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Chairman: Mr. Luciano JOUBLANC RIVAS
 (Mexico).

AGENDA ITEM 33

Question of the renewal of the Committee on Information from Non-Self-Governing Territories: report of the Committee on Information from Non-Self-Governing Territories (A/2908) (*continued*)

CONSIDERATION OF DRAFT RESOLUTION B SUBMITTED BY THE COMMITTEE ON INFORMATION FROM NON-SELF-GOVERNING TERRITORIES (A/2908, PART ONE, ANNEX II; A/C.4/L.393, A/C.4/L.403) (*concluded*)

1. Mr. TRIANTAPHYLLAKOS (Greece) drew the Committee's attention to a passage from the statement made by the representative of the United Kingdom at the 487th meeting of the Fourth Committee, describing the intention of his Government to continue to take part in the deliberations of the Committee on Information from Non-Self-Governing Territories but at the same time to keep its position under constant review in the light of the deliberations in the Committee on Information and in the Fourth Committee itself. The United Kingdom representative had in fact warned the Fourth Committee that unless the Committee on Information and the Fourth Committee followed a course of which the United Kingdom could approve, it would cease to participate in the Committee on Information. The scope of that statement would appear to extend far beyond draft resolution B submitted by the Committee on Information (A/2908, part one, annex II) and the recently withdrawn five-Power amendment to it (A/C.4/L.393).

2. The participation of the administering Powers in the work of the Committee on Information was undoubtedly useful, and the members of the Fourth Committee had already gone a long way to secure it. However, the work of the Fourth Committee would be made more difficult if it was impelled to take a particular decision not because it felt that was the best course, or in response to an appeal for understanding and co-operation, but because a particular Power had

explicitly threatened to withdraw its co-operation otherwise. Even if a decision taken by the Fourth Committee were to meet with the approval of the United Kingdom and thus secure its participation in the work of the Committee on Information, there was always the possibility that the United Kingdom might subsequently withdraw if a majority of the Committee on Information disagreed with it. The decision to constitute the Committee on Information on a basis of parity had undoubtedly been a wise one and had met with unanimous approval. The decision of any administering Power not to participate in its work would present a serious difficulty, but the participation of the administering Powers was not *sine qua non* for the renewal of the Committee on Information.

3. He had repeatedly stated his delegation's position on the legality of the Committee on Information and on the legal and moral obligations of the administering Powers with regard to the Territories under their administration. He did not want to take the Committee's time to state them again.

4. He was not quite sure of the exact meaning of the United Kingdom representative's reference to the statement of the Greek delegation at the 481st meeting. The remarks of the Greek delegation had done no more than reflect the existing situation, and much more could have been said. What was not good augury for the future was not the fact of calling a spade a spade and calling attention to the existing situation but the fact of the existence of such situations and of the policies of those responsible by their actions or omissions for them.

5. He requested that a separate vote should be taken on the words "on the same basis" in operative paragraph 1; on the whole of operative paragraph 4; and on the phrase "relating to functional fields generally but not with respect to individual Territories" in operative paragraph 6 of draft resolution B.

6. Miss BROOKS (Liberia) requested a separate vote by roll-call on operative paragraph 1 as a whole.

7. Mr. HELB (Netherlands) said that his Government had always sought to approach the questions of the status, terms of reference and work of the Committee on Information in a spirit of conciliation and moderation. It had a certain number of reservations regarding the legal interpretation placed on certain provisions of the Charter, but it believed that rather than stress legal differences, it would be better to seek a method of working which would be acceptable to all parties. It was in that spirit of constructive co-operation that the Netherlands delegation would have voted in favour of the Indian draft resolution (A/C.4/L.392/Rev. 1) as amended by Denmark (A/C.4/L.398), but as a result of the Committee's decision at the 484th meeting, it had been forced to abstain. In the Committee on Information, the Netherlands dele-

gation had voted in favour of draft resolution B. Although it entertained certain doubts, it would again vote in favour of draft resolution B as a whole, but it would be obliged to abstain on certain paragraphs if separate votes were taken, as had been requested.

