United Nations
GENERAL ASSEMBLY
TENTH SESSION
Official Records

FOURTH COMMITTEE, 524th MEETING

Tuesday, 29 November 1955, at 10.45 a.m.

New York

CONTENTS

Chairman: **Mr. Luciano JOUBLANC RIVAS (Mexico).**

AGENDA ITEM 32

Consideration of communications relating to the cessation of the transmission of information under Article 73 e of the Charter: reports of the Secretary-General and of the Committee on Information from Non-Self-Governing Territories (*continued*):

(*a*) Communication from the Government of the Netherlands concerning the Netherlands Antilles and Surinam (A/2908/Add.1, A/AC.35/L.206, A/C.4/L.421, A/C.4/L.422, A/C.4/L.423) (*continued*)

1. Mr. BELL (United States of America), replying to the Yugoslav representative's question at the previous meeting, pointed out that the item before the Committee was a communication relating to the cessation of the transmission of information under Article 73 e of the Charter. The joint draft resolution (A/C.4/L.421) was designed to deal with that item. Its sponsors had not considered it wise to attempt to embody in it any particular interpretation of Chapter XI of the Charter, given the diversity of opinion in the General Assembly. The exact interpretation of Chapter XI might well be discussed by the Committee at some time, but it was not an appropriate matter for inclusion in the draft resolution under discussion. As it stood, the proposal left each representative free to vote on the draft resolution without prejudice to his interpretation of the Chapter as a whole and of the particular point raised by the Yugoslav representative.

2. The Indian amendments (A/C.4/L.423) seemed to be in keeping with that line of thought. As they did not change the substance of the draft resolution, his delegation was prepared to see them adopted in the hope that they would make it easier for certain representatives to vote on the proposal on its merits, and also enable the Uruguayan representative to withdraw his amendment (A/C.4/L.422).

3. Mr. PIMENTEL BRANDAO (Brazil) endorsed the previous speaker's remarks.

4. Mr. TAZHIBAEV (Union of Soviet Socialist Republics) said that the Soviet people deeply sympathized with the aspirations of dependent and colonial peoples to self-determination and welcomed any case where a people attained its freedom and independence.

5. Important obligations wre imposed on the administering Powers under Chapter XI of the Charter. They must continue to transmit information under Article 73 e until the General Assembly decided otherwise and had satisfied itself that the Non-Self-Governing Territory in question had become sovereign and that its people exercised full legislative, executive and judicial powers.

6. His delegation had studied the new constitutional arrangements in the Netherlands Antilles and Surinam in the light of those considerations. The Charter for the Kingdom granted the Netherlands Antilles and Surinam autonomy in internal affairs. Nevertheless it excluded from their jurisdiction such functions as the maintenance of independence and defence, foreign relations, the admission and expulsion of Netherlands nationals and aliens, and the conclusion of any economic or financial agreements with other countries.

7. Although the countries' internal affairs were to be conducted in accordance with the country Constitutions the supreme power was not in the hands of the country Parliaments but of the Governors appointed by the King. The Governor was head of the Government of the country and all executive power was vested in him: he was responsible for the appointment and dismissal of all officials, the fixing of their salaries, the administration of State revenue and property; he could reverse court decisions and issue ordinances and regulations on any matter within the country's internal jurisdiction; no legislation enacted by the country Parliament could come into effect without his concurrence; he was, moreover, the representative of the King as head of the Kingdom, and of the Government of the Kingdom. The country Parliament had no say in defining or amending his powers as head of the country Government. It could not even discuss country statutes or amendments to the country Constitution relating to fundamental human rights and freedoms, the powers of the Governor, the powers of the representative bodies of the countries, and the administration of justice, until the opinion of the Government of the Kingdom had been obtained, and such statutes could not enter into effect until the Government of the Kingdom had signified its concurrence. Ministers and members of the representative bodies in Surinam and the Netherlands Antilles took the oath before the representative of the King rather than the representative bodies in the countries. In some of the islands in the Netherlands Antilles group, even the vice-governors were appointed by the King. Hence it could scarcely be said that the Territories enjoyed any independence or self-government even with regard to internal affairs.

