand) would vote in favour of draft resolution A. In connexion with draft resolution B, he shared the view of those who had stressed that the question of racial discrimination was universal in character and was not confined to Non-Self-Governing Territories. Any discrimination in those territories was almost always designed to protect the indigenous inhabitants, often to the detriment of nationals of the administering Powers; that was particularly true in the case of laws prohibiting the acquisition in freehold of Native lands by Europeans, or, in the social field, of laws which prohibited the manufacture and sale of alcoholic beverages, child marriages and witchcraft. It must not be forgotten that the reason for differences in treatment was not the colour of the skin of the persons concerned but the backward or even primitive state of the indigenous populations. The delegation of New Zealand would vote in favour of the amendments submitted by Venezuela and the United Kingdom. It would also support the United States proposal because of the universal character of the problem of racial discrimination. The fact that the attention of the Commission on Human Rights would be called to the resolution did not mean that its implementation would thereby be retarded.

15. In connexion with the joint draft resolution, he shared the doubts that had been expressed by a number of delegations that paragraph 1 of the operative part might be an intrusion into the internal administration of dependent territories. In signing the Charter, the administering Powers had not undertaken to transmit information of a political nature. He therefore considered that the resolution as now drafted was merely a request to the administering Powers, which would be free to comply with it or not, as they chose. Accordingly, he would abstain in the vote on paragraph 1 and would vote in favour of the draft resolution as a whole. Finally, he would oppose the amendment submitted by the Ukrainian representative.

16. Mr. CAFIERO (Argentina) would vote in favour of draft resolution A because his delegation wished to pay a tribute to the work of the Committee on Information from Non-Self-Governing Territories and approved the renewal of that organ.

17. Of the amendments to draft resolution B, he would vote in favour of those submitted by Venezuela although, in his opinion, it would have been preferable to clarify the other paragraphs of the resolution as well. He would also support the United Kingdom amendment to paragraph 3 of the operative part but would vote against the amendment to paragraph 2 as it tended to restrict the reprehensible cases of discrimination. The Constitution of his country prohibited all forms of discrimination, not merely discrimination on grounds of race. He would accept the United States amendment, on the understanding that the adoption of the new paragraph 7 would not cause any delay in the implementation of the resolution.

18. The Argentine delegation approved the joint draft resolution since it did not contravene the principle of non-interference in the internal affairs of States, but merely requested more complete information. Referring to the amendment submitted by the Ukrainian SSR,

he commented that in the paragraph of the preamble in question the General Assembly, without expressing any judgment of the special reports of the Committee, merely recognized that those reports should be taken into account. In his opinion, that reference served some purpose.

19. Mr. EL-PHARAONY (Egypt) would vote in favour of draft resolution A. In the Committee on Information from Non-Self-Governing Territories, Egypt had explained in detail (A/AC.35/SR.70) its position on draft resolution B, relating to racial discrimination. Unlike some delegations, Egypt considered that it was the responsibility of the Fourth Committee to stress that peoples which were not yet self-governing should be given special protection against racial discrimination.

20. He had no objection to the amendments proposed by the United Kingdom. He would vote for the Venezuelan amendments but would abstain in the vote on the United States amendment.

21. During the general debate, the Egyptian delegation had stated its views on the joint draft resolution. The adoption of that text should be very helpful for the work of the Committee on Information from Non-Self-Governing Territories. Moreover, that draft did not advocate interference in the actual administration of Non-Self-Governing Territories and in no way infringed the sovereign rights of the administering Powers. Information transmitted by Member States on the implementation of General Assembly resolutions was increasingly necessary to enable the United Nations to continue its works effectively.

22. Mr. FORTEZA (Uruguay) would vote in favour of draft resolution A. He would also support the Venezuelan amendments to draft resolution B. The Fourth Committee could concern itself with the question of racial discrimination only to the extent that such discrimination affected the Non-Self-Governing Territories.

23. Uruguay would vote against the United Kingdom amendment to operative paragraph 2 of draft resolution B, which, in its opinion, was restrictive in character. The United Kingdom amendment to paragraph 3 of the operative part did not seem necessary in view of the provisions of that paragraph, and he would abstain in the vote on that amendment.