8. In conclusion, he reserved the position of the Netherlands Government in regard to the future work of the Committee on Information in the light of the decisions taken on the question of the renewal of the Committee on Information and on other relevant items on the Fourth Committee's agenda.

9. Mr. ALTMAN (Poland) said that the Polish delegation deemed it essential that the Committee on Information should be renewed. It had had a number of reservations to make regarding the Committee's report (A/2908 and Add. 1), but it had never questioned the Committee's existence or under-estimated the positive part which it had played. The Committee on Information had been of great assistance to the General Assembly and the Fourth Committee in their work on the Non-Self-Governing Territories and had made a material contribution to the progress of the non-self-governing peoples towards self-government and independence.

10. In the general debate, he had emphasized the importance of General Assembly resolution 847 (IX) regarding problems common to regional groups of Non-Self-Governing Territories. His delegation would therefore have voted in favour of the five-Power amendment (A/C.4/L.393), and deplored the attitude which had resulted in its withdrawal.

11. The role of the Committee on Information was to help the peoples of Non-Self-Governing Territories, and the juridical basis for its existence was clear and unmistakable. The Polish delegation would therefore vote in favour of draft resolution B as a whole. It would abstain from voting on operative paragraphs 4 and 6. The terms of operative paragraph 4 were inadequate to secure the representation of the peoples of the Non-Self-Governing Territories in the Committee on Information; and the last phrase of operative paragraph 6, as the representative of Mexico had pointed out, would unduly restrict the Committee's competence. The Polish delegation would vote in favour of the Peruvian amendment (A/C.4/L.403).

12. The CHAIRMAN recalled that in order not to jeopardize the continued existence of the Committee on Information, the Mexican delegation had decided not to press its request for a separate vote on the last phrase of operative paragraph 6 of draft resolution B. The Mexican delegation had realized that if that phrase was deleted, the United Kingdom would be placed in the same position as it would have been if the sponsors of the five-Power amendment (A/C.4/L.393) had not made their generous gesture. In view of the Mexican withdrawal, therefore, he urged the Greek representative to withdraw his proposal also. In making such a concession, he would be doing a great service both to the Committee on Information and to the peoples of the Non-Self-Governing Territories.

13. Mr. TRIANTAPHYLLAKOS regretted that he could not at that stage withdraw his request. His delegation had decided to ask for a separate vote on the last part of paragraph 6 even before the Mexican

representative had requested it. The withdrawal of the five-Power amendment had gone a long way towards meeting the wishes of the administering Powers, and appeals for conciliatory gestures should not be addressed to one side only.

14. Mr. ESPINOSA Y PRIETO (Mexico) said that if the Greek representative maintained his request, the Mexican delegation would unfortunately be obliged to vote against the phrase in question. He hoped that other members of the Committee would not be forced to do the same.

15. Mr. AGUERO (Chile) said that his delegation had already expressed its support for the renewal of the Committee on Information in the general debate. The Chilean delegation would prefer the Committee on Information to be re-established on a permanent basis, but pending such a decision, it would vote in favour of draft resolution B.

16. Mr. KAISR (Czechoslovakia) said that his delegation had made its position in favour of the renewal of the Committee on Information, and indirectly its position on draft resolution B, clear in the general debate. It felt that the Committee on Information should continue in existence as long as there were Territories which were not fully self-governing. In order to speed the attainment of the purposes of the Charter it would prefer to renew the Committee on Information for an indefinite period with wider terms of reference.

17. The five-Power amendment (A/C.4/L.393) would have improved draft resolution B, and had it been put to the vote the Czechoslovak delegation would have supported it. If a separate vote was taken on the last part of operative paragraph 6 of draft resolution B, the Czechoslovak delegation would vote against the limitation which it contained. The Peruvian amendment to draft resolution B (A/C.4/L.403) was quite acceptable to the Czechoslovak delegation, but he would suggest the insertion of the words "this or" after the words "terms of reference of" in the last line. He regretted that the efforts of representatives to improve the draft resolution should have been checked by the statement of the United Kingdom delegation. However, in view of the good will shown by the delegation of Peru and of the improvement that delegation had introduced, the Czechoslovak delegation would vote in favour of draft resolution B as a whole.

