



YEARBOOK
of the
UNITED
NATIONS
1953

UNITED NATIONS • NEW YORK

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OF THE
UNITED
NATIONS

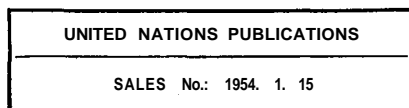


1953

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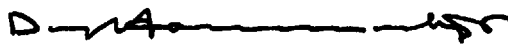
FOREWORD

This Yearbook recounts the activities of the United Nations and the specialized agencies for the year 1953: the problems facing them and the efforts to meet those problems by the Member nations through this international machinery.

It was a year both of promise and of frustrated hopes. It saw the successful conclusion of an armistice in Korea but, at the same time, an increase in tension in the Middle East. It was marked by a bold new proposal for the peaceful development of atomic energy, but no real progress was made in reconciling the differences on control of atomic weapons. The work of the United Nations and the agencies in the economic and social field went steadily forward, but certain of their activities, for example in rendering assistance for economic development, were handicapped by lack of funds. However, it is important to remember that the work of building peace is a day-by-day, week-by-week and year-by-year affair. It is rarely marked by much-publicized achievements. It consists rather in continuing accommodations of differing interests and differing points of view and in a continuing effort to remove those obstacles that divide and hamper men and nations. For such purposes the Organization was created, and these it is steadily seeking to fulfil.

In reading this account, it is also important to remember that it represents one year in a continuing story. Many of the activities described in this volume had their origin in previous years, others will have their effect in years to come.

To be ready for the future it is necessary to know the past. To assess the United Nations and to render it that informed support without which it cannot be effective one must study the facts. It is in the hope of assisting such a study that the Yearbook of the United Nations, 1953 is here presented.



DAG HAMMARSKJÖLD
Secretary-General

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NOTE ON DOCUMENTATION

Resolutions adopted by the General Assembly, the Economic and Social Council and the Trusteeship Council are referred to in this Yearbook by their official numbers. The number of the session at which the resolution was adopted appears in parentheses: thus, the General Assembly's resolution 727 (VIII) is its 727th, adopted at its eighth session; the Economic and Social Council's resolution 482 (XVI) is its 482nd, adopted at its sixteenth session; and the Trusteeship Council's resolution 645 (XII) is its 645th, adopted at its twelfth session. The context indicates which organ is referred to. In the case of the Security Council, the document citation of the original mimeographed resolution is given. These resolutions are, in general, reproduced in printed form in the Official Records. In the case of the International Court of Justice, the official citations are given for documents cited.

In the case of other documents, such as reports and draft resolutions, the original citation is given. The basic symbol forms are as follows: General Assembly, A/-; Security Council, S/-; Economic and Social Council, E/-; Trusteeship Council, T/-. In many instances, these documents appear as supplements to the Official Records. As far as discussions are concerned, it has been thought sufficient to specify the meetings at which the discussions took place, which correspond to the numbers of the verbatim or summary records concerned.

The Official Records of the various organs of the United Nations are available for consultation at United Nations depository libraries throughout the world and may be obtained from authorized agents for United Nations publications. In addition to the Official Records, the United Nations publishes a number of studies, reports and periodicals in many fields, including economics, finance, statistics, social welfare, human rights, demography and international law. Reference is made in the text of this Yearbook to a number of these studies and reports issued during 1953. A list of United Nations Sales Agents appears at the end of this volume and a list of abbreviations is given with the index.

Part One: The United Nations

ROSTER OF THE UNITED NATIONS

(As of 31 December 1953)

Country	Total Area (Square Kilometres)	Estimated Population Date	Total	Date of U.N. Membership
Afghanistan	650,000*	1951	12,000,000*	19 Nov. 46
Argentina†	2,808,492	1 Dec 1953	18,564,000	24 Oct. 45
Australia†	7,703,867	1 Jul. 1953	8,829,465 ¹	1 Nov. 45
Belgium†	30,507	31 Dec 1952	8,757,691	27 Dec. 45
Bolivia†	1,098,581	1 Jul. 1952	3,089,000	14 Nov. 45
Brazil†	8,516,037	1 Jul. 1953	55,772,154	24 Oct. 45
Burma	677,924	1 Jul. 1953	19,044,539	19 Apr. 48
Byelorussian SSR†	207,600	17 Jan. 1939	5,567,976	24 Oct. 45
Canada†	9,960,170	1 Jul. 1953	14,781,000	9 Nov. 45
China†	9,736,288	1 Jul. 1953	6,077,439	24 Oct. 45
Colombia†	1,138,355	1 Jul. 1953	12,032,910	5 Nov. 45
Costa Rica†	51,011	1 Jul. 1953	881,313	2 Nov. 45
Cuba†	114,524	1953	5,926,687	24 Oct. 45
Czechoslovakia†	127,827	1 Mar. 1950	12,339,674	24 Oct. 45
Denmark†	42,936	1 Jul. 1953	4,372,000	24 Oct. 45
Dominican Republic†	49,734	1 Jul. 1953	2,290,805	24 Oct. 45
Ecuador†	275,000	1 Jul. 1953	3,438,919	21 Dec. 45
Egypt†	1,000,000 ²	1 Jul. 1953	21,941,000	24 Oct. 45
El Salvador†	34,126	1 Jul. 1953	2,054,418	24 Oct. 45
Ethiopia†	1,060,000	1951	15,000,000*	13 Nov. 45
France†	550,986	1 Jul. 1953	42,800,000	24 Oct. 45
Greece†	132,562	1 Jul. 1953	7,865,000	25 Oct. 45
Guatemala†	108,889	1 Jul. 1953	3,048,478	21 Nov. 45
Haiti†	27,750	1 Jul. 1953	3,226,668	24 Oct. 45
Honduras†	112,088	1 Jul. 1953	1,556,664	17 Dec. 45
Iceland	103,000	1 Jul. 1952	148,000	19 Nov. 46
India†	3,288,251*	1 Jul. 1952	367,000,000 ³	30 Oct. 45
Indonesia	1,491,564	1 Jul. 1952	78,163,357	28 Sep. 50
Iran†	1,630,000	1 Oct 1953	20,274,290	24 Oct. 45

* Approximate figure. Specific data not available.

¹ Excluding full-blooded aborigines estimated at 47,000 in 1944.

² Inhabited and cultivated area: 34,824 sq. km.

³ Including Hyderabad (area 212,807 sq. km., population 18.7 millions) and Jammu-Kashmir (area 240,795 sq. km. and population about 4.4 millions). The political status of these areas is not yet determined.

Country	Total Area (Square Kilometres)	Estimated Population		Date of U.N. Membership	
		Date	Total		
Iraq†	435,415	1 Jul.	1950	5,100,000	21 Dec 45
Israel	21,000	1 Jul.	1953	1,651,000	11 May 49
Lebanon†	10,400	1 Jul.	1952	1,320,000*	24 Oct. 45
Liberia†	111,370		1949	1,648,000*	2 Nov. 45
Luxembourg†	2,586	1 Jul.	1953	303,345	24 Oct. 45
Mexico†	1,969,367	1 Jul.	1953	28,052,500	7 Nov. 45
Netherlands†	32388 ⁴	1 Jul.	1953	10,487,904	10 Dec 45
New Zealand†	267,985	1 Jul.	1953	2,047,405	24 Oct. 45
Nicaragua†	148,000	1 Mar.	1952	1,128,409	24 Oct. 45
Norway†	323,917	1 Jul.	1953	3,359,000	27 Nov. 45
Pakistan	943,699	28 Feb.	1951	75,842,000	30 Sep. 47
Panama†	75,475	1 Jul.	1953	863,600	13 Nov. 45
Paraguay†	406,752	1 Jul.	1952	1,464,000	24 Oct. 45
Peru†	1,311,030	1 Jul.	1953	9,035,300	31 Oct. 45
Philippines†	299,404	1 Jul.	1953	21,022,700	24 Oct. 45
Poland†	311,730	3 Dec.	1950	24,976,926	24 Oct. 45
Saudi Arabia†	1,600,000*		1952	7,000,000*	24 Oct. 45
Sweden	440,122	1 Jul.	1953	7,172,000	19 Nov. 46
Syria†	181,337	1 Jul.	1953	3,534,638	24 Oct. 45
Thailand	511,937	1 Jul.	1953	19,556,000	16 Dec. 46
Turkey†	767,119		Oct. 1953	22,461,000	24 Oct. 45
Ukrainian SSR†	576,600	17 Jan.	1939	30,960,221	24 Oct. 45
Union of South Africa†	1,224,206	1 Jul.	1953	13,153,000	7 Nov. 45
USSR†	22,270,600 ⁵	17 Jan.	1939	170,467,186 ⁵	24 Oct. 45
United Kingdom†	244,002	1 Jul.	1953	50,857,000	24 Oct. 45
United States†	7,827,680	1 Jul.	1953	159,696,000	24 Oct. 45
Uruguay†	186,926	1 Jul.	1953	2,524,598	18 Dec. 45
Venezuela†	912,050	1 Jul.	1953	5,439,822 ⁶	15 Nov. 45
Yemen	195,000		1951	4,500,000*	30 Sep. 47
Yugoslavia†	256,880	1 Jul.	1953	17,004,000	24 Oct. 45

† Original Member of the United Nations.

* Approximate figure. Specific data not available.

⁴ Excluding inland waters.

⁵ Including Byelorussian SSR and Ukrainian SSR.

Area refers to present territory. Population refers to

1939 territory. The population of territories annexed during 1939/1940 was estimated at 23 million in 1940.

⁶ Excluding tribal Indians estimated at 105,120 in 1950.

I. Structure and Organization of the United Nations

A. THE GENERAL ASSEMBLY

1. Charter Provisions

The General Assembly may discuss any questions or matters within the scope of the United Nations Charter or relating to the powers and functions of any organ provided for in the Charter. It may make recommendations to Members of the United Nations or to the Security Council or to both on any such questions or matters, except on disputes or situations in respect of which the Security Council is currently exercising its functions.

Decisions of the General Assembly on important questions are made by a two-thirds majority of the Members present and voting and on other questions by a simple majority. Categories of questions requiring a two-thirds majority are listed in Article 18 of the Charter; the Article further provides that additional categories requiring such a majority are determined by a simple majority.