24. Uruguay would also abstain in the vote on the United States amendment, which might delay the implementation of the resolution. The agenda of the Commission on Human Rights was very heavy; in addition, the competent sub-commission of the Commission on Human Rights studied the question of prevention of discrimination generally in connexion with the protection of minorities. In the Non-Self-Governing Territories it was the majority, not the minority, which required protection from racial discrimination.

25. He would vote against the amendment of the Ukrainian SSR and in favour of draft resolution B as a whole, amended as he had just indicated.

26. In reply to the statement of the Belgian representative at the 261st meeting, he commented that the draft resolution B was intended to request the administering Powers to inform the United Nations of measures taken in the Non-Self-Governing Territories pursuant to the

recommendations of the General Assembly, rather than to transmit the text of instructions to local administrations.

27. Uruguay would support the joint draft resolution.

28. Mr. RIVAS (Venezuela) commented, in connexion with the United States amendment, that the Fourth Committee always studied only a specific aspect of general questions; when it considered the economic and social development of Non-Self-Governing Territories, no one could claim that it was encroaching upon the work of the Second or Third Committees. He would abstain in the vote on that amendment and also on the United Kingdom amendment to operative paragraph 2, which was restrictive in nature. He would, however, vote in favour of the United Kingdom amendment to operative paragraph 3. He would vote against the Ukrainian amendment to the joint draft resolution.

29. Mr. YURANS (Union of Soviet Socialist Republics) would vote against draft resolution A, which implicitly approved the special report on social conditions in the Non-Self-Governing Territories (A/2219 and Corr.1, part two). The Soviet Union was of the opinion that that report did not present an accurate account of conditions in those territories.

30. The Soviet Union would vote in favour of draft resolution B as amended by Venezuela. The General Assembly should take all appropriate steps to eliminate any form of racial discrimination in Non-Self-Governing Territories and sovereign States, whether or not they were Members of the United Nations.

31. The USSR would vote in favour of the Ukrainian amendment for the reasons set forth by the sponsor of that text. It shared the doubts of other delegations regarding the usefulness of the United States amendment, which, in its opinion, lacked clarity. It would state its position on any other amendments submitted when explanations of vote were given.

32. The CHAIRMAN noted that no further amendments could be presented.

33. Mr. KHATTAK (Pakistan) would vote in favour of the Venezuelan amendment to draft resolution B and for the United Kingdom amendment to paragraph 3 of the operative part. He would, however, vote against the United Kingdom amendment to operative paragraph 2, which unduly restricted the scope of the original text relating to all forms of discrimination. Pakistan would also vote against the United States amendment, which seemed unnecessary and which would result in an indefinite delay in the implementation of the resolution.

34. In reply to the representative of New Zealand, he commented that laws against child marriage and witchcraft could not be considered as discriminatory, but rather should be regarded as useful reforms.

35. Mr. CALERO RODRIGUES (Brazil) proposed the deletion from the United States amendment of the words "and requests the Commission to give it appropriate consideration".

36. Mr. DJERDA (Yugoslavia) would vote for draft resolution A without hesitation. On the other hand, he expressed a number of reservations about draft resolution B because he doubted whether there was any

fundamental difference between discriminatory laws and practices and protective measures. It would be better for the administering Powers to put an end to both categories by taking all appropriate action so that protective measures would be unnecessary. He requested a separate vote on each of the paragraphs in draft resolution B. He would vote against the second paragraph of the preamble but would support the resolution as a whole.

37. Yugoslavia would vote against the United Kingdom amendment to paragraph 2 of the operative part but would support that delegation's amendment to operative paragraph 3. With regard to the United States amendment, he said that if, as he feared, the purpose of that amendment was to entrust the study of the question of racial discrimination exclusively to the Commission on Human Rights, the Yugoslav delegation would be compelled to oppose it. It would vote in favour of the Venezuelan amendment. It would also vote for the joint draft resolution.

38. Mr. JESSUP (United States of America) accepted the Brazilian amendment to the United States amendment (A/C.4/L.217), the revised text of which would then read:

"7. Calls the attention of the Commission on Human Rights to this resolution".

39. Mr. MIKAOU (Lebanon) said that his votes would be similar to those of the representative of Iraq; he would vote against the Ukrainian amendment.