18. Mr. CALLE Y CALLE (Peru) said that he would incorporate the Czechoslovak suggestion in his amendment (A/C.4/L.403).

19. Mr. ESKEKUND (Denmark) proposed that, as the Greek representative was maintaining his request, the debate should be adjourned so that delegations might reconsider their positions.

The motion for adjournment was rejected by 11 votes to 8, with 27 abstentions.

20. Mr. DIPP GOMEZ (Dominican Republic) thanked the five Powers and the Mexican delegation for their conciliatory gestures. He associated himself with the Chairman's appeal to the Greek representative. His delegation would vote in favour of draft resolution B because it considered that the Committee on Information rendered useful service to the Non-Self-Governing Territories, the administering Powers and the Fourth Committee.

21. Mr. PACHACHI (Iraq) also associated himself with the Chairman's appeal to the Greek representative to withdraw his request. The insistence of the Greek representative on his request put the Iraqi delegation in a very difficult position. It would have wished to vote for the deletion of the last phrase, but those wishes must now be subordinated to the realities of the situation. The Iraqi delegation was second to none in upholding the principles of the Charter, particularly those relating to colonialism; but the future of the Committee on Information was at stake, and he would therefore be obliged to abstain from voting on the last phrase. The continued existence of the Committee on Information was more important than the details of its terms of reference. The deletion of the last part of operative paragraph 6 would mean the end of the Committee.

22. Mr. RIVAS (Venezuela) said that many delegations would be forced to abstain from voting on the last part of operative paragraph 6 if it was put to the vote separately, in order to remain consistent with the positions they had adopted throughout the life of the Fourth Committee. Those same delegations were deeply anxious that the Committee on Information should remain in existence, and if the Greek request was not withdrawn their position would be very difficult.

23. Mr. BOZOVIC (Yugoslavia) said that if a separate vote was taken on the last part of operative paragraph 6 of draft resolution B, his delegation would be obliged to vote for its deletion. It would vote in favour of the rest of the draft resolution, with the exception of operative paragraph 6 as a whole, on which it would abstain if the last phrase was retained.

24. Mr. CORTINA (Argentina) pointed out that a separate vote on the last phrase of paragraph 6 might have the result of endangering the existence of the Committee on Information, and urged that that Committee's future activities should not be jeopardized for the sake of a detail which, though important, was not vital, and on which there was an irreconcilable difference of opinion. A vote on paragraph 6 as a whole would not give rise to the same difficulty.

25. He therefore asked the Chairman, in accordance with rule 130 of the rules of procedure, to put to the vote the Greek representative's proposal that the last part of paragraph 6 should be voted on separately.

The Greek representative's proposal was rejected by 24 votes to 6, with 20 abstentions.

26. Mr. BOZOVIC (Yugoslavia) emphasized that he had not pressed for a separate vote, either in the case in point or on any other occasion. On the other hand, the Yugoslav delegation had never objected to a separate vote being taken on any sentence or part of a sentence, since it considered that delegations should be given every opportunity to express their views, either by speaking or by their vote.

The two paragraphs of the preamble of draft resolution B (A/2908, part one, annex II) were adopted by 49 votes to none, with 3 abstentions.

The words "on the same basis" in operative paragraph 1 were adopted by 25 votes to 2, with 21 abstentions.

At the request of Miss Brooks (Liberia) a vote was taken by roll-call on operative paragraph 1 as a whole.

The United States of America, having been drawn by lot by the Chairman, was called upon to vote first.

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

Against: Belgium.

Abstaining: Union of South Africa, United Kingdom of Great Britain and Northern Ireland.

Operative paragraph 1 was adopted by 50 votes to 1, with 2 abstentions.

Operative paragraphs 2 and 3 were adopted by 49 votes to none, with 3 abstentions.

Operative paragraph 4 was adopted by 37 votes to 1, with 13 abstentions.

Operative paragraph 5 was adopted by 48 votes to none, with 4 abstentions.

Operative paragraph 6 was adopted by 26 votes to none, with 20 abstentions.

