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Chairman: Mr. Max HENRÍQUEZ UREÑA (Dominican Republic).

Question of the full participation of Italy in the work of the Trusteeship Council (Trusteeship Council resolution 310 (VIII)) (*continued*).

[Item 55]*

1. Mr. LANNUNG (Denmark), Rapporteur, presented the draft report on the question of the full participation of Italy in the work of the Trusteeship Council (A/C.4/L.149).

2. In reply to an observation by the CHAIRMAN, Mr. ZARUBIN (Union of Soviet Socialist Republics) asked that the draft report should be put to the vote.

The report (A/C.4/L.149) was adopted by 38 votes to 3.

Information from Non-Self-Governing Territories (*continued*)

[Item 36]*

3. Mr. LANNUNG (Denmark), Rapporteur, submitted the draft report on the revision of the Standard Form (A/C.4/L.150). He said that he had decided to deal with that question in a separate report, since an early decision was required in the matter; the revised Standard Form was to come into force in 1952, and it was therefore desirable that its text should be communicated to the Administering Members as soon as possible. For reasons of economy, he had thought it preferable not to include the text of the revised Standard Form in the draft report. It was already printed in the report of the Special Committee on Information transmitted under Article 73 e of the Charter (A/1836) and would of course be published among the official documents of the General Assembly's sixth session.

4. Mr. ZARUBIN (Union of Soviet Socialist Republics) asked that the draft report should be put to the vote.

The report (A/C.4/L.150) was adopted by 39 votes to 5.

* Indicates item number on the General Assembly agenda.

5. The CHAIRMAN asked the Committee to continue its consideration of the Special Committee's report on the factors which should be taken into account in deciding whether a territory was or was not a territory whose people had not yet attained a full measure of self government (A/1836, part four).

6. Mr. TAJIBNAPIS (Indonesia) wished to express his delegation's views on the Special Committee's report. One of the most complex and delicate issues in that connexion was the question who was to decide whether a territory was or was not non-self-governing. The Special Committee had wisely avoided that subject, which might easily become controversial, but the Fourth Committee could not leave in suspense a question of so much importance, both theoretical and practical. There would be no use in making out a list of factors, if the question of competence were left unresolved. The administering Powers claimed that it was their prerogative to decide whether a territory was or was not a non-self-governing territory, whereas a number of Powers not responsible for administering territories considered that it was for the General Assembly to rule on the matter. The Indonesian delegation shared the latter view.

7. In any event, the question of the factors to be taken into account in deciding whether a territory was or was not a territory whose people had not yet attained a full measure of self-government was too important to be decided hastily, particularly as there were no grounds for haste. Consequently, the establishment of a committee to study the question, as was apparently envisaged in the Guatemalan draft resolution (A/C.4/L.152/Rev.1) would be entirely appropriate.

8. There were a number of points in the Special Committee's report on which his delegation dissented from the views expressed therein. It considered that before deciding whether a territory was or was not non-self-governing, the first question to be asked was whether its existing status did or did not result from the free choice of the population. While it agreed that

there were other factors which should also be taken into account, it did not concur in the Special Committee's statement in paragraph 11 of its report that there were numerous elements which should be taken into consideration in reaching a decision whether or not a particular territory would come within the scope of Chapter XI of the Charter. Similarly, it believed that the idea contained in another passage of paragraph 11, where it was stated that the Special Committee "does not consider that any single factor or any particular combination of factors can be regarded as prominent or decisive in every case..." was expressed in much too categorical and dogmatic terms to serve as a guiding principle. The same unfortunate tendency was found later on in paragraph 11, where the Special Committee said: "The pattern of relationship is changing rapidly, and progress may be achieved in the direction of advance through self-government either to independence or to full participation in government in assimilation with the former Administering Authority or some other State". No one could say whether such progress might not take an entirely different form in future. For all those reasons his delegation considered that the wording proposed by the delegations of Cuba, Egypt and the Philippines, which was set forth in the footnote on page 42 of the report, was much more satisfactory than that contained in paragraph 11.

9. He noted with satisfaction that the factors listed by the Special Committee included the freely expressed opinion of the population, under the heading "General". It would be interesting to know whether the administering Powers, when required to consult the population by plebiscite or in any other way, would be prepared to admit United Nations observers to the territories. An affirmative reply by the Administering Members would greatly help to remove the apprehensions of the non-administering Members.

10. He also attached great importance to the question of association with the metropolitan country, listed by the Committee under the heading "Status". In that connexion, the population of an associated territory, in order to retain its right of self-determination which was an inalienable right of all peoples, must be able, at any stage in its development, to put an end to such association if it felt that the association was contrary to its interests. It was to be regretted that that condition had not been included in the factors listed by the Special Committee.