40. Mr. PEREZ CISNEROS (Cuba) explained that the Cuban remarks to which the representative of the Union of South Africa had referred, had related only to political negotiations and the interpretation of legal texts and not to racial discrimination. The Government of Cuba had always favoured laws which made acts of discrimination illegal and justiciable. His Government was convinced, as it had been in 1949 when the General Assembly adopted a resolution (323 (IV)) on those lines recommended by the Fourth Committee at the instance of the Cuban delegation<sup>1</sup>, that segregation was a characteristic form of racial discrimination.

41. Mr. FOURIE (Union of South Africa) explained that he had been speaking of an earlier statement by the Cuban representative concerning the joint draft resolution.

42. Mr. S. S. LIU (China) said that his delegation would vote for draft resolution A because it approved the conclusions of the Committee on Information from Non-Self-Governing Territories. It would not hesitate to vote also for draft resolution B, as well as for the amendments of the United Kingdom, the United States and Venezuela, which had the effect of making the text clearer and more homogeneous. Lastly, the Chinese delegation would vote for the joint draft resolution as it considered it essential that the administering Powers should furnish information on the implementation of General Assembly recommendations.

43. He wished to pay a tribute to the noble sentiments which had led the United States delegation to support the joint draft resolution. If all the administering Powers adopted a similar attitude, the Fourth Commit-

tee and the Committee on Information from Non-Self-Governing-Territories would have no difficulty in solving the problems before them.

44. Mr. EGUIZABAL (El Salvador) said that his delegation would vote for draft resolution A; it had already expressed its satisfaction at the excellent preparatory work which the Committee had done and indicated that the renewal of that body was fully justified.

45. His delegation would also vote for draft resolution B, which dealt with one of the most important questions before the Fourth Committee. Racial discrimination was a source of disputes between peoples and was therefore a danger to international peace and security. It was that danger which draft resolution B sought to eliminate. The delegation of El Salvador would vote for the Venezuelan amendments, the United Kingdom amendment to paragraph 3 of the operative part and the United States amendment, but would abstain from voting on the United Kingdom amendment to paragraph 2 of the operative part.

46. His delegation would vote for the joint draft resolution as it did not consider that the resolution infringed the sovereignty of the administering Powers in any way; moreover, it agreed with the Guatemalan representative's interpretation of paragraph 1 of the operative part. Lastly, his delegation would oppose the Ukrainian amendment to the joint draft resolution, since it had not found the arguments put forward in its support convincing.

47. Mr. FORSYTH (Australia) said that it should be clear from the summary records of the earlier discussion that he had merely sought the views of members of the Committee as to whether the attention of the Commission on Human Rights should be drawn to the problem of racial discrimination in Non-Self-Governing Territories. As his idea had been taken up by other delegations, he would have been happy to support the original United States amendment (A/C.4/L.217). He would still support the amendment in its amended form as it marked the view that the resolution dealt with a universal problem which should not be studied in application only to a particular category of communities.

48. The CHAIRMAN put to the vote the various draft resolutions and amendments.

*Draft resolution A (A/2219 and Corr. 1, part one, annex II) was adopted by 43 votes to 5, with 2 abstentions.*

*The first two paragraphs of the preamble to draft resolution B (A/2219 and Corr.1, part one, annex II) were adopted by 47 votes to none, with 1 abstention.*

*The third paragraph of the preamble to draft resolution B was adopted by 45 votes to 2 with 1 abstention.*

*The Venezuelan amendment (A/C.4/L.216) to paragraph 1 of the operative part of draft resolution B was adopted by 45 votes to none, with 2 abstentions.*

*Paragraph 1 of the operative part, as amended, was adopted by 47 votes to none, with 1 abstention.*

*The United Kingdom amendment (A/C.4/L.215, para. 1) to paragraph 2 of the operative part of the draft resolution B was adopted by 16 votes to 12, with 16 abstentions.*

<sup>1</sup> See *Official Records of the General Assembly, Fourth Session, Fourth Committee, 97th meeting.*

49. Mr. CARPIO (Philippines) observed that according to the Venezuelan amendment a new text would be substituted for the original wording of paragraph 2 of the operative part of draft resolution B; to adopt that amendment would automatically nullify the United Kingdom amendment just adopted, since it related to the original wording of that paragraph.