Operative paragraph 7 was adopted by 45 votes to none, with 7 abstentions.

The Peruvian amendment (A/C.4/L.403), with the addition of the words proposed by the Czechoslovak representative and accepted by the sponsor, was adopted by 43 votes to none, with 4 abstentions.

The draft resolution B, as a whole, as amended, was adopted by 48 votes to 1, with 2 abstentions.

27. Mr. SERAPHIN (Haiti) said that he had made it clear at the previous meeting that his delegation would abstain in the vote on any amendments that would change the substance of draft resolution B. He had therefore abstained in the vote on the Peruvian amendment, although not opposed to it in substance. He had voted in favour of the draft resolution as a whole.

28. Mr. ARAOZ (Bolivia) observed that his delegation had consistently supported the Committee on Information. Therefore, although he would have preferred the Committee to be established on a permanent basis, he had supported its renewal for a further three years. The Peruvian amendment had to a certain extent allayed his delegation's concern, since it would enable the Fourth Committee to set up the Committee on Information on a permanent basis in 1958.

29. His delegation had voted in favour of the words "on the same basis" in paragraph 1, because it believed that in so doing it had safeguarded its position with regard to the last part of paragraph 6, on which it had abstained. The Bolivian delegation would have been unable to agree to any clause that might limit or

weaken the terms of reference of the Committee on Information.

30. The Bolivian delegation would maintain a firm stand with regard to the attainment of self-government by the inhabitants of the Non-Self-Governing Territories, in accordance with the terms of Chapter XI of the Charter, and would always uphold the jurisdiction of the General Assembly in that respect.

31. Mr. GIDDEN (United Kingdom) said that his delegation had taken no part in the debate on the substance of the matter, in order not to prolong the discussion, but he felt obliged to comment on the Liberian representative's reference, at the previous meeting, to his statement as a threat.

32. The United Kingdom Government felt that it was absolutely essential to make its position plain. It would have been unsatisfactory for the Committee if the United Kingdom Government had concealed its intentions, and for that reason he had tried to make his statement as clear and unequivocal as possible.

33. He had abstained in the vote on the Peruvian amendment and in all the other votes, including that on the draft resolution as a whole. Nevertheless, he felt that the Peruvian amendment filled a gap in the draft resolution and was technically well-founded.

34. If the draft resolution was adopted by the General Assembly, the United Kingdom Government would, within the limits of his statement at the 487th meeting, continue to co-operate fully with the newly constituted Committee on Information as it had done in the past.

35. Mr. GHANEM (Egypt) said that he had abstained in the vote on the words "on the same basis" in paragraph 1 because in his view the Committee on Information should be strengthened.

36. Mr. TAZHIBAEV (Union of Soviet Socialist Republics) said he had voted in favour of draft resolution B as a whole, although his delegation felt that parts of some of the paragraphs were inadequate. In his delegation's view it would be more useful if the Committee on Information were to submit to the General Assembly reports and recommendations referring to individual Territories. It also regretted that the Committee was authorized to consider the information transmitted only in the light of the reports approved by the General Assembly on conditions in the Non-Self-Governing Territories, since that provision would restrict the scope of the Committee's discussions.

37. His delegation considered the five-Power amendment (A/C.4/L.393) to be in accordance with the spirit of the Charter and would have supported it if it had been put to the vote.

38. His delegation had made clear its attitude with regard to the last phrase of paragraph 6 when the Greek proposal had been put to the vote. Since the phrase had been retained it had been obliged to abstain in the vote on the paragraph.

39. Some representatives had expressed the hope that the Committee on Information might become a permanent body. His delegation would have supported such a proposal if it had been moved formally.

40. Mr. SOLE (Union of South Africa) said he had already stated that his delegation recognized the

practical value of certain aspects of the work of the Committee on Information. However, his delegation, with some others, had always had reservations about the legality of the Committee under the terms of the Charter as it had been interpreted by the 1945 San Francisco Conference. For that reason it had felt obliged to abstain on all paragraphs of the draft resolution.