8. Under article 51 of the Kingdom Charter the Netherlands Government had the right to dissolve any organ in the two Territories which did not, or did not adequately, perform its duties as required in pursuance of the said Charter. In any really self-governing territory that function would be vested in the territorial parliament.

9. In legal matters, the Supreme Court of the Netherlands was the supreme authority in the countries and its jurisdiction was regulated by Kingdom statute enacted by the Netherlands Parliament rather than by country legislation enacted by the country parliaments.

10. The latter could not take any independent decision to change the status of their population, as all such decisions required the confirmation of the Netherlands Government.

11. It was quite clear, therefore, that the status conferred on Surinam and the Antilles did not give them a full measure of self-government or make them independent sovereign States. The Netherlands Government's explanatory memorandum (A/AC.35/L.206, annex II) stated explicitly that the new constitutional structure was based on the desire of Surinam and the Netherlands Antilles not for independence but for maintenance of the relationship with the Crown and with the Netherlands. It was scarcely credible, however, that the peoples of the two Territories who had struggled for centuries for independence really did not wish to rid themselves of colonialism and attain independence. Their true wishes should be ascertained and a special mission should be sent to the Territories to that end, in accordance with General Assembly resolution 850 (IX).

12. In those circumstances, the cessation of the transmission of information on Surinam and the Netherlands Antilles would be a violation of Chapter XI of the Charter and of General Assembly resolution 747 (VIII).

13. He was grateful to the Netherlands delegation and the representatives of Surinam and the Netherlands Antilles for their explanations and replies but regretted that his delegation continued to doubt the genuineness of the self-government enjoyed by the two Territories and was not convinced that the course adopted by the Netherlands Government was the right one.

14. Mr. MENON (India) said that the history of the question as far as the Charter for the Kingdom was concerned went back to 7 December 1942, when Queen Wilhelmina of the Netherlands had made a pronouncement that steps would be taken towards a new partnership within the Kingdom in which the several countries would participate with complete self-reliance and freedom of conduct for each part regarding its internal affairs, but with the readiness to render mutual assistance. That was what might be described as the terms of reference; all that had followed was merely an elaboration of that principle. On such an issue there was little point in referring to precedents; the advancement of former colonial territories towards self-government and the relationship between the former dependent unit and the metropolitan country must in each case be different. All that concerned the Fourth Committee was to ascertain whether the Territories had acquired a new status, whether that status approached independence and whether it had been acquired with the consent of the people.

15. The Committee was considering a political arrangement based on Queen Wilhelmina's declaration, on the Charter approved by Queen Juliana and on subsequent statements by Queen Juliana. The statement made by Queen Wilhelmina on 7 December 1942, though perhaps it did not have the force of law, would presumably be binding on future Governments.

16. The arrangement in virtue of which a change in constitutional status was claimed was termed the Kingdom of the Netherlands, not the Kingdom of the Netherlands, Surinam and the Netherlands Antilles. Queen Juliana was Queen of the Netherlands; she was not Queen of Surinam or Queen of the Netherlands Antilles. The position was different from that of the British Commonwealth of Nations, in which Queen Elizabeth II was Queen of Canada, Australia, New Zealand and so on. There was, in the case of the Kingdom of the Netherlands, a partnership, but the question was whether that partnership spelled equality and, even if it did so, whether there was real equality of function.

17. While the step taken represented an advance in regard to the internal affairs of the two Territories, it did not in the Indian delegation's view create a situation in which they would be entitled to claim membership in the United Nations. That was the test today. The conduct of external affairs and other functions were still vested in the Governors and were not within the competence of the peoples or representatives of the Territories. He had not been sure from the answers to questions to what extent the Governor was in a position to act independently of the legislature. According to the explanatory memorandum (A/AC.35/L.206, annex II) the Governors had a dual responsibility, on the one hand as representatives of the King as head of the Kingdom and of the Government of the Kingdom and on the other hand as heads of the Governments of the countries concerned. A similar arrangement had existed in India before that country had achieved its independence; one man had combined the functions of Viceroy and Governor-General. In the former capacity he had been the representative of the Crown; in the latter he had been the head of what government there had been in India. The Indian delegation was not entirely satisfied that the component units of the Kingdom possessed the necessary degree of equality and capacity for self-determination.