The Charter provisions concerning the General Assembly are contained in Chapter IV (Articles 9-22) which defines the composition, functions and powers, voting and procedure of the Assembly. Other provisions relating to the Assembly are contained in Articles 1, 2, 4-7, 23, 24, 35, 60-64, 66, 85-88, 93, 96-98, 101, 105, 108 and 109 of the Charter and Articles 4, 7-15, 32, 33 and 69 of the Statute of the International Court of Justice.¹

2. Members

All Members of the United Nations are represented in the General Assembly; at the end of 1953 there were 60 United Nations Members.²

3. Structure³

Under the General Assembly's rules of procedure, three types of committees are established: (1) Main Committees; (2) Procedural Committees; and (3) Standing Committees. The Assembly may also establish such other subsidiary bodies as it deems necessary for the performance of its functions.

a. MAIN COMMITTEES

Each Member may be represented by one person on each Main Committee.

(1) First Committee—Political and Security (including the regulation of armaments)

(2) Second Committee—Economic and Financial

(3) Third Committee—Social, Humanitarian and Cultural

(4) Fourth Committee—Trusteeship (including Non-Self-Governing Territories)

(5) Fifth Committee—Administrative and Budgetary

(6) Sixth Committee—Legal

On 15 September, by resolution 801 (VIII), the General Assembly established for the duration of the session an Ad Hoc Political Committee on which each Member was entitled to be represented.

b. PROCEDURAL COMMITTEES

(1) General Committee

(2) Credentials Committee

c. STANDING COMMITTEES

(1) Advisory Committee on Administrative and Budgetary Questions

(2) Committee on Contributions

d. OTHER SUBSIDIARY BODIES

At the end of 1953 the General Assembly had the following subsidiary bodies:

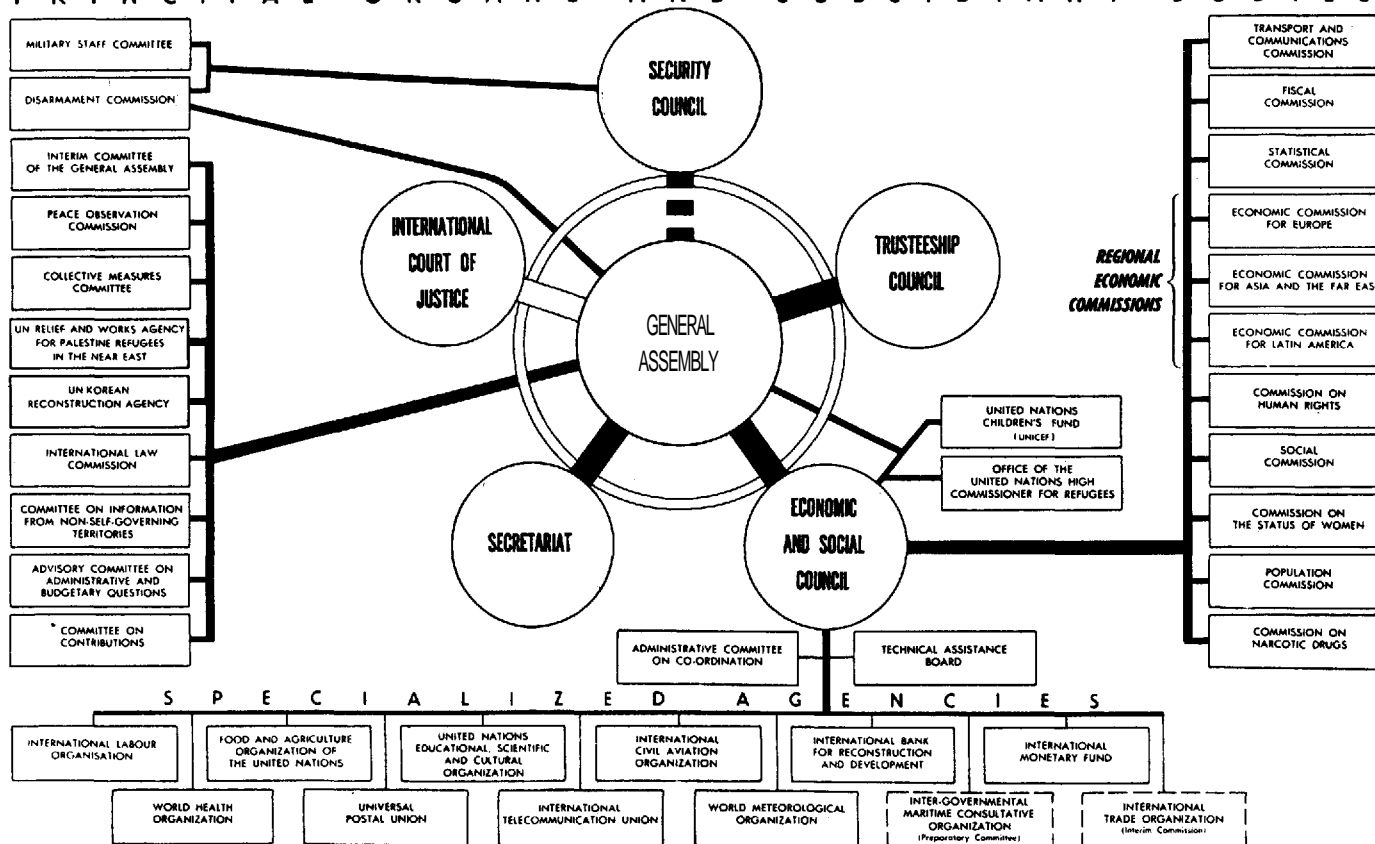
¹ A summary of the Charter provisions concerning the Assembly is to be found in Y.U.N., 1951, pp. 9-11. The text of the Charter and of the Statute of the Court is reproduced in Y.U.N., 1952, pp. 10-26.

² For a list of United Nations Members, see under Roster of the United Nations.

³ This section lists the subsidiary bodies of the General Assembly during 1953. The terms of reference are given only for new bodies established during the year or where there have been changes in the functions of existing bodies. For the terms of reference of subsidiary bodies previously established, see Y.U.N., 1950, pp. 16-24; Y.U.N., 1951, pp. 14-16 and Y.U.N., 1952, pp. 30-34. The terms of reference of all subsidiary bodies existing in January 1954 are also given in Structure of the United Nations (Seventh Revision) January 1954 (ST/DPI/8). Members of subsidiary bodies and representatives serving on them during 1953 are listed in Appendix I, with the exception of the General and Credentials Committees, the membership of which is given under Sessions and Officers.

ORGANS OF THE UNITED NATIONS

PRINCIPAL ORGANS AND SUBSIDIARY BODIES*



* For other subsidiary bodies see Charts of Relevant Organs

- (1) Interim Committee of the General Assembly
- (2) Disarmament Commission⁴
- (3) Peace Observation Commission
Balkan Sub-Commission
- (4) Collective Measures Committee
Panel of Military Experts
- (5) Committee of Good Offices on the Admission of New Members
- (6) United Nations Commission to Investigate Conditions for Free Elections in Germany
- (7) United Nations Commission for the Unification and Rehabilitation of Korea
- (8) United Nations Korean Reconstruction Agency
- (9) United Nations Conciliation Commission for Palestine
- (10) United Nations Relief and Works Agency for Palestine Refugees in the Near East
- (11) Negotiating Committee for Extra-Budgetary Funds
- (12) United Nations Good Offices Commission (on the question of the treatment of people of Indian origin in the Union of South Africa)
- (13) United Nations Commission on the Racial Situation in the Union of South Africa
- (14) United Nations Tribunal in Libya
- (15) United Nations Tribunal in Eritrea
- (16) Office of the United Nations High Commissioner for Refugees
- (17) Ad Hoc Commission on Prisoners of War
- (18) United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration
- (19) Committee on South West Africa
- (20) Committee on Information from Non-Self-Governing Territories
- (21) Sub-Committee on the Revision of the Questionnaire (relating to Trust Territories)
- (22) Board of Auditors
- (23) United Nations Administrative Tribunal
- (24) United Nations Staff Pension Committee
- (25) Investments Committee
- (26) International Law Commission

During the period under review, the following subsidiary bodies were discontinued, either through the completion of their mandate, or by specific action of the General Assembly:

- (1) Special Committee on Admission of New Members
- (2) Negotiating Committee for Extra-Budgetary Funds⁵
- (3) Committee of Experts on Commodity Trade and Economic Development
- (4) Ad Hoc Committee on South West Africa
- (5) Ad Hoc Committee on Factors (Non-Self-Governing Territories)
- (6) Committee on Special Administrative Questions
- (7) 1953 Committee on International Criminal Jurisdiction
- (8) Special Committee on the Question of Defining Aggression
- (9) Special Committee on Measures to Limit the Duration of Regular Sessions of the General Assembly

The following is a summary of the functions of the new bodies established during the period under review, together with a summary of changes in the functions of existing bodies:

(1) Collective Measures Committee

In accordance with Assembly resolution 703(VII) of 17 March 1953, the Collective Measures Committee, which has already submitted two reports to the General Assembly and the Security Council, was called upon to continue its work, to pursue such studies as it may deem desirable to strengthen the capability of the United Nations to maintain peace, taking into account the resolutions establishing and continuing it (337 A (V), 503(VI) and 703(VII)), and to continue the examination of information received from States pursuant to these resolutions. The Committee was asked, in the light of its studies, to suggest to the Security Council and to the General Assembly such specific ways and means as it may deem appropriate to encourage further preparatory action by States. The Committee was directed to report to the Security Council and to the General Assembly not later than the Assembly's ninth session.

(2) Committee of Good Offices on the Admission of New Members

This Committee was established by the General Assembly by resolution 718(VIII) of 23 October 1953 to consult with members of the Security Council with the object of exploring the possibilities of reaching an understanding which would facilitate the admission of new Members in accordance with Article 4 of the Charter. The Committee was requested to report to the Assembly during the eighth or, at the latest, at the ninth session.

(3) Negotiating Committee for Extra-Budgetary funds

The terms of reference of this Committee, established by General Assembly resolution 759(VIII) of 5 October 1953, were the same as those of the Negotiating Committee which had been established by the General Assembly at its seventh session.

(4) United Nations Good Offices Commission (on the question of the treatment of people of Indian origin in the Union of South Africa)

The Commission was established by the General Assembly by resolution 615(VII) of 5 December 1952, and continued by resolution 719(VIII) of 11 November 1953, to arrange and assist in negotiations between the Government of the Union of South Africa and the Governments of India and Pakistan for a satisfactory solution of the question of the treatment of people of Indian origin in the Union of South Africa.