41. Mr. SHTOKALO (Ukrainian Soviet Socialist Republic) explained that he had abstained from voting on operative paragraph 6 because of the words "but not with respect to individual Territories". The lack of specific information on conditions in individual Territories considerably reduced the usefulness of the reports of the Committee on Information and prevented the Fourth Committee from obtaining a complete picture of the situation in the Non-Self-Governing Territories or making effective recommendations to improve the living conditions of the dependent peoples.

42. Operative paragraph 7 invited the Committee on Information to consider the information transmitted "in the light of the reports approved by the General Assembly". As he had abstained from voting on draft resolution A (A/2908, part one, annex II) approving the report of the Committee on Information, he had also abstained from voting on paragraph 7.

43. Mr. SAAB (Lebanon) said that he had voted in favour of draft resolution B as amended because he believed that the Committee on Information did constructive work. He hoped that it would continue in existence for as long as the Fourth Committee considered it necessary, and he appealed to all those concerned to co-operate to the fullest in its work.

44. Mr. THORP (New Zealand) recalled that his delegation had consistently maintained that it had not been the intention of the authors of the Charter that any organ should be set up to examine the information transmitted under Article 73 e. When the Committee on Information had been renewed, at the Assembly's seventh session, his delegation had accepted a compromise between what it believed to be the correct interpretation of the rights and obligations of administering Powers and the contrary view of many delegations that a permanent organ with a constantly expanding mandate should be established. The compromise had not proved vain, for during the last three years the Committee on Information had helped to promote a greater understanding in the Fourth Committee of the problems faced by the administering Powers. His delegation had said at the Committee's 266th meeting, during the seventh session, that although the reports of the Committee on Information were balanced documents, they were mainly a synthesis of policies and practices long pursued by the administering Powers. Since then, his delegation had been heartened by the objective approach of some delegations, which had told of their own countries' experience with similar problems. The reports of the Committee on Information would be better if they were based on the joint experience of administering and non-administering Powers. He had voted in favour of the draft resolution in the same spirit of conciliation that the five Powers had shown in withdrawing their amendment.

45. Mr. JOSKE (Australia) said that his delegation had voted in favour of the draft resolution as a whole

and in favour of each paragraph, with the exception of operative paragraph 4. Its positive votes should be interpreted as a reflection of its policy of co-operation with the Committee on Information on the basis of the procedure provided for in the draft resolution. They should not be interpreted as any departure from the reservations to which he had referred in his statement at the 487th meeting. His abstention on operative paragraph 4 reflected his delegation's view that the composition of delegations was within the exclusive competence of Member States, and the reference to it in paragraph 4 was inappropriate.

46. Mr. CORTINA (Argentina) said that his delegation's attitude had been determined by the consideration that it was better to have a committee on information subject to certain restrictions than no restrictions and no committee. While his delegation would have been prepared to delete the final phrase in operative paragraph 6, that action might have jeopardized the Committee's very existence. By abstaining in the vote on that paragraph his delegation had remained true to its principles while contributing to the fundamental objective of the Committee's continued existence. He had voted in favour of the draft resolution as a whole, despite objections to certain of its provisions, because it ensured that that fundamental objective was attained.

47. Mr. AZIZ (Afghanistan) recalled that in the general debate he had said that the terms of reference of the Committee on Information precluded it from submitting as detailed and clear reports as his delegation could have wished. He had abstained from voting on the phrase "on the same basis" in operative paragraph 1 because he did not wish to prevent continued co-operation between the administering and non-administering Powers and because he wished to ensure the Committee's continuation. For the same reason he had abstained from voting on operative paragraph 6. He had voted in favour of the draft resolution as a whole, as he believed that the Committee on Information was important to the dependent territories and the Fourth Committee alike.

48. Mr. PAZ AGUIRRE (Uruguay) said that he had voted in favour of the draft resolution as a whole. He hoped the Committee on Information would soon be set up on a permanent basis, for it was a necessary instrument for the effective implementation of Article 73 e. He had abstained from voting on operative paragraph 6 because it restricted the Committee's terms of reference.