18. He had no intention whatsoever of suggesting that the Territories should give up their present relationship with the Netherlands. That was entirely a matter for them to decide. As far as he was aware the populations of the two countries were satisfied with the relationship. The Indian delegation's attitude was that it was better for ties not to be broken if they could be so modified as to correspond to existing conditions.

19. In his view the state of affairs under the Kingdom Charter corresponded to the form of government which had obtained in India twenty or thirty years previously; there was a degree of self-government in internal matters but it did not constitute full self-government or independence. He was therefore glad to note that the joint draft resolution proposed by the delegations of Brazil and the United States (A/C.4/L.421) did not say that self-government had been established; it did not, indeed, touch on that question. That made the Indian delegation's position easier, as had also the reply given by the United States representative to the Yugoslav representative with respect

to the continuing applicability of Chapter XI of the United Nations Charter to the two Territories.

20. He noted that amendment of the Charter for the Kingdom could only by effected in accordance with the wishes of the inhabitants of the three countries and enacted in Kingdom statute. Since one of the parties was the Governor plus the legislature and the other party was the Netherlands Parliament plus the Queen of the Netherlands, the relationship was not entirely equal. In fact there could be little doubt that the existing arrangement could not be altered except with the agreement of the Netherlands Parliament and the Netherlands Government.

21. There was no provision in the Kingdom Charter for the dissolution of the partnership. He was not speaking of the present or the immediate future, but it was conceivable that at some future time the two Territories might develop their own independence. No restrictions on that freedom or ties with the Netherlands should be allowed to hinder that possibility.

22. The case of the Netherlands Antilles and Surinam was not entirely analogous to that of Puerto Rico or of Greenland, which had been considered by the General Assembly at its eighth and ninth sessions respectively. In the case of Puerto Rico the Indian delegation had opposed the United States' view with regard to the cessation of the transmission of information on that Territory. The case of Greenland had been entirely different. It had become in effect part of a country which had a unitary Government, no distinction being made between the different component parts of that country.

23. The Indian delegation was anxious only to assist in promoting conditions which would make it unnecessary for the United Nations to receive information on the Territories. His delegation could not be accused of wishing to prolong dependence in any area; what it wanted was to be sure that the statute concerned conformed as nearly as possible to the idea of independence and self-determination not only in form but also in content. In considering that matter the Committee was governed by General Assembly resolution 742 (VIII). The Committee had not been able to analyse the situation in the light of the list of factors annexed to that resolution. He drew attention to the third part of the list of factors and expressed the opinion that the present situation of Surinam and the Netherlands Antilles did not conform to the factors set out there. In particular he was not satisfied that the factors given in paragraph 3, "Geographical considerations", had been complied with. In connexion with paragraph 6 (iii), he was not convinced that there was in fact provision for the participation of the Territories on a basis of equality in any changes in the constitutional system of the Kingdom, although the wording of the Charter appeared to provide for it. Despite the use of the word "Kingdom", the Antilles and Surinam were governed by the Queen of the Netherlands, not by the Queen of the Antilles or the Queen of Surinam. The difference was important. Where the head of one of the partners was, without any change of status, the head of the other, the position was not one of partnership but of dependence.

24. For the reasons he had stated his delegation would await the conclusion of the debate before expressing its attitude with regard to the joint draft resolution. The adoption of the draft resolution without amendment or reservation would mean that the relationship between the United Nations and the two Territories had completely ceased. They would then come under Article 2, paragraph 7, of the Charter. That was why the Indian delegation had submitted its amendments (A/C.4/L.423). His object in proposing those amendments had been to enable some delegations to support the draft resolution and others at least to abstain in the vote. The list of factors had been drawn up after long debate and was, so to speak, the charter for safeguarding the interests of the dependent territories; it should therefore be made quite clear that decisions taken were without prejudice to the validity of that list. With reference to the second part of the first amendment, he emphasized that the decision to be taken by the Committee related only to sub-paragraph e of Article 73; sub-paragraphs a to d remained in force and could be invoked by the General Assembly at any time.

25. In previous instances the resolutions adopted by the General Assembly had reiterated that the General Assembly was competent to decide whether Non-Self-Governing Territories had or had not attained full self-government or independence. He would not, however, suggest an amendment to that effect, since the Committee was in fact exercising that competence.