11. Moreover, respect for fundamental freedoms had been omitted from the factors listed under the heading "Internal self-government", although in deciding whether a territory was or was not self-governing it was of the utmost importance to know the extent to which its population enjoyed freedom of speech, freedom of the Press, freedom of association and of assembly and the right of petition. If a territory had attained real self-government, it was reasonable to expect that its population would enjoy all those rights in the same measure as the inhabitants of the metropolitan country enjoyed them. In the absence of those freedoms, it

would be meaningless to talk of the freely expressed opinion of the population.

12. He could not support the joint draft resolution submitted by Pakistan and Denmark (A/C.4/L.151) which referred the matter back to the Special Committee. New methods were needed to solve a very difficult problem. He would therefore support the Guatemalan draft resolution (A/C.4/L.152/Rev.1).

13. Mr. RIVAS (Venezuela) said that when the Guatemalan delegation had submitted its draft resolution, he himself had expressed his agreement in principle but had announced that his delegation might also submit a draft resolution. As he was still doubtful whether a sub-committee could achieve positive results at the present session, he was formally submitting a draft resolution (A/C.4/L.153). The operative part of his draft reaffirmed the principles stated in General Assembly resolution 334 (IV) regarding the competence of the Assembly and proposed that a special committee should be appointed to carry out a study, during 1952, of the factors which should be taken into account in deciding whether a territory was or was not self-governing, and also the cases of territories whose populations had, in the opinion of certain administering Powers, attained a full measure of self-government. It also proposed that consideration of sections XI and XII of part one and the whole of part four of the Special Committee's report should be postponed. That provision followed logically from the earlier provisions.

14. He asked that the draft resolutions before the Committee should be put to the vote in the order of their presentation, in accordance with rule 130 of the rules of procedure. He reserved the right to explain his vote in due course.

15. Mr. PEREZ CISNEROS (Cuba) drew the Chairman's attention to rule 118 of the rules of procedure and wondered whether priority could not be given to the Guatemalan draft resolution in view of the fact that it proposed that the discussion should be postponed until the Committee had received the report of the proposed sub-committee. The question of procedure was important; he would regard it as most unfortunate if he were compelled to vote against the other draft resolutions, which he thought contained useful and constructive elements that might well be incorporated in the report.

16. Mr. PANT (India) thought that the draft resolutions under consideration not only were not mutually exclusive, but were in fact complementary to each other. The Guatemalan draft resolution provided a useful means of elucidating the question and should therefore be considered and put to the vote first, if that procedure were possible. The joint draft resolution of Denmark and Pakistan contained a number of constructive suggestions which he considered very important; he would therefore prefer not to be obliged to vote against it. He thought that merely to refer the question back to the Special Committee would not lead to a final solution. There was much to be said

for a thorough study of the matter by the Fourth Committee or a sub-committee set up by it. A satisfactory solution might be reached by setting up a sub-committee and instructing it to study the points mentioned in the joint draft resolution of Denmark and Pakistan.

17. He recalled that the question of the factors to be taken into account could not be settled hastily, for it was of capital importance, especially in view of the speed at which institutions developed in the world of today.

18. Mr. ZIAUD-DIN (Pakistan) also thought that the draft resolutions under discussion were not mutually exclusive, but doubted whether a sub-committee would be able to find a solution in two weeks. However, if the Committee decided in favour of that method, he would willingly agree to postponement of the discussion on the draft resolution submitted jointly by the Danish and his own delegations. The proposed sub-committee should consist of five to nine members, one of whom should be the Chairman of the Fourth Committee, who would designate the others.

19. Mr. PEREZ CISNEROS (Cuba) said that the Guatemalan draft resolution by no means excluded the joint draft resolution of Denmark and Pakistan. The former was intended solely to enable the Committee to have a more complete report on the question of factors; it of course had implications on the substance of the question. If, however, the Committee considered that it only raised a question of procedure whereas the other two draft resolutions concerned questions of substance, the logical procedure would seem to be to postpone discussion on the latter and put the Guatemalan draft resolution to the vote first. He thanked the Pakistani representative for refraining from insisting upon priority for his draft resolution.

20. The CHAIRMAN pointed out that there was no rule of procedure which permitted him to change the order of voting on draft resolutions. That was a matter for the Committee to decide.

21. Mr. MATTOS (Uruguay) supported the Venezuelan draft resolution. He would, however, like an amendment to paragraph 2 of the operative part, providing for a study of the possibility of setting up a permanent body, to be composed as the Committee might decide, and instructed to report to the General Assembly and present to it draft resolutions with respect to the points referred to in sub-paragraphs (a) and (b) of paragraph 2. He would submit a written amendment in that sense¹.