Acceptance and examination of petitions concerning Trust Territories: draft resolution submitted by Israel (A/C.4/L.390)

49. Mr. HARARI (Israel) said that his delegation's experience in the Fourth Committee had led it to believe that the right of the peoples of Trust Territories to submit petitions to appear before the Committee was not properly regulated. It was not clear for instance whether or not the petitioners could be represented by a lawyer, whether individuals as well as organizations could petition and when requests for hearings should be submitted. His delegation was therefore submitting a draft resolution (A/C.4/L.390) proposing that a sub-committee should be set up to study the advisability of establishing procedures for the acceptance and examination of petitions by the

Fourth Committee. It should be noted that the proposed sub-committee would merely study the "advisability" of such rules. The establishment of a regular procedure would be in the interests not only of the Fourth Committee but of the petitioners themselves, who would then know exactly what their rights were and how to exercise them. At the moment their fate was decided simply by a majority vote, without reference to any guiding principles or rules. Incidentally, his delegation had always voted in favour of granting all requests for hearings.

50. The draft resolution suggested a small sub-committee of five members but his delegation would be quite prepared to agree to a larger group if that were the Committee's wish. The sub-committee was invited to report to the Fourth Committee by 1 December 1955. That should give it sufficient time to study the problem. If not it could ask for an extension and might even report to the following session of the General Assembly.

51. Miss ROESAD (Indonesia) said that the idea contained in the Israel draft resolution was not new. A draft resolution along much the same lines had been introduced by the United Kingdom delegation at the eighth session of the General Assembly (A/C.4/L.271 and Rev. 1), and rejected at the Committee's 320th meeting. Her delegation had voted against the United Kingdom draft resolution because it had felt that the proposed sub-committee would serve no useful purpose, since the Committee could easily dispose of each request on its merits.

52. Her delegation's views remained unchanged. She feared that any procedures advocated by the proposed sub-committee would be restrictive in effect and deprive the petitioners of their last court of appeal—the General Assembly. Article 87 b of the Charter must be interpreted in such a way as to allow the General Assembly effectively to discharge its responsibilities to the Trust Territories and to keep in touch with events there. The indigenous population should have an opportunity to present their views and complaints to the General Assembly in person. She would therefore vote against the Israel draft resolution.

53. Miss BROOKS (Liberia) said that the Committee should continue to consider requests for hearings on an *ad hoc* basis. The masses of the people in the Trust Territories were not well informed about the Committee's activities and it was to be feared that ignorance of any rules that might be drawn up would prevent them from exercising their rights. Moreover, the time allowed to the sub-committee for its study was too short. She would vote against the Israel draft resolution.

54. Mr. RIVAS (Venezuela) saw no need for the proposed sub-committee. The Committee had never been swamped by the requests for hearings and could perfectly well consider each on its own merits. Moreover, it was incorrect to say that the acceptance and examination of petitions had not been conducted on the basis of any established set of principles. In accordance with Article 87 b, his delegation had voted in favour of all requests for hearings. He would vote against the draft resolution.

55. Mr. GHANEM (Egypt) hoped that the Israel draft resolution would meet with the same fate as the United Kingdom draft resolution at the eighth session

of the General Assembly. The right of petition was enshrined in the Charter and it was an essential element of the Trusteeship System in that it established a direct link between the peoples of the Trust Territories and the United Nations. The confidence of those peoples in the United Nations would largely depend on the attention given to their petitions and their requests for hearings. The alleged need for rules was only a pretext to restrict the right of petition. He agreed with the Venezuelan representative that the Committee had never been swamped by requests for hearings. Its procedure so far had been satisfactory. Indeed, the proposed rules would lead only to delay as the Committee would have to consider in each case whether the rules had been strictly applied. He would vote against the draft resolution.

56. Mr. SERAPHIN (Haiti) said that he would like more time to consider the Israel draft resolution. He therefore proposed that the debate on it should be adjourned.

The Haitian proposal was adopted by 3 votes to 2, with 40 abstentions.

Requests for hearings (continued)

57. The CHAIRMAN announced that a request for a hearing had been received from the Parti togolais du progrès and the Union des chefs et des populations du Nord-Togo. If there were no objections, the request would be circulated as an official document.

It was so agreed.

The meeting rose at 5.30 p.m.