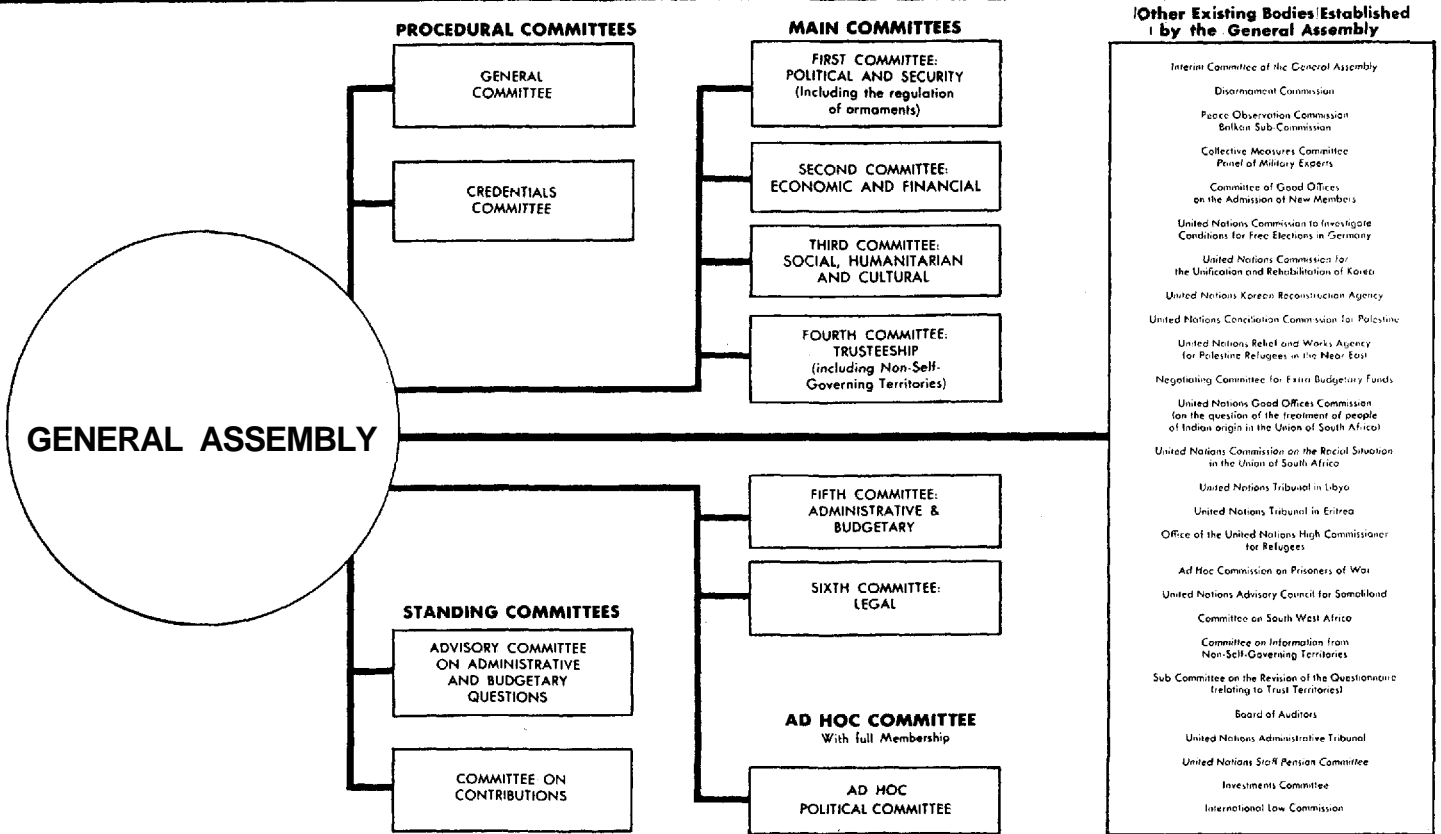
In resolution 719(VIII), the Assembly requested the Commission to report to its ninth session on the extent of progress achieved, together with its own views on the problem, and any proposals which it thought might lead to a peaceful settlement of the problem.

⁴ See under The Security Council.

⁵ For new Negotiating Committee, established at the eighth session, see below.

STRUCTURE OF THE GENERAL ASSEMBLY

AS OF 31 DECEMBER 1953



Other Existing Bodies Established by the General Assembly

- Interim Committee of the General Assembly
- Disarmament Commission
- Peace Observation Commission
- Balkan Sub-Commission
- Collective Measures Committee
- Panel of Military Experts
- Committee of Good Offices on the Admission of New Members
- United Nations Commission to Investigate Conditions for Free Elections in Germany
- United Nations Commission for the Unification and Rehabilitation of Korea
- United Nations Korean Reconstruction Agency
- United Nations Conciliation Commission for Palestine
- United Nations Relief and Works Agency for Palestine Refugees in the Near East
- Negotiating Committee for Extra Budgetary Funds
- United Nations Good Offices Commission for the question of the treatment of people of Indian origin in the Union of South Africa
- United Nations Commission on the Racial Situation in the Union of South Africa
- United Nations Tribunal in Libya
- United Nations Tribunal in Eritrea
- Office of the United Nations High Commissioner for Refugees
- Ad Hoc Commission on Prisoners of War
- United Nations Advisory Council for Somaliland
- Committee on South West Africa
- Committee on Information from Non-Self-Governing Territories
- Sub-Committee on the Revision of the Questionnaire (relating to Trust Territories)
- Board of Auditors
- United Nations Administrative Tribunal
- United Nations SIPA Pension Committee
- Investments Committee
- International Law Commission

(5) United Nations Commission on the Racial Situation in the Union of South Africa

The Commission was established by General Assembly resolution 616 A (VII) of 5 December 1952, and continued by resolution 721 (VIII) of 8 December 1953, to study the development of the racial situation in the Union of South Africa. The Commission was requested in resolution 721(VIII) to continue this study with reference to the various implications of the situation on the populations affected and in relation to the provisions of the Charter, in particular Article 14 (which empowers the Assembly to recommend measures for the peaceful settlement of disputes deemed likely to impair the general welfare or friendly relations among nations). It was asked to suggest measures which would help to alleviate the situation and promote a peaceful settlement and to report to the General Assembly at its ninth session.

(6) Committee on South West Africa

By General Assembly resolution 749 A (VIII) of 28 November 1953, the Committee was established until such time as agreement on this question is reached between the United Nations and the Union of South Africa. It was requested to:

(a) examine, within the scope of the Questionnaire adopted by the Permanent Mandates Commission of the League of Nations in 1926, available information and documents in respect of the Territory of South West Africa;

(b) examine, as far as possible in accordance with the procedure of the former Mandates System, reports and petitions submitted to the Committee or the Secretary-General;

(c) report to the Assembly concerning conditions in the Territory, taking into account, as far as possible, the scope of reports of the League of Nations Permanent Mandates Commission; and

(d) prepare for the Assembly's consideration a procedure for the examination of reports and petitions conforming, as far as possible, to the procedure followed by the relevant League of Nations organs.

The Committee was authorized to continue negotiations with the Union of South Africa in order to implement fully the advisory opinion of the International Court of Justice regarding South West Africa. It was requested to report to the regular sessions of the Assembly.

(7) Sub-Committee on the Revision of the Questionnaire (relating to Trust Territories)

The Sub-Committee was established by the General Assembly by resolution 751(VIII) of 9 December 1953 to examine the Questionnaire formulated by the Trusteeship Council, to study such changes as might be necessary to adapt it to the special conditions of each Territory and to submit its conclusions to the Trusteeship Council.

4. Sessions and Officers**a. SEVENTH SESSION**

The seventh regular session of the General Assembly (which opened at United Nations

Headquarters on 14 October 1952 and adjourned on 22 December of that year) was resumed on 24 February 1953, recessed on 23 April, resumed on 17 August and was formally brought to a close on 28 August.⁶ The only Main Committees which met during this period were the First Committee and the Fifth Committee.

b. EIGHTH SESSION

The eighth regular session opened at United Nations Headquarters on 15 September and recessed on 9 December. The President was requested to reconvene the session, with the concurrence of the majority of Members, if, in her opinion, developments in Korea warranted such reconvening or it was requested by one or more Member States by reason of developments in respect of the Korean question.

The following were the officers of the Assembly during this session:

President: Mrs. Vijaya Lakshmi Pandit (India)

Vice-Presidents:⁷

China	USSR
France	United Kingdom
Israel	United States
Mexico	

FIRST COMMITTEE

Chairman: Fernand van Langenhove (Belgium)

Vice-Chairman: Francisco Urrutia (Colombia)

Rapporteur: Thor Thors (Iceland)

AD HOC POLITICAL COMMITTEE

Chairman: Miguel Rafael Urquía (El Salvador)

Vice-Chairman: Salvador P. Lopez (Philippines)

Rapporteur: William D. Forsyth (Australia)

SECOND COMMITTEE

Chairman: Leo Mates (Yugoslavia)

Vice-Chairman: Ernest G. Chauvet (Haiti)

Rapporteur: Omar Haliq (Saudi Arabia)

THIRD COMMITTEE

Chairman: G. F. Davidson (Canada)

Vice-Chairman: Miss Minerva Bernardino (Dominican Republic)

Rapporteur: Abdul Rahman Pazhwak (Afghanistan)

FOURTH COMMITTEE

Chairman: Santiago Pérez Pérez (Venezuela)

Vice-Chairman: Oldrich Kaisr (Czechoslovakia)

Rapporteur: Najmuddine Rifai (Syria)

⁶ For officers of the Assembly during the seventh session, see Y.U.N., 1952, pp. 51, 52.

⁷ The Chairmen of the respective Delegations fill these posts.

FIFTH COMMITTEE

Chairman: Awni Khalidy (Iraq)
 Vice-Chairman: W. H. J. van Asch van Wijck
 (Netherlands)
 Rapporteur: Hakim Mohammed Ahson (Pakistan)

SIXTH COMMITTEE

Chairman: Juliusz Katz-Suchy (Poland)
 Vice-Chairman: Abdul Hakim Tabibi (Afghanistan)
 Rapporteur: Jean Spiropoulos (Greece)

The General Committee, in accordance with the rules of procedure, consisted of the President of the General Assembly, as Chairman, the Vice-Presidents, of the General Assembly and the Chairmen of the six Main Committees. The Chairman of the Ad Hoc Political Committee was, by General Assembly resolution 801 (VIII), accorded for the eighth session full rights of membership in the General Committee, including the right to vote.