26. The amount of self-government that existed would appear to concern internal affairs only. No doubt the mutual assistance referred to by Queen Wilhelmina related to international affairs; all other functions were retained by the Netherlands Government. When the partnership had been established the residual functions rested with the Parliament and head of the Government, i.e., the Queen of the Netherlands, and what remained to the Territories was merely what was expressly stated in the realm of internal autonomy. To ask for information on such matters would be to cast reflections on the competence, self-respect and integrity of the rulers of the people of the Territories. The Indian delegation would be no party to such an attitude. He could not, however, see why, in spheres in which the competence of the Territories did not apply, there should be any reluctance on the part of the Netherlands Government to take the General Assembly into its confidence.

27. At the 522nd meeting the Prime Minister of the Netherlands Antilles had referred to the possibility of joining international organizations. Members of the United Nations or the specialized agencies must, however, be sovereign States. The Kingdom Charter gave no evidence of either external or internal sovereignty.

28. Mr. RIVAS (Venezuela) observed that the sole problem confronting the United Nations was whether the new form of association between the Netherlands Antilles and Surinam and the former metropolitan Power was such as to terminate the obligations which both the Netherlands and the United Nations had under the Charter towards the peoples of the two Territories. The Assembly had therefore to decide whether the Kingdom Charter conferred on the Netherlands Antilles and Surinam a full measure of self-government, in which case—and in which case only—the obligations of the administering Power under Chapter XI would have already lapsed. In assessing whether Surinam and the Netherlands Antilles, or any other Territory, had or had not obtained a full measure of self-government the circumstances of the case must be examined in the light of the provisions of the Charter and the relevant General Assembly resolutions. His delegation had sub-

mitted the Kingdom Charter and the other documents before the Committee to such an examination. It had also taken into account its traditional position on matters relating to Chapter XI and the policy adopted by it at Inter-American Conferences. His country consistently supported the advancement of dependent peoples and maintained that their political, social and economic progress should ultimately lead them to assume full responsibility for their own destinies, an objective which was in complete accord with the provisions of the United Nations Charter.

29. The Kingdom Charter marked a step forward for the peoples of the Netherlands Antilles and Surinam and their new status augured well for the future. The Netherlands Government, moreover, was to be commended for the very full information it had placed at the General Assembly's disposal. Unfortunately, however, his delegation was bound to conclude that certain aspects of the political self-government in the Territories were not in keeping with the list of factors adopted by the General Assembly in resolution 742 (VIII). For that reason it could not support any proposal based on conclusions similar to those set out in the joint draft resolution. Nevertheless, it would abstain from voting on the draft resolution, as the new status had been accepted by the representative bodies in the two Territories. It would vote in favour of the Uruguayan amendment (A/C.4/L.422) as it had done on previous occasions when the same question had been raised. That amendment was neither useless nor unnecessary: a body should base its actions on certain principles and if the General Assembly believed it was competent in the matter, it should say so explicitly. He would like further time to consider the Indian amendments.

30. Mr. HARARI (Israel) noted that his reference at the previous meeting to regional defence pacts had apparently given rise to misunderstanding. He had referred only to certain of their legal aspects and the interpretation of the United Nations Charter; nothing had been further from his mind than to minimize the importance to the American peoples of the Inter-American Treaty of Reciprocal Assistance, which was a proof of hemispheric solidarity based on brotherhood and friendship.

31. Mr. BENITES VINUEZA (Ecuador) wished first to congratulate the Government of the Netherlands upon its noble concept of its duties towards the peoples it administered under the Charter of the United Nations. Queen Wilhelmina and Queen Juliana had rightly interpreted the aspirations of their dependent peoples, and taken steps to lead them towards the gradual attainment of self-government. The Government of the Netherlands was also to be congratulated on its respect for its moral and legal obligations under the Charter of the United Nations and on its loyalty to the Organization in submitting to it the case for the cessation of the transmission of information under Article 73 of the Charter.

32. The Government of the Netherlands claimed to have granted the Non-Self-Governing Territories of Surinam and the Netherlands Antilles a status which freed them of all dependency and made the regular submission of information to the United Nations unnecessary. The first point to determine was whether the new status of Surinam and the Netherlands Antilles could be regarded as full self-government. If it was agreed that the stage of full self-government, which was the equivalent of the exercise of sovereignty, had not been reached, but that progress had been made towards the goal of self-government, the second point to determine was whether it would be possible to release the Government of the Netherlands from its obligation to transmit information on the Netherlands Antilles and Surinam, while retaining in force the other obligations imposed by Article 73 of the Charter.