50. Mr. YURANS (Union of Soviet Socialist Republics) and Mr. KHALIDY (Iraq) agreed with the Philippine representative.

51. The CHAIRMAN said that as the wording proposed by Venezuela was merely an amendment, it must be put to the vote as such.

*The Venezuelan amendment (A/C.4/L.216) to paragraph 2 of the operative part of draft resolution B was adopted by 45 votes to none, with 2 abstentions.*

*Paragraph 2 of the operative part, as amended, was adopted by 33 votes to 8, with 4 abstentions.*

52. Mr. CARPIO (Philippines) said that he had voted against paragraph 2 of the operative part as finally amended; he would have voted for the paragraph if it had been amended only by the Venezuelan amendment.

53. Mr. ARAOZ (Bolivia) proposed that the Venezuelan amendment to paragraph 3 of the operative part of draft resolution B should be put to the vote first.

54. Mr. CARPIO (Philippines) pointed out that the effect of the Venezuelan proposal was to substitute a new text for the original wording of paragraph 3.

55. The CHAIRMAN said that as the United Kingdom amendment (A/C.4/L.215, para. 2) to the paragraph was the furthest removed from the original wording, it must be put to the vote first; but if the United Kingdom representative had no objection, the United Kingdom amendment could be made to apply to the text proposed by Venezuela.

56. Mr. HOPKINSON (United Kingdom) accepted the suggestion in a spirit of co-operation, on the understanding that the procedure must not constitute a precedent.

*The United Kingdom amendment (A/C.4/L.215, para. 2) to the new text proposed by Venezuela (A/C.4/L.216) for paragraph 3 of the operative part of draft resolution B, was adopted by 41 votes to none, with 3 abstentions.*

*The new text proposed by Venezuela (A/C.4/L.216) for paragraph 3 of the operative part of draft resolution B, as amended, was adopted by 45 votes to none, with 3 abstentions.*

*Paragraph 4 of the operative part of draft resolution B was adopted by 45 votes to none, with 1 abstention.*

*Paragraph 5 of the operative part of draft resolution B was adopted by 45 votes to 1, with 1 abstention.*

*Paragraph 6 of the operative part of draft resolution B was adopted by 47 votes to none, with 1 abstention.*

*The United States amendment (A/C.4/L.217), as revised, was adopted by 36 votes to 3, with 5 abstentions.*

57. Mr. PEREZ CISNEROS (Cuba) asked for a roll-call vote on draft resolution B as a whole.

*A vote was taken by roll-call.*

*Ethiopia, having been drawn by lot by the Chairman, was called upon to vote first.*

*In favour:* Ethiopia, Greece, Guatemala, Haiti, Indonesia, Iran, Iraq, Israel, Lebanon, Mexico, Netherlands, New Zealand, Norway, Pakistan, Peru, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yugoslavia, Afghanistan, Argentina, Australia, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador.

*Abstaining:* France, India.

*Draft resolution B, as amended, was adopted by 46 votes to none, with 2 abstentions.*

58. Mr. Shiva RAO (India) said that although his delegation had been in favour of the original wording of draft resolution B, it had abstained from voting on the final text because the amendment to paragraph 2 of the operative part unduly limited the scope of the resolution. It had, however, voted in favour of the United Kingdom amendment to paragraph 3 of the operative part.

59. Mr. FORSYTH (Australia) explained that he had abstained from voting on paragraph 2 of the operative part as amended since the amendment emphasized the narrow application of the paragraph.

60. Likewise, he had abstained from voting on paragraph 3 of the operative part, since, as amended, it detracted from the universal character of the original text.

61. The CHAIRMAN recalled that at the 261st meeting the representative of Israel had suggested that the Fourth Committee should take a position on the question of the renewal of the Committee on Information from Non-Self-Governing Territories before voting on the joint draft resolution (A/C.4/208).

62. Mr. NAJAR (Israel) pointed out that he had not made a formal proposal to that effect. Still, it had seemed logical to him that the question of the renewal of the Committee should be decided before a vote was taken on the joint draft resolution, in view of the fact that paragraph 2 of its operative part contained an invitation to that Committee. In any event, the delegation of Israel favoured the Committee's renewal and saw no reason why the Fourth Committee should not, by its vote on the joint draft resolution, decide the question of renewal by implication.

The meeting rose at 6.5 p.m.