22. Mr. SCHNAKE VERGARA (Chile), while recognizing that the Committee was master of its own procedure, urged the need for proceeding logically. The Committee should therefore first vote on the Guatemalan draft resolution, which would mean postponement of consideration of the joint draft resolution of Denmark and Pakistan and of the Venezuelan draft resolution. When the sub-committee provided

for in the Guatemalan draft resolution had presented its report, during the present Assembly session, the Fourth Committee could then logically vote on the other draft resolutions, which proposed additional study.

23. As the Indian representative had said, the draft resolution of Denmark and Pakistan contained important points; the necessity for additional study seemed to be generally acknowledged and paragraph 2 of the operative part of the draft resolution of Denmark and Pakistan very properly invited States Members to contribute to that study by communicating all useful information to the proposed organ. By postponing discussion on the substance of the problem, it would be possible to merge the most important points in the draft resolution of Denmark and Pakistan, on the one hand, with those in the Venezuelan draft.

24. Mr. RYCKMANS (Belgium) thought that, in its present form, the Guatemalan draft resolution was incompatible with that of Denmark and Pakistan. There would of course be no such incompatibility if the Guatemalan resolution provided for the establishment of a sub-committee instructed to consider all aspects of the matter, analyse the various draft resolutions and make recommendations to the Fourth Committee. Unfortunately, it provided for only one contingency and thereby precluded the Committee's taking a decision later on the joint draft resolution of Denmark and Pakistan.

25. Mr. LANNUNG (Denmark) thought that the draft resolutions before the Committee were not necessarily unrelated and that it would be helpful if their authors would consult together with a view to arriving at a formula satisfactory to the Committee as a whole. He therefore proposed that the voting should be postponed until the following meeting.

26. Mr. MATHIESON (United Kingdom) said that, if the aim of the Guatemalan draft resolution was to set up a sub-committee merely to choose between the methods suggested in the Danish-Pakistani and the Venezuelan proposals, respectively, the Fourth Committee would be able to take the final decision on the procedure to be adopted. But the real object of that draft was to set up a sub-committee to study the question in detail before the end of the Assembly's current session. His delegation shared the opinion held by many others that a thorough study was required to complete the Special Committee's work, and agreed with the Pakistani delegation that no appreciable progress could be made during the current session.

27. On the other hand, the Danish-Pakistani proposal offered the surest method for conducting a full inquiry into the problem and thus completing the work accomplished by the Special Committee, since it had the great advantage of providing for co-operation by all the Members of the United Nations. It would therefore be better to instruct the Special Committee to re-examine the question in the light of its own experience and of the opinions expressed by Member States, rather than to set up a new body, a procedure to which the United Kingdom delegation was in principle opposed

¹ This amendment was later circulated as document A/C.4/L.154

unless circumstances made it absolutely imperative. His delegation therefore favoured the Danish-Pakistani draft resolution.

28. As regards the Venezuelan draft resolution, he regretted that paragraph 1 of the operative part raised the question of the competence of the General Assembly. It was important to make a distinction between competence in respect of the determination of the "factors", and competence in regard to a final ruling on the degree of self-government attained by any particular territory. The United Kingdom delegation was in complete agreement with the opinion expressed on that point by the United States delegation at the 216th meeting.

29. Finally, Mr. Mathieson supported the Danish representative's proposal to the effect that the vote should be postponed so that an attempt might be made to reach a compromise formula.

30. Mr. PEREZ CISNEROS (Cuba) noted that certain members of the Fourth Committee thought it impossible to make improvements in the work of the Special Committee, whereas others were of the opinion that sixty delegations could well complete the work begun by sixteen of them. It must be admitted that the Special Committee, whilst it had avoided expressing any opinion on disputed points, had done its work conscientiously, and had produced an excellent working paper. Those delegations which said that the Fourth Committee should take up the work itself were therefore

right; the Fourth Committee could in fact set up a sub-committee to study the question in three weeks in the light of the constructive opinions expressed during the debate.

31. He differed from the Belgian representative, who thought the Guatemalan draft resolution incompatible with that of Denmark and Pakistan; the effect of adopting the Guatemalan draft resolution would, at the very most, be to postpone the Committee's consideration of the Danish-Pakistani draft resolution. Thus, the various different proposals might later be combined.

32. Mr. RIVAS (Venezuela), replying to the United Kingdom representative's remark concerning paragraph 1 of the operative part of the Venezuelan draft resolution stressed that it merely sought a reaffirmation by the General Assembly of the principles stated in its resolution 334 (IV). He supported the Danish representative's proposal.

33. The CHAIRMAN said that, if there were no objections, the meeting would rise in order to allow the authors of the various draft proposals to work out a compromise formula, as suggested by the Danish representative.

It was so agreed.

The meeting rose at 12.15 p.m.