The Credentials Committee was composed of: New Zealand, Cuba, Iceland, Indonesia, Peru, Syria, USSR, United Kingdom and United States. The representative of New Zealand was Chairman.

5. Meetings of Subsidiary Bodies

In addition to meetings of sessional committees, the subsidiary bodies of the General Assembly held the following meetings⁸ during the year:

Balkan Sub-Commission: 12 May, 23 June and 21 December, at Headquarters.

Special Committee on Admission of New Members: eleven meetings from 31 March to 15 June, at Headquarters.

Committee of Good Offices on the Admission of New Members: 10 December, at Headquarters.

United Nations Commission for the Unification and Rehabilitation of Korea: 76 meetings at Pusan, Korea, from 28 August 1952 (when it submitted its report to the Assembly's seventh session) to 14 August 1953 (when it submitted its report to the Assembly's eighth session).

United Nations Korean Reconstruction Agency: in continuous operation during 1953 on the basis of agreements with the Unified Command.

United Nations Conciliation Commission for Palestine: eighteen meetings from 28 January to 17 December, at Headquarters.

United Nations Relief and Works Agency for Palestine Refugees in the Near East: in continuous operation during 1953.

Negotiating Committees for Extra-Budgetary funds: 19 meetings from 20 January to 10 December, at Headquarters.⁹

United Nations Good Offices Commission (on the question of the treatment of people of Indian origin in the Union of South Africa): 20 March to 14 September, at Headquarters.

United Nations Commission on the Racial Situation in the Union of South Africa: 13 May to 3 October, at Geneva.

Office of the United Nations High Commissioner for Refugees: in continuous operation during 1953.

Ad Hoc Commission on Prisoners of War: fourth session—24 August to 11 September, at Geneva.

Committee of Experts on Commodity Trade and Economic Development: 15 September to 9 November, at Headquarters.

United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration: 21 meetings, the majority at the Council's headquarters at Mogadiscio.

Ad Hoc Committee on South West Africa: six meetings from 26 January to 6 November, at Headquarters.

Committee on Information from Non-Self-Governing Territories: fourth session—18 August to 8 September, at Headquarters.

Ad Hoc Committee on factors (Non-Self-Governing Territories): eight meetings from 21 to 30 July, at Headquarters.

Committee on Special Administrative Questions: 4 and 8 May and 3 August, at Headquarters.

United Nations Administrative Tribunal: 17 to 23 July, at Headquarters; 4 to 21 August, at Geneva; 12 and 13 October, at London; 25 November to 8 December, at Headquarters.

United Nations Staff Pension Committee: fourth session—15 to 23 April, at Rome.

International Law Commission: fifth session—1 June to 14 August, at Geneva.

1953 Committee on International Criminal Jurisdiction: 23 meetings from 27 July to 20 August, at Headquarters.

Special Committee on the Question of Defining Aggression: 24 August to 21 September, at Headquarters.

Special Committee on Measures to Limit the Duration of Regular Sessions of the General Assembly: thirteen meetings from 25 May to 22 June, at Headquarters.

⁸ Where possible, actual dates of meetings of subsidiary bodies are given. In certain cases no dates are given because the subsidiary body concerned either was in continuous session, met sporadically or held no meeting during the year.

⁹ Including meetings of the Negotiating Committees established at both the seventh and eighth sessions.

6. Matters on the Agenda of the General Assembly

a. MATTERS CONSIDERED DURING THE SEVENTH REGULAR SESSION FROM 24 FEBRUARY TO 23 APRIL

Agenda Item ¹⁰	Consideration and Action Taken
3. Appointment of a Credentials Committee	(Consideration of Committee's third report) Plenary meetings 425, 430. Resolution 700(VII)
16. Korea:	
(a) Reports of the United Nations Commission for the Unification and Rehabilitation of Korea	General Committee meeting 86. First Committee meetings 557-569. Plenary meetings 414, 420, 423. (See below Resolution 705(VII))
(b) Reports of the United Nations Agent General for Korean Reconstruction	First Committee meetings 557-569. Plenary meeting 414. Resolution 701(VII)
17. Regulation, limitation and balanced reduction of all armed forces and all armaments: report of the Disarmament Commission	First Committee meetings 577-581. Plenary meeting 424. Resolution 704(VII)
18. Methods which might be used to maintain and strengthen international peace and security in accordance with the Purposes and Principles of the Charter: report of the Collective Measures Committee	First Committee meetings 573-576. Plenary meeting 415. Resolution 703(VII)
66. The question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Union of South Africa	Plenary meeting 417. (Notification by President of modification in membership of the Commission established in accordance with resolution 616(VII))
70. Complaint of non-compliance of States still detaining members of the Greek armed forces with the provisions of resolution 382 A (V), adopted by the General Assembly on 1 December 1950, recommending "the repatriation of all those among them who express the wish to be repatriated"	First Committee meetings 557, 570-572. Plenary meetings 415, 428. Resolution 702(VII)
71. Interference of the United States of America in the internal affairs of other States as manifested by the organization on the part of the Government of the United States of America of subversive and espionage activities against the Union of Soviet Socialist Republics, the People's Republic of China, the Czechoslovak Republic and other People's Democracies	First Committee meetings 582-589. Plenary meeting: 425. (No resolution was adopted)
72. Measures to avert the threat of a new world war and measures to strengthen peace and friendship among the nations	First Committee meetings 594-604. Plenary meeting 427. Resolution 705(VII) ¹¹
73. Question of impartial investigation of charges of use by United Nations Forces of bacteriological warfare	First Committee meetings 590-593. Fifth Committee meeting 376. Plenary meetings 427, 428. Resolution 706(VII)
74. Appointment of the Secretary-General of the United Nations	Plenary meeting 423. Appointment by secret ballot and Resolution 709(VII)
75. Report of the Secretary-General on personnel policy	Plenary meetings 413, 416-422. Resolution 708(VII)
77. Complaint by the Union of Burma regarding aggression against it by the Government of the Republic of China ¹²	General Committee meeting 86. First Committee meetings 605-612. Plenary meetings 420, 428. Resolution 707(VII)

b. MATTERS CONSIDERED DURING THE SEVENTH REGULAR SESSION FROM 17 TO 28 AUGUST¹³

3. Appointment of a Credentials Committee	(Consideration of Committee's fourth report) Plenary meeting 430. Resolution 710(VII)
16. The Korean Question	First Committee meetings 613-625. Plenary meetings 430, 431. Resolutions 711, 712(VII)

¹⁰ Unless otherwise indicated these items formed part of the agenda of the seventh regular session at the time of its recess on 21 December 1952. For consideration of the items before the recess in 1952, see Y.U.N., 1952, pp. 54-59.

¹¹ See also under item 16.

¹² Included in the agenda at the 420th plenary meeting on 31 March.

¹³ Reconvened in accordance with resolution 705(VII) to resume consideration of the Korean question. At the final meeting on 28 August there was a brief discussion regarding the opening date of the eighth regular session.

c. MATTERS CONSIDERED DURING THE EIGHTH REGULAR SESSION

Agenda Item	Consideration and Action Taken
1. Opening of the session by the Chairman of the delegation of Canada	Plenary meeting 432
2. Minute of silent prayer or meditation	Plenary meeting 432
3. Appointment of a Credentials Committee	Plenary meetings 432, 449, 468. Resolutions 713, 800 (VIII)
4. Election of the President	Plenary meeting 432
5. Constitution of the Main Committees and election of officers	First Committee meetings 626, 627. Ad Hoc Political Committee meetings 1, 2. Second Committee meetings 247, 248. Third Committee meetings 483, 484. Fourth Committee meetings 315, 316. Fifth Committee meetings 377, 378. Sixth Committee meetings 358, 359. Plenary meeting 433. Resolution
6. Election of Vice-Presidents	Plenary meeting 433
7. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter	Plenary meeting 435
8. Adoption of the agenda	General Committee meetings 87-91. Plenary meetings 435, 440, 457, 469
9. Opening of the general debate	Plenary meetings 434, 436-449
10. Report of the Secretary-General on the work of the Organization	
11. Report of the Security Council	Plenary meeting 455. Resolution 803(VIII)
12. Report of the Economic and Social Council	Second Committee meetings 279-283, 285. Third Committee meetings 502-529. Fifth Committee meeting 403. Plenary meetings 460, 468, 471. Resolutions 733-739(VIII)
13. Report of the Trusteeship Council	Fourth Committee meetings 377-394. Plenary meeting 471. Resolutions 751-758(VIII)
14. Election of three non-permanent members of the Security Council	Plenary meeting 450
15. Election of six members of the Economic and Social Council	Plenary meetings 450, 451
16. Election of two members of the Trusteeship Council	Plenary meeting 451
17. Election of the members of the International Law Commission	Plenary meetings 453, 454
18. The Korean question:	
(a) Report of the United Nations Commission for the Unification and Rehabilitation of Korea	First Committee meetings 680-682. Plenary meeting 470. Resolution 716(VIII)
(b) Report of the United Nations Agent General for Korean Reconstruction	Second Committee meetings 283, 284. Plenary meeting 468. Resolution 725(VIII)
19. Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East	Ad Hoc Political Committee meetings 23-30. Plenary meeting 458. Resolution 720(VIII)
20. Treatment of people of Indian origin in the Union of South Africa: report of the United Nations Good Offices Commission	General Committee meeting 87. Ad Hoc Political Committee meetings 13-22. Fifth Committee meeting 403. Plenary meetings 435, 457. Resolution 719 (VIII)
21. The question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Union of South Africa: report of the Commission appointed to study the racial situation in the Union of South Africa	General Committee meeting 87. Ad Hoc Political Committee meetings 31-43. Plenary meetings 435, 469. Resolution 721(VIII)
22. Admission of new Members: report of the Special Committee	Ad Hoc Political Committee meetings 3-12. Plenary meeting 453. Resolution 718(VIII)
23. Regulation, limitation and balanced reduction of all armed forces and all armaments: report of the Disarmament Commission	First Committee meetings 658-669. Plenary meeting 460. Resolution 715(VIII)
24. Question of impartial investigation of charges of use by United Nations forces of bacterial warfare	First Committee meetings 648-633. Plenary meeting 456. Resolution 714(VIII)