33. The case of Surinam and the Netherlands Antilles came under the third category established in the list of factors attached to resolution 742 (VIII), namely, factors indicative of the free association of a territory on an equal basis with the metropolitan country. The Charter for the Kingdom of the Netherlands, which established the new status of Surinam and the Netherlands Antilles, must therefore be examined in the light of those factors.

34. The Charter for the Kingdom of the Netherlands was a legal instrument in the form of a tripartite agreement. In the preamble it was established that the Netherlands, Surinam and the Netherlands Antilles, in accordance with their freely expressed wishes and on a basis of equality, agreed to set up a new constitutional order governed by the Charter for the Kingdom. The first point to be resolved was the status of each of the three parties to the association. Article 2 of the Charter laid down that the King reigned over the Kingdom and over each of the countries. "Kingdom" referred to the Netherlands and "countries" referred to the associates, Surinam and the Netherlands Antilles. Thus, the tripartite association was between a sovereign State on the one hand and two "countries", which were not States, on the other. In that way the case of Surinam and the Netherlands Antilles differed from the case of Puerto Rico, which had been under consideration at the eighth session, for Puerto Rico was a free associated State.

35. The use of the vague term "countries" in the case of Surinam and the Netherlands Antilles was undoubtedly deliberate. They did not possess that power of self-determination, which was the essential attribute of a sovereign State. Since the partners to the new arrangement had agreed upon a hereditary monarchy as their form of government, it was logical that the King should be represented in the associated countries by a governor appointed by him. However, according to article 2, paragraph 2, of the Charter for the Kingdom, the responsibility of the appointed Governor was to be determined by Kingdom statute and not by country statute. Article 5 laid down that the organs of the Kingdom referred to in the Charter, and the legislative power in Kingdom affairs were to be governed by the Constitution of the Netherlands. Thus, since the laws which would govern the entity formed by the State of the Netherlands and the associated countries were to be enacted by the Parliament of the Netherlands, it became necessary to determine in what form the associated countries would participate in the central legislative body. However, there was no provision in the Kingdom Charter which gave the associated countries any participation in the legislature of the Netherlands. Articles 14 to 18 laid down that the initiative in the enactment of legislation lay with the King and the Parliament of the Netherlands; all that the associated countries could do was to make suggestions through their Ministers Plenipotentiary to the Second Chamber of the Parliament of the Netherlands. They had no direct representation in the legislative body that enacted the legislation which would govern the association as a whole. It was stated in the explanatory memorandum

in document A/AC.35/L.206 that Surinam and the Netherlands Antilles were represented in the States-General of the Netherlands, but there was no provision to that effect in the Charter for the Kingdom. In regard to the judicial power in the associated countries, article 23 established that the jurisdiction of the Supreme Court of the Netherlands in judicial matters in Surinam and the Netherlands Antilles would be regulated by Kingdom statute. In short, it seemed that there was not sufficient autonomy in either the executive, legislative or judicial branch to constitute the full self-government referred to in Article 73 of the Charter.

36. That argument was re-enforced by an analysis of the constitutional organization of the associated countries. The relevant provisions were in articles 41 *et seq.* of the Charter. Article 41 established that the Netherlands, Surinam and the Netherlands Antilles conducted their internal affairs autonomously. Article 42 said that the country Constitutions of Surinam and the Netherlands Antilles might be referred to as State Constitutions. According to articles 43 and 44, the observance of fundamental human rights must be provided for in the country Constitutions, but at the same time the safeguarding of those rights and freedoms was to be a Kingdom affair. Any amendments in the powers of the Governors and of the representative bodies of the countries and in the administration of justice must be submitted to the Government of the Kingdom and would not enter into effect until the Government of the Netherlands had signified its concurrence. On the other hand, according to article 45, amendments in the Constitution of the Netherlands in regard to human rights, the powers of the King, the powers of the representative body and the administration of justice automatically affected Surinam and the Netherlands Antilles. Article 50 was even more restrictive. It established that any legislative and administrative measures in Surinam and the Netherlands Antilles which were inconsistent with an international arrangement, a Kingdom statute or a Kingdom ordinance, or with interests whose promotion or protection was a Kingdom affair, could be suspended or annulled. Thus, any legislative or administrative measure in Surinam and the Netherlands Antilles could be annulled by the Netherlands executive branch if it was regarded as inconsistent with a Netherlands statute or with Netherlands interests. In fact, the legislative and administrative autonomy of Surinam and the Netherlands Antilles was less than that enjoyed by municipal governments in many Latin American States.