Agenda Item	Consideration and Action Taken
25. Complaint by the Union of Burma regarding aggression against it by the Government of the Republic of China: report of the Government of the Union of Burma	First Committee meetings 653-657, 677-679. Plenary meeting 470. Resolution 717(VIII)
26. Economic Development of under-developed countries:	Second Committee meetings 257-282, 285. Plenary meeting 468. Resolution 724(VIII)
(a) Question of establishing a special fund for grants-in-aid and for low-interest long-term loans: report of the Economic and Social Council	Fifth Committee meeting 419
(b) Status of the proposal for the establishment of an international finance corporation: report of the Economic and Social Council	
27. Expanded Programme of Technical Assistance for the economic development of under-developed countries: report of the Economic and Social Council	Second Committee meetings 249-257, 260. Plenary meeting 454. Resolution 722(VIII)
28. Work of the Office of the United Nations High Commissioner for Refugees:	Third Committee meetings 497-502. Plenary meetings 453, 454. Resolutions 727, 728(VIII)
(a) Report of the United Nations High Commissioner for Refugees	
(b) International action on behalf of refugees: memorandum by the Secretary-General	
(c) Question of the continuation of the Office of the United Nations High Commissioner for Refugees	
29. Continuation on a permanent basis of the United Nations International Children's Emergency Fund	Plenary meetings 451, 452. Resolution 802(VIII)
30. Transfer to the United Nations of functions and powers exercised by the League of Nations under the Slavery Convention of 25 September 1926: draft protocol prepared by the Secretary-General	Sixth Committee meetings 369, 370. Plenary meeting 453. Resolution 794(VIII)
31. The Ewe and Togoland unification problem: special report of the Trusteeship Council	Fourth Committee meetings 365-377, 392. Plenary meeting 469. Resolution 750(VIII)
32. Information from Non-Self-Governing Territories transmitted under Article 73e of the Charter: reports of the Secretary-General and of the Committee on Information from Non-Self-Governing Territories:	Fourth Committee meetings 324, 331-343, 356, 361, 395. Plenary meeting 459. Resolutions 743-746 (VIII)
(a) Information on educational conditions	
(b) Information on other conditions	
(c) Transmission of information	
(d) Participation of Non-Self-Governing Territories in the work of the Committee on Information from Non-Self-Governing Territories: recommendations of the Committee	
33. Factors which should be taken into account in deciding whether a territory is or is not a territory whose people have not yet attained a full measure of self-government: report of the Ad Hoc Committee on Factors (Non-Self-Governing Territories)	Fourth Committee meetings 317, 322-331, 356, 361. Plenary meeting 459. Resolution 742(VIII)
34. Cessation of the transmission of information under Article 73e of the Charter: reports of the Ad Hoc Committee on Factors (Non-Self-Governing Territories) and of the Committee on Information from Non-Self-Governing Territories:	
(a) Netherlands Antilles and Surinam	Fourth Committee meetings 343-347, 356, 361. Plenary meeting 459. Resolution 747(VIII)
(b) Puerto Rico	Fourth Committee meetings 348-356, 361. Plenary meeting 459. Resolution 748(VIII)
35. Election of two members of the Committee on Information from Non-Self-Governing Territories	Fourth Committee meeting 395. Plenary meeting 470
36. Question of South West Africa: report of the Ad Hoc Committee on South West Africa	Fourth Committee meetings 357-364, 377, 382. Plenary meetings 460, 467. Resolution 749(VIII)

Agenda Item	Consideration and Action Taken
37. Financial reports and accounts, and reports of the Board of Auditors:	
(a) United Nations, for the financial year ended 31 December 1952	Fifth Committee meetings 378, 380. Plenary meeting 451. Resolution 760(VIII)
(b) United Nations International Children's Emergency Fund, for the financial year ended 31 December 1952	Fifth Committee meetings 378, 380. Plenary meeting 451. Resolution 761(VIII)
(c) United Nations Relief and Works Agency for Palestine Refugees in the Near East, for the financial year ended 30 June 1953	Fifth Committee meetings 404, 412. Plenary meeting 458. Resolution 766(VIII)
(d) United Nations Korean Reconstruction Agency, for the financial year ended 30 June 1953	Fifth Committee meetings 404, 412. Plenary meeting 458. Resolution 767(VIII)
38. Supplementary estimates for the financial year 1953	Fifth Committee meetings 420-423, 425-427, 429. Plenary meeting 471. Resolution 785(VIII)
39. Budget estimates for the financial year 1954	Fifth Committee meetings 379-391, 396-401, 403-406, 411, 424, 426. Plenary meeting 471. Resolutions 786-790(VIII)
40. Appointments to fill vacancies in the membership of subsidiary bodies of the General Assembly:	
(a) Advisory Committee on Administrative and Budgetary Questions	Fifth Committee meetings 392, 400. Plenary meeting 456. Resolution 762(VIII)
(b) Committee on Contributions	Fifth Committee meetings 392, 400. Plenary meeting 456. Resolution 763(VIII)
(c) Board of Auditors	Fifth Committee meeting 405. Plenary meeting 471. Resolution 776(VIII)
(d) Investments Committee: confirmation of the appointment made by the Secretary-General	Fifth Committee meeting 403. Plenary meeting 471. Resolution 777(VIII)
(e) United Nations Administrative Tribunal	Fifth Committee meetings 425, 428. Plenary meeting 471. Resolution 778(VIII)
(f) United Nations Staff Pension Committee	(At the 471st plenary meeting the President of the General Assembly pointed out that, inasmuch as no vacancy had occurred in this Committee, no action was required by the Assembly)
41. Headquarters of the United Nations: report of the Secretary-General	Fifth Committee meetings 405, 426, 428. Plenary meeting 471. Resolution 780(VIII)
42. Scale of assessment for the apportionment of the expenses of the United Nations: report of the Committee on Contributions	Fifth Committee meetings 393-396, 410. Plenary meeting 458. Resolution 765(VIII)
43. Review of audit procedures of the United Nations and the specialized agencies: reports of the Secretary-General and of the Advisory Committee on Administrative and Budgetary Questions	Fifth Committee meetings 405, 412. Plenary meeting 458. Resolution 768(VIII)
44. Report of the Negotiating Committee for Extra-Budgetary Funds	Fifth Committee meetings 378, 380. Plenary meeting 451. Resolution 759(VIII)
45. Administrative and budgetary co-ordination between the United Nations and the specialized agencies: reports of the Secretary-General and of the Advisory Committee on Administrative and Budgetary Questions	Fifth Committee meetings 425, 428. Plenary meeting 471. Resolution 779(VIII)
46. Audit reports relating to expenditure by specialized agencies of technical assistance funds allocated from the Special Account	Fifth Committee meetings 405, 412. Plenary meeting 458. Resolution 769(VIII)
47. United Nations Joint Staff Pension Fund:	
(a) Annual report of the United Nations Joint Staff Pension Board for the year ended 31 December 1952	Fifth Committee meetings 379, 410. Plenary meeting 458. Resolution 770(VIII)
(b) Acceptance by the specialized agencies of the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of Pension Fund regulations: report of the Secretary-General	Fifth Committee meetings 379, 410. Plenary meeting 458. Resolution 771(VIII)
(c) Amendments to the regulations for the United Nations Joint Staff Pension Fund: report of the United Nations Joint Staff Pension Board	Fifth Committee meetings 380, 402, 410. Plenary meeting 458. Resolutions 772, 773(VIII)

Agenda Item	Consideration and Action Taken
48. Organization of the Secretariat: reports of the Secretary-General and of the Advisory Committee on Administrative and Budgetary Questions	Fifth Committee meetings 427-429. Plenary meeting 471. Resolution 784(VIII)
49. Report of the Committee on Special Administrative Questions	Fifth Committee meetings 392, 400. Plenary meeting 456. Resolution 764(VIII)
30. Staff Regulations of the United Nations. Question of a probationary period: reports of the Secretary-General and of the Advisory Committee on Administrative and Budgetary Questions	Fifth Committee meetings 420, 428. Plenary meeting 471. Resolution 781(VIII)
51. Personnel policy: reports of the Secretary-General and of the Advisory Committee on Administrative and Budgetary Questions	Fifth Committee meetings 406-422, 426. Plenary meeting 471, Resolution 782(VIII)
52. Question of a change in the opening date of regular sessions of the General Assembly: report of the Secretary-General	Fifth Committee meetings 405, 429. Plenary meeting 471. Resolution 783(VIII)
53. Report of the International Law Commission on the work of its fifth session	Sixth Committee meetings 381-389, 392-394. Plenary meeting 468. Resolutions 797-799(VIII)
54. Measures to limit the duration of regular sessions of the General Assembly: report of the Special Committee	Sixth Committee meetings 360-366. Plenary meeting 453. Resolution 791(VIII)
55. Question of the continuation of the functions of the United Nations Tribunal in Libya	Sixth Committee meetings 367, 368. Plenary meeting 453. Resolution 792(VIII)
56. The Tunisian question	First Committee meetings 641-647. Plenary meetings 455-457
57. The question of Morocco	First Committee meetings 629-640. Plenary meeting 455
58. Publication of documents concerning the drafting and application of the Charter ¹⁴	Fifth Committee meeting 412. Sixth Committee meetings 371-380. Plenary meeting 458. Resolution 796(VIII)
59. Election of a member of the International Court of Justice to fill the vacancy caused by the resignation of Judge Sergei Aleksandrovich Golunsky	Plenary meeting 458
60. Question of assistance to Libya	Second Committee meetings 285-287. Plenary meeting 469. Resolution 726(VIII)
61. Technical assistance in public administration	Second Committee meetings 249-256, 260. Plenary meeting 454. Resolution 723(VIII)
62. Technical assistance in promoting and safeguarding the rights of women	Third Committee meetings 485, 486. Fifth Committee meeting 392. Plenary meeting 453. Resolution 729(VIII)
63. Technical assistance in the fields of prevention of discrimination and protection of minorities	Third Committee meetings 487-489. Fifth Committee meeting 392. Plenary meeting 453. Resolution 730(VIII)
64. Invitation to non-member States to become Parties to the Convention on the Political Rights of Women	Sixth Committee meeting 367. Plenary meeting 453-Resolution 793(VIII)
65. Development of political rights of women in territories where these rights are not fully enjoyed	Third Committee meetings 490-492. Plenary meeting 454. Resolution 731(VIII)
66. Programme of concerted practical action in the social field of the United Nations and the specialized agencies	Third Committee meetings 492-496. Plenary meeting 454. Resolution 732(VIII)
67. Appeal to States to accelerate their ratifications of, or accessions to, the Convention on the Prevention and Punishment of the Crime of Genocide, and measures designed to ensure the widest possible diffusion of the nature, contents and purposes of the Convention	Sixth Committee meeting 368. Plenary meeting 455. Resolution 795(VIII)
68. Narcotic drugs: (a) Assumption by organs of the United Nations of functions and responsibilities assigned to them under the terms of the Protocol for Limiting and Regulating the Cultivation of	Fifth Committee meetings 403, 412. Plenary meeting 458. Resolutions 774, 775(VIII)

¹⁴ Agenda items 58, 70 and 72 were considered simultaneously.

Agenda Item	Consideration and Action Taken
the Poppy Plant, the Production of, International and Wholesale Trade in, and Use of Opium, 1953, and of the financial burdens resulting therefrom	
(b) Question of the remuneration of members of the Permanent Central Opium Board and the Drug Supervisory Body	
69. Evidence of existence of forced labour	Third Committee meetings 529-536. Plenary meeting 468. Resolution 740(VIII)
70. Preparatory work with regard to the possible holding of a General Conference of the Members of the United Nations in accordance with Article 109 of the Charter ¹⁴	General Committee meeting 87. Fifth Committee meeting 412. Sixth Committee meetings 371-380. Plenary meetings 435, 458. Resolution 796(VIII)
71. Measures for the peaceful solution of the problem of prisoners of war	General Committee meeting 87. Third Committee meetings 537-542. Plenary meetings 435, 468. Resolution 741(VIII)
72. Amendment of the Charter: election of a technical committee to study and report on the amendment of the Charter on the basis of proposals to be submitted by Member States ¹⁴	General Committee meeting 87. Fifth Committee meeting 412. Sixth Committee meetings 371-380. Plenary meetings 435, 458. Resolution 796(VIII)
Additional Items:	
73. Measures to avert the threat of a new world war and to reduce tension in international relations	General Committee meeting 89. First Committee meetings 670-677. Plenary meetings 440, 461
74. Question of atrocities committed by the North Korean and Chinese Communist forces against United Nations prisoners of war in Korea	General Committee meeting 90. Plenary meetings 457, 462-467. Resolution 804(VIII)
75. Application of Japan to become a party to the Statute of the International Court of Justice	General Committee meeting 91. Plenary meetings 469, 471. Resolution 805(VIII)
76. Application of San Marino to become a party to the Statute of the International Court of Justice	General Committee meeting 91. Plenary meetings 469, 471. Resolution 806(VIII)

The following item was also proposed for inclusion in the agenda of the eighth regular session:

Note by the Secretary-General concerning the implementation of General Assembly resolution 711 C (VII) adopted on 28 August 1953: item proposed by the USSR (A/2484)

At its 88th meeting the General Committee decided to recommend against the inclusion of this item in the agenda; the Assembly adopted the Committee's recommendation at its 440th plenary meeting by 40 votes to 8, with 10 abstentions

7. Participants in the General Debate at the Assembly's Eighth Session

Representatives of 44 Member States took part in the general debate at the opening of the General Assembly's eighth session. The debate began at the 434th plenary meeting on 17 September and was concluded at the 449th plenary meeting on 29 September.

The following were the Member States taking part, with the meetings at which they spoke:

Country	Meeting	Date	Country	Meeting	Date
Argentina	447	28 Sept.	Colombia	446	25 Sept.
Australia	436	18 Sept.	Costa Rica	446	25 Sept.
Belgium	445	25 Sept.	Cuba	441	23 Sept.
Brazil	446	25 Sept.	Czechoslovakia	444	24 Sept.
Burma	446	25 Sept.	Dominican Republic	444	24 Sept.
Byelorussian SSR	446	25 Sept.	Ecuador	442	23 Sept.
Canada	441	23 Sept.	Egypt	446	25 Sept.
Chile	436	18 Sept.	El Salvador	444	24 Sept.
China	440	22 Sept.	Ethiopia	442	23 Sept.
			France	445	25 Sept.
			Greece	439	21 Sept.
			Guatemala	442	23 Sept.
			Iceland	444	24 Sept.
			India	448	28 Sept.
			Indonesia	437	18 Sept.
			Iraq	448	28 Sept.
			Israel	449	29 Sept.
			Lebanon	447	28 Sept.
			Liberia	438	21 Sept.
			Mexico	447	28 Sept.

¹⁴ Agenda items 58, 70 and 72 were considered simultaneously.

Country	Meeting	Date
Netherlands	443	24 Sept.
New Zealand	436	18 Sept.
Pakistan	437	18 Sept.
Peru	439	21 Sept.
Philippines	448	28 Sept.
Poland	441	23 Sept.
Sweden	443	24 Sept.
Syria	445	25 Sept.
Ukrainian SSR	442	23 Sept.
Union of South Africa	442	23 Sept.
USSR	438	21 Sept.
United Kingdom	443	24 Sept.
United States	434	17 Sept.
Venezuela	444	24 Sept.
Yugoslavia	443	24 Sept.

At the 451st plenary meeting on 5 October, the General Assembly was addressed by the Directors-General of the World Health Organization and the United Nations Educational, Scientific and Cultural Organization.

The General Assembly was also addressed by the following distinguished guests:

Colonel Jose Antonio Remón Cantera, President of the Republic of Panama, at the 450th plenary meeting on 5 October

His Majesty King Paul of the Hellenes, at the 456th plenary meeting on 3 November

Dwight D. Eisenhower, President of the United States, at the 470th plenary meeting on 8 December.

8. Organizational Questions

a. MEASURES TO LIMIT THE DURATION OF GENERAL ASSEMBLY SESSIONS

At its seventh session, by resolution 689 (VII) of 21 December 1952, the General Assembly established a special committee to consider the question of measures to limit the duration of its regular sessions. The Committee was to take into account the Secretary-General's memorandum (A/2206)¹⁵ on the subject and any other relevant information communicated by Member States and to report to the Assembly's eighth session.

The Special Committee¹⁶ met at Headquarters from 25 May to 22 June 1953. In its report (A/2402), dated 26 June 1953, the Committee stated that "the best interest of the General Assembly, not the length of the session as such, must remain the overriding consideration in any study of measures designed to limit the duration of the regular sessions". Difficulties related to the duration of the regular sessions, the Committee considered, should not be resolved at the expense, either of the effectiveness of the

General Assembly, or of the right of any representative freely to express the attitude of his government on problems before the Assembly. The Special Committee felt, however, that the Assembly, through the co-operation of its Members, could strengthen or initiate certain practices so as to expedite and simplify the conduct of business.

The report reviewed Assembly practice with regard to such matters as: the agenda; reports of Councils; debate in Committees; limitation of debate; points of order; consideration of items in plenary meetings without reference to Committees; and the schedule of meetings. The Committee recommended that an outline of these practices should be included in a consolidated annex to the rules of procedure of the General Assembly. It also made two specific recommendations:

(1) that rule 38 of the Assembly's rules of procedure (dealing with the composition of the General Committee) should be amended to provide that the Chairman of the Ad Hoc Political Committee, when established, would participate with vote in the General Committee; and

(2) that rule 73(113) of the rules of procedure (dealing with the procedure to limit the time of a speaker and the number of times each representative can speak on a question) be amended to provide that, in addition to the proposer of a motion to that effect, two representatives might speak in favour of the motion and two against, after which the motion would immediately be put to the vote.

At the Assembly's eighth session, the question was considered by the Sixth Committee at its 360th to 366th meetings from 29 September to 7 October 1953.

The Committee had before it a Norwegian draft resolution (A/C.6/L.292/Rev.1) which in its operative part would have the Assembly:

(1) adopt the amendments proposed by the Special Committee to rules 38 and 73(113) of the rules of procedure; (2) annex to the rules of procedure the outline of practices as recommended by the Special Committee; and (3) request the Secretary-General to consider the question of consolidating this annex and the current annexes and to publish a new edition of the rules of procedure containing the consolidated annex.

The following amendments were submitted to this draft resolution:

(1) a joint amendment by Brazil and France (A/C.6/L.293) which, in effect, would delete the provisions regarding the annex.

(2) a United Kingdom amendment (A/C.6/L.295) which would add to the Norwegian proposal provisions for: (a) amending rule 39 of the Assembly's rules of procedure to provide for the designation of the Vice-Chairman of the Ad Hoc Political Committee as a

¹⁵ See Y.U.N., 1952, pp. 68-69.

¹⁶ For members of the Committee, see Appendix I.

substitute for its Chairman in the latter's absence; and (b) providing that each Main Committee, in ordering its priorities, would take into account the closing date for the session fixed by the Assembly.

An amendment to the joint French-Brazilian amendment was proposed by Ecuador and Guatemala (A/C.6/L.296). It would have the effect of deleting all the recommendations of the Norwegian draft resolution except that relating to the amendment of rule 38 of the Assembly's rules of procedure.

During the discussion in the Committee, the representatives of Afghanistan, Argentina, the Byelorussian SSR, Colombia, Czechoslovakia, Ecuador, Egypt, El Salvador, Guatemala, India, Indonesia, Iraq, Lebanon, Liberia, Mexico, Pakistan, Peru, Poland, Syria, the Ukrainian SSR, the USSR and Uruguay opposed the amendment to rule 73(113) proposed by the Special Committee and in the Norwegian draft resolution.

These representatives considered that the proposed amendment would restrict the right of sovereign States to express freely the views of their governments. They contended that the existing rules of procedure already provided, under rules 75(115) and 76(116), relating to adjournment and closure of debates, means for limiting the time of a speaker and the number of times a representative could speak on a question. The amendment suggested would, they held, intensify that restriction. Moreover, it was considered, the proposed measure could not in any way limit the duration of the regular sessions of the General Assembly because the length of the sessions could not be reduced by technical devices but depended on the nature of the problems being discussed at a particular session and by the prevailing political climate.

In this connexion, the representative of Syria stated that, for example, the repeated discussion of Korean items by the First Committee could not be stopped by such considerations as the need to limit the duration of Assembly sessions. The representative of Uruguay said that the adoption of the amendment would also involve practical difficulties. For example, what test would the Chairman apply if several representatives raised their hands to speak on a motion? He would in most instances have to rely on an arbitrary decision in giving the floor to a speaker in such a case, the representative of Uruguay said.

These representatives also opposed the provision in the Norwegian draft resolution regarding the annex, stating that such an annex would have no legal validity. The representative of the USSR considered that the proposed annex would add to prolonged procedural discussions, as it was bound to give rise to varying interpretations of the rules.

The representatives of India, Indonesia, Iraq, Pakistan, Peru, Syria and Uruguay also opposed the provision regarding the amendment of rule 38 to enable the Chairman of the Ad Hoc Political Committee to participate in the General Committee. The recommendation, it was stated, was entirely unrelated to the question of limiting the duration of sessions and was outside the terms of reference of the Special Committee. It was a matter, the representatives of Syria and Uruguay, in particular, argued, for a separate decision by the General Assembly and should not be considered in connexion with the Special Committee's report.

The representatives of Australia, Belgium, Burma, Chile, China, Denmark, France, Greece, the Netherlands, Norway, the Philippines, Sweden, the Union of South Africa, the United Kingdom and the United States supported the two amendments recommended by the Special Committee to rules 38 and 73(113) of the Assembly's rules of procedure. They also expressed the view that the excessively long sessions of the General Assembly entailed expense for all States and led to the deterioration of the quality of delegations, since no government could spare its top-ranking statesmen and diplomats for long periods. The proposed amendment to rule 38, they said, was designed only to confirm an existing practice.

As regards rule 73(113) it was argued, in particular by the representatives of China and Greece, that the proposed amendment would in no way affect discussions of agenda items but would restrict prolonged procedural discussions on motions to limit the time of a speaker. It did not limit the rights of representatives but, said the representative of China, it sought to "limit the time of speakers who wanted to limit the time of other speakers". These representatives felt that the adoption of the amendment would aid efficiency and orderliness in the conduct of business.

Some of these representatives, however, were opposed to the provisions regarding the annex. The representatives of France and Greece, for example, objected that the proposed annex was not a codified body of rules but only a number of suggestions which were not of a binding nature.

In reply, the representatives of Norway, the United Kingdom and the United States said that the status of the proposed annex would be exactly similar to that of the existing annex to the Assembly's rule of procedure which also consisted of recommendations of a Special Committee. By annexing to its rules of procedure the recom-

mendations of the current Special Committee the Assembly would have a ready reference and guide.

At the 366th meeting of the Committee, the amendments proposed by Ecuador and Guatemala were adopted by votes ranging from 24 to 21, with 3 abstentions, to 31 to 6, with 8 abstentions. The two United Kingdom amendments were adopted by 31 votes to none, with 18 abstentions, and 30 votes to 1, with 17 abstentions, respectively.

The second paragraph of the French-Brazilian amendment, by which the Assembly would take note of the report of the Special Committee, was adopted by 45 votes to 1, with 1 abstention.

The Norwegian draft resolution, as a whole, as amended, was adopted by 44 votes to none, with 2 abstentions.

The report of the Sixth Committee (A/2512 & Corr.1) was considered by the General Assembly at its 453rd plenary meeting on 23 October 1953. The draft resolution recommended by the Sixth Committee was voted on in paragraphs. The preamble and paragraph 1 were adopted unanimously; paragraph 2 by 49 votes to none, with 5 abstentions; and paragraph 3 by 51 votes to none, with 5 abstentions. The draft resolution, as a whole, was adopted (791(VIII)) unanimously. It read:

"The General Assembly,

"Having regard to General Assembly resolution 689 (VII) of 21 December 1952,

"Having regard to the report of the Special Committee on Measures to Limit the Duration of Regular Sessions of the General Assembly,

"1. Takes note of the above-mentioned report;

"2. (a) Amends rule 38 of its rules of procedure to read as follows:

The General Committee shall comprise the President of the General Assembly, who shall preside, the seven Vice-Presidents, the Chairman of the six Main Committees and the Chairman of the Ad Hoc Political Committee when one is established. No two members of the General Committee shall be members of the same delegation, and it shall be so constituted as to ensure its representative character. Chairmen of other committees upon which all Members have the right to be represented and which are established by the General Assembly to meet during the session, shall be entitled to attend meetings of the General Committee and may participate without vote in the discussions;

"(b) Amends the second sentence of rule 39 of its rules of procedure to read as follows:

The Chairman of a Main Committee or of the Ad Hoc Political Committee shall, in case of absence, designate the Vice-Chairman of the Committee as his substitute;

"3. Amends rule 98 of its rules of procedure to read as follows:

Each Main Committee, taking into account the closing date for the session fixed by the General Assembly on the recommendation of the General Committee, shall adopt its own priorities and meet as may be necessary to complete the consideration of the items referred to it;"

b. QUESTION OF A CHANGE IN THE OPENING DATE OF REGULAR SESSIONS OF THE GENERAL ASSEMBLY

The General Assembly considered this question at the 405th meeting of its Fifth Committee on 16 November and its 471st plenary meeting on 9 December 1953. In accordance with resolution 692(VII),¹⁷ it had before it a report by the Secretary-General on the practical consequences of a change in the opening date of the Assembly's regular sessions (A/2436), together with the observations and recommendations of the Advisory Committee on Administrative and Budgetary Questions (A/2553).

The Secretary-General in his report stated that it would seem probable that an opening date during the first half of the year would reduce the risk of postponements followed by a disruption of the work of the Assembly. If any advantage was to be gained, he stated, consideration should be given to a convenient date between the beginning of the year and the early summer months, for example 20 April. This would eliminate the necessity of dividing the regular sessions into two parts and would allow the Assembly to complete a session of normal length by the beginning of summer. The report examined in detail the effect that any such change in date would have on the pattern of conferences of other United Nations organs and of the specialized agencies. From an administrative point of view, the Secretary-General pointed out that a change in the opening of Assembly sessions to the month of April would carry with it important implications for the financial arrangements of the Organization, with particular regard to the budget, the reports of the Board of Auditors, the contributions of Members and the Working Capital Fund. These factors also raised the question whether a change in the financial year would not have to be considered. In conclusion, the Secretary-General reviewed the situation which would arise, on the one hand, if the financial year were unchanged and, on the other, if it were changed.

The Advisory Committee, while agreeing that a change in date would reduce the risk of postponement of the Assembly session, emphasized, on the other hand, that the risk of interruption of the session would merely be reduced, not elimi-

¹⁷ See Y.U.N., 1952, p. 76.

nated, by such a change. Noting that no specific proposal had been made, either by the Secretary-General or by any delegation, the Advisory Committee stated that it did not recommend a change for the following reasons:

(1) in a majority of States the period prior to 20 April was normally a period of important parliamentary activity;

(2) the Assembly sessions of the World Health Organization (WHO) and the International Labour Organisation (ILO) were normally held in May and June and this might, among other things, cause inconvenience to Treasuries and other government departments;

(3) a large-scale readjustment of the conference programme would be called for; and

(4) in the event of a change in the opening date, there were serious drawbacks or risks regarding the financial arrangements of the United Nations whether the financial year was altered accordingly or maintained.

For these reasons, the Advisory Committee recommended (A/2553) that the existing provision concerning the opening date of the Assembly sessions should be maintained. The Committee suggested, however, though without making a firm recommendation, that a deferment of the opening date, possibly by two weeks, until the first Tuesday in October might be considered, in order to afford more time for preparatory work and in particular for the drafting and printing of the annual report of the Economic and Social Council.

During the debate in the Fifth Committee, a number of representatives, including those of Cuba, Egypt and the United States, expressed support of the Advisory Committee's suggestion that regular sessions of the General Assembly should not open until the first Tuesday in October, on the understanding, however, that this would be on an experimental basis for 1954 and that it would not involve a change, at least for the time being, in the existing rules of procedure. Other representatives, among them those of Canada, China, India, Pakistan and the Union of South Africa, while recognizing the advantages of affording more time for completion of preparatory work, considered that such advantages would be outweighed by the risk of a split session. The desirability of completing the session in time to allow delegations to return home for Christmas was particularly stressed.

The representatives of Belgium and France stated that it should not be unduly difficult for the General Assembly to complete its work between the first Tuesday in October and the middle of December, thus allowing for a session of ten weeks. This would be especially so if delegations were to be furnished with better

documentation and furnished with such documentation in good time. Moreover, deferment of the opening date by two weeks would tend to facilitate the attendance of important government leaders. There was no valid reason, these representatives considered, for assuming that sessions of the Assembly should necessarily last three months; if delegations exercised adequate self-discipline, it should be feasible to begin sessions early in October and to adjourn in sufficient time to enable representatives to return home before Christmas. Indeed, a slightly later opening date might prove in itself an effective means of ensuring that the duration of ordinary sessions was not unnecessarily prolonged.

Still other representatives, including those of Australia, Denmark, New Zealand and the United Kingdom, argued that, even if regular sessions were to open two weeks later, delegations would not necessarily be in possession of all relevant documentation, nor were there valid grounds for believing that Main Committees would begin their work immediately or that they would work more efficiently and expeditiously. No valid conclusions, moreover, could be drawn from an experiment which would be based on the experience of one session only. Indeed, the Assembly had experimented frequently in the past and should now make a serious effort to adhere strictly to its own rules of procedure.

The representatives of New Zealand and Australia also stated that, while a session beginning in April would have many advantages from the point of view of their respective Governments and would make it possible for them to pay their contributions earlier in the financial year, they would not press the point, although they considered that the difficulties mentioned were not insurmountable.

An oral proposal by Cuba that the opening date of the ninth session should be deferred until the first Tuesday in October on an experimental basis was rejected by 25 votes to 14, with 8 abstentions. The Committee also rejected, by 24 votes to 19, with 4 abstentions, an oral proposal by Iraq that the opening date of the ninth session should be deferred until the fourth Tuesday in September.

The Fifth Committee, by 47 votes to none, with 1 abstention, and, on the Committee's recommendation (A/2620), the General Assembly, at its 471st plenary meeting on 9 December 1953, unanimously adopted a resolution (783(VIII)) in which the Assembly noted the Secretary-General's report and the Advisory Committee's observations and concurred in the Advi-

sory Committee's recommendation that the existing provision in the rules of procedure concerning the opening date of regular sessions of the General Assembly should be maintained.

c. ELECTION OF MEMBERS OF SUBSIDIARY BODIES¹⁸

(1) The International Law Commission

At its 453rd and 454th plenary meetings on 23 October, the General Assembly elected the fifteen members of the International Law Commission for a three-year term beginning 1 January 1954.

The Assembly had before it the list of candidates nominated by Member States with statements of their qualifications (A/2399 & Corr.1, Add.1, Add.2/Rev.1 & Add.3 & 4; A/2500/-Rev.1). It elected fourteen candidates on the first ballot and the fifteenth candidate on the fourth ballot.

The following were the votes received by those elected on the first ballot: Gilberto Amado (Brazil)—49; Roberto Cordova (Mexico)—49; Jean Spiropoulos (Greece)—47; Georges Scelle (France)—46; Hersch Lauterpacht (United Kingdom)—44; Sergei Borisovich Krylov (USSR)—42; A. E. F. Sandström (Sweden)—42; John Johnston Parker (United States)—41; Shuhsi Hsu (China)—39; Francisco U. García-Amador (Cuba)—37; Radhabinod Pal (India)—37; Faris El-Khoury (Syria)—33; Jaroslav Zourek (Czechoslovakia)—33; J. P. A. François (Netherlands)—32.

On the first ballot, Maurice Bourquin (Belgium) received 29 votes and Carlos Salamaña Figueroa (Bolivia) and Jesus Maria Yepes (Colombia) received 28 votes each. On the fourth ballot, Mr. Salamaña was elected; he received 34 votes and Mr. Bourquin 24.

(2) Committee on Information from Non-Self-Governing Territories

At its 395th meeting on 7 December, the Fourth Committee elected Guatemala and Burma as members of this Committee for a three-year term beginning 1 January 1954, to replace Cuba and Pakistan, retiring members.

Both were elected on the first ballot, the voting being as follows: Guatemala—29; Burma—25; USSR—20; Colombia—13; Philippines—4; Thailand and Pakistan—one vote each.

The General Assembly took note of the election at its 470th plenary meeting on 8 December.

(3) Negotiating Committee for Extra-Budgetary Funds

At the 451st plenary meeting on 5 October, the President announced that, in accordance with Assembly resolution 759(VIII), she had appointed the following Member States to the Negotiating Committee established by that resolution:

Australia, Canada, Chile, Colombia, France, Lebanon, Pakistan, United Kingdom, United States.

(4) Advisory Committee on Administrative and Budgetary Questions

On the recommendation of the Fifth Committee (A/2537), the General Assembly, at its 456th plenary meeting on 3 November, without objection, appointed Rafik Asha, André Ganem and G. R. Kamat to the Advisory Committee for a three-year term beginning 1 January 1954 (resolution 762(VIII)). The retiring members of the Committee were Rafik Asha, André Ganem, and Braj Kumar Nehru.

(5) Committee on Contributions

On the recommendation of the Fifth Committee (A/2538), the General Assembly, at its 456th plenary meeting on 3 November, without objection, appointed O. Strauch, A. H. Clough and K. E. Book to the Committee on Contributions for a three-year term beginning 1 January 1954 (resolution 763(VIII)). The retiring members of the Committee were A. H. Clough, A. Nass and Miss Maria Z. N. Witteveen.

(6) Board of Auditors

On the recommendation of the Fifth Committee (A/2561), the General Assembly, at its 471st plenary meeting on 9 December, reappointed, without objection, the Auditor-General (or officer holding equivalent title) of Colombia for a three-year term beginning 1 July 1954 (resolution 776(VIII)).

(7) Investments Committee

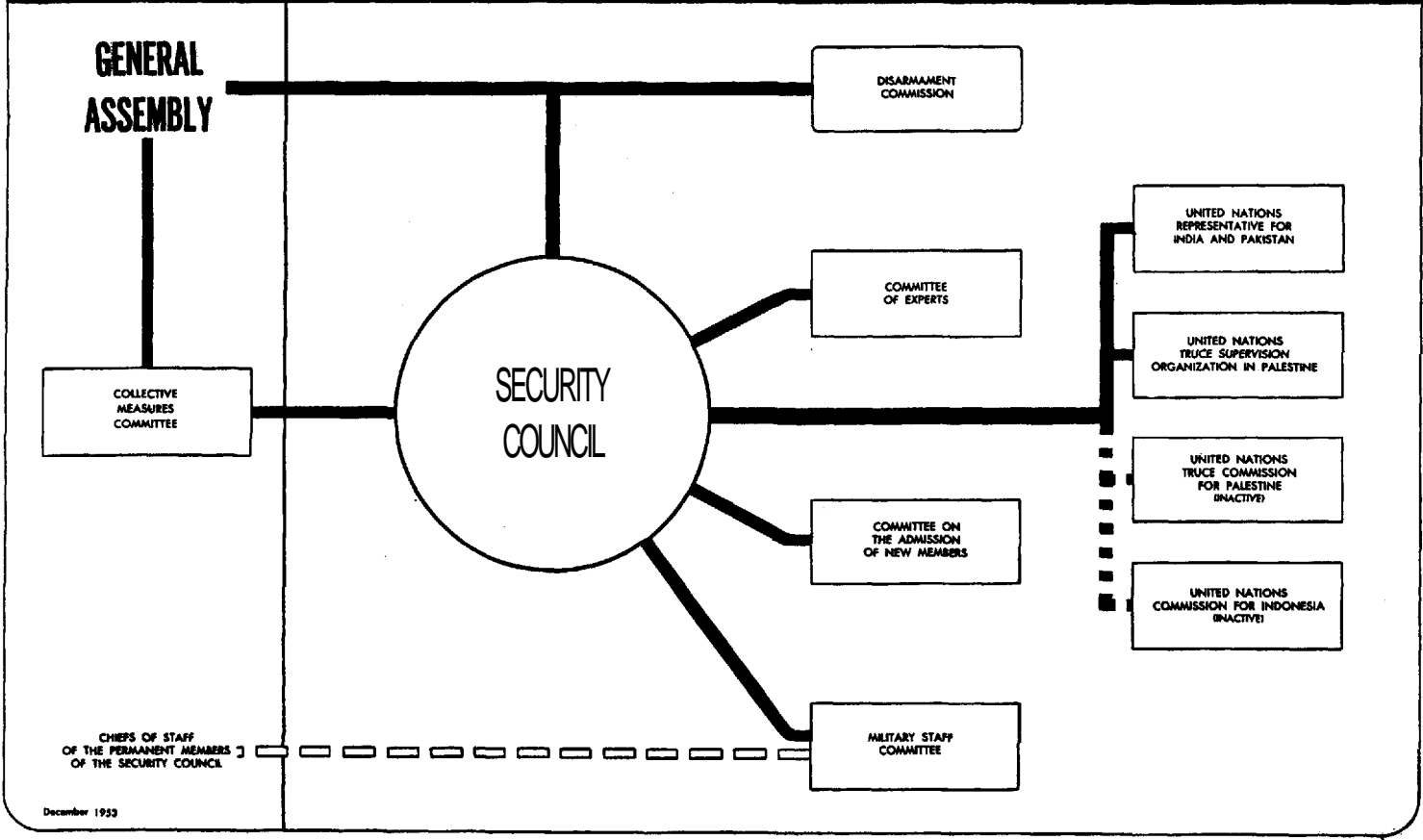
On the recommendation of the Fifth Committee (A/2560), the General Assembly, at its 471st plenary meeting on 9 December, confirmed, without objection, the reappointment of Jacques Rueff as a member of the Investments Committee for a three-year term beginning 1 January 1954 (resolution 777(VIII)).

(8) United Nations Administrative Tribunal

On the recommendation of the Fifth Committee (A/2618), the General Assembly, at its 471st plenary meeting on 9 December, without objection, appointed the Rt. Hon. Lord Crook and Jacob Mark Lashly to the Administrative Tribunal for a three-year term beginning 1 January 1954. The retiring members were Lord Crook and Vladimir Outrata.

¹⁸ For the election by the General Assembly at its eighth session of three non-permanent members of the Security Council (450th plenary meeting), six members of the Economic and Social Council (450th and 451st plenary meetings), two members of the Trusteeship Council (451st plenary meeting) and one member of the International Court of Justice (458th plenary meeting), see under these organs.

STRUCTURE OF THE SECURITY COUNCIL



B. THE SECURITY COUNCIL

1. Charter Provisions

The Members of the United Nations have conferred on the Security Council the primary responsibility for the maintenance of international peace and security. The functions of the Council fall mainly under two headings: the pacific settlement of disputes and action with respect to threats to the peace, breaches of the peace and acts of aggression.

Decisions of the Council on procedural matters are made by an affirmative vote of any seven members. Decisions on other matters are made by an affirmative vote of seven members, including the concurring votes of the five permanent members of the Council, provided that a party to a dispute shall abstain from voting with respect to measures for the pacific settlement of that dispute.

The Charter provisions relating to the Security Council are contained in Chapter V (Articles 23-32) which defines the composition, functions and powers, voting and procedure of the Council; Chapter VI (Articles 33-38) which deals with the pacific settlement of disputes; Chapter VII (Articles 39-51) which deals with action with respect to threats to the peace, breaches of the peace and acts of aggression; Chapter VIII (Articles 52-54) which relates to regional arrangements; and Articles 76 and 82-84 of Chapter XII which relate to strategic areas in Trust Territories. Other provisions are to be found in Articles 1, 2, 4-7, 10-12, 15, 18, 20, 65, 93, 94, 96-99, 106, 108 and 109 of the Charter and Articles 4, 7-15, 35, 41 and 69 of the Statute of the International Court of Justice.¹⁹

2. Structure²⁰

Organs reporting to the Security Council during 1953 were:

- a. MILITARY STAFF COMMITTEE
- b. DISARMAMENT COMMISSION
- c. COLLECTIVE MEASURES COMMITTEE²¹
- d. STANDING COMMITTEES
 - (1) Committee of Experts
 - (2) Committee on the Admission of New Members
- e. Ad Hoc COMMITTEES AND COMMISSIONS
 - (1) United Nations Commission for Indonesia
 - (2) Chief of Staff of the United Nations Truce Supervision Organization