37. Although it was stipulated that agreements entered into by the Netherlands which affected Surinam and the Netherlands Antilles should be submitted to those countries for consideration, an analysis of the degree of autonomy exercised by the two Territories showed that in international matters the action which they could take to oppose such agreements was not described. According to article 25, the two countries could not be bound by economic and financial agreements without their consent. Article 28 said that Surinam and the Netherlands Antilles could, if they so desired, accede to membership in international organizations subject to the provisions of international agreements entered into by the Netherlands. However, that only meant that when the Netherlands was a member of an international organization, the Antilles and Surinam could send representatives as part of the Netherlands delegation if they wished. It did not mean that they could join international organizations on their own account for article 3 made it plain that the external relations of the association formed by the Netherlands and the associated countries were Kingdom affairs. Article 29 of the Charter laid down that money loans from abroad in the name of Surinam or the Netherlands Antilles were to be contracted or guaranteed by the Government of the Kingdom.

38. It was not always easy to determine in the Charter where the word "Kingdom" referred to the Netherlands State and where it referred to the new association. It would appear from article 13 of the Charter that in the case of matters which affected the associated countries, the Council of State of the Netherlands became the Council of State of the newly constituted Kingdom. Each associated country was entitled to be represented on it by one member appointed by the King. It was doubtful whether that could be regarded as adequate representation in a large council. The inescapable conclusion was that Surinam and the Netherlands Antilles had not obtained full self-government but only a relative autonomy.

39. The question was, therefore, to decide whether the degree of relative autonomy achieved could warrant the dissolution of the legal tie that bound the Administering Member and the United Nations. It would appear from Article 73 that that relationship could be dissolved only upon the fulfilment of the condition that the peoples of the Territories concerned should enjoy full self-government. On the other hand, it might well be that the progress made towards self-government by Surinam and the Netherlands Antilles would warrant suspending the obligation to transmit information in accordance with Article 73 e. The obligation to transmit information was only one of the many obligations forming the legal bond established by Article 73 between the Administering Member and the United Nations. The Netherlands Government was obviously fulfilling the other obligations laid down in the Article satisfactorily, and if the non-self-governing peoples of Surinam and the Netherlands Antilles considered that they had achieved a degree of autonomy which would release the Administering Member from its obligation to transmit information, the General Assembly could accept the cessation of the transmission of such information. However, the cessation of information could not mean that the obligations of the Administering Member had ceased, or that the legal bond between the United Nations and the Administering Member was broken.

40. He regretted that he could not support the draft resolution submitted by the United States and Brazil as it stood, because it did no make clear whether the cessation of information would or would not mean the dissolution of the legal bond between the Administering Member and the United Nations. Other representatives were also doubtful on that point. The Prime Minister of the Netherlands Antilles had said at the 520th meeting that if it was ever necessary, he would return to ask the help of the United Nations. However, if it was agreed that all the other obligations ceased with the obligation to transmit information, the relationship between the Netherlands and the United Nations in respect of its administration of Surinam and the Netherlands Antilles would also cease. The Netherlands, Surinam and the Netherlands Antilles would form a sovereign unit, and obviously any interference in that unit would come under the

restrictions laid down in Article 2, paragraph 7, of the Charter of the United Nations. Thus, the doors of the United Nations would be closed to Surinam and the Netherlands Antilles.

41. The Ecuadorian delegation also entertained doubts regarding paragraph 1 of the operative part of the draft resolution. It was true that the peoples of Surinam and the Netherlands Antilles had expressed their approval of the new constitutional order through their representative bodies, but that approval was indirect and not freely and directly expressed in the form of a plebiscite. The people had not been given an opportunity of choosing among all the possible alternatives although it might well be that the status they had chosen was the best possible in the circumstances.

42. Nevertheless, despite the doubts which existed, there were two important factors which must be taken into account in the case under consideration. One was the statement of the Queen of the Netherlands regarding respect for the free wishes of her people, including those of Surinam and the Netherlands Antilles; and the other the consistency with which the peoples of Surinam and the Netherlands Antilles had struggled for their freedom. Those two factors gave grounds for hoping that gradually the peoples of Surinam and the Netherlands Antilles would obtain full self-government and would one day be admitted to the United Nations as full members.

43. The Ecuadorian delegation would not, therefore, vote against the joint draft resolution but would abstain, although it would vote in favour of the Uruguayan amendment. It would need to study the Indian amendments further before coming to any decision in their respect.

44. Mr. PYMAN (Australia) said that his delegation had voted in favour of the resolution adopted by the Committee on Information (A/2908/Add.1, para. 21), although it had abstained on some of its paragraphs, since a positive vote on those paragraphs might have implied that the Australian Government recognized the competence of the United Nations to intervene in political matters affecting Non-Self-Governing Territories or to decide on a Government's rights to cease transmitting information under Article 73 e. Australia had consistently refused to accept the competence of the United Nations in either of those two fields.

45. It was clear that the new constitutional arrangements freely entered into by the three partner Governments had precluded the Netherlands Government from submitting further information. It was difficult to see how, as some representatives had suggested, the Netherlands could have continued to transmit information pending an expression of view by the General Assembly once responsibility for the preparation of such information had passed, even under the earlier constitutional arrangements, to the Governments of Surinam and the Antilles; if those Governments were not willing to make the information available, there was nothing that the Netherlands Government could do about it. Moreover, the Netherlands Government had voluntarily and generously complied with General Assembly resolution 222 (III) seeking the submission of information to explain constitutional changes. It had also, with great patience, permitted the Assembly to debate its action at length.

46. The Netherlands representatives and the representatives of the Parliaments of Surinam and the Netherlands Antilles had emphasized that the new constitutional arrangements had been entered into voluntarily and with the whole-hearted support of the peoples of the three countries. The Ministers from the two Territories had spoken in the full knowledge that they were completely responsible for their statements to the electorate of their two countries.

47. Some representatives had expressed doubts regarding the precise effects of the Kingdom relationship. While that relationship involved a new concept, it in no way detracted from the full measure of autonomy possessed by the two Territories with regard to their domestic affairs. They had of their own free will entered into a partnership arrangement designed to achieve the advantages of co-operative action in a world in which it was difficult for small and weak units to survive and progress by their own isolated efforts. It had been heartening to see the outcome of a peaceful evolutionary process under which three Governments associated by tradition and other links had agreed to carry on their relationship on a basis freely agreed upon between them.

48. There was evidence in the Committee of an extraordinary preocupation with the benefiits of absolute independence. At times that had led certain representatives to speak of the Kingdom arrangement as if it involved a departure from an ideal and universally applicable scheme of things, namely, the retention by all Governments of complete and absolute sovereignty without any limitation imposed by freely accepted international arrangements. Actually, every Member of the United Nations had limited its sovereignty in one way or another, *inter alia,* in accepting Article 48 of the United Nations Charter. There was nothing sinister therefore in the process by which Governments, through mutually agreed arrangements, undertook to limit their own right of decision in the interest of the group or organization to which they belonged.

49. In the light of all those considerations, his delegation considered that it would be not only unwise but almost an impertinence to insist on the continued transmission of information. The Thai representative had wisely drawn the Committee's attention to the fact that the wisdom and judgment displayed by it in the discussion of the matter under consideration might have a direct bearing on the extent to which it was given an opportunity to discuss similar issues in future.

50. He urged the Committee to avoid assertions of competence, arguments of theory and declarations of position on which agreement was impossible. The Committee should confine itself to recording its agreement with the Netherlands Government's decision to cease the transmission of information. The joint draft resolution provided an appropriate basis for such a decision and could be supported by his delegation. The Uruguayan amendment on the other hand was unacceptable. The Indian amendments required further study in the light of the Indian representative's statement.

The meeting rose at 12.55 p.m.

Printed in Canada A—77401—January 1956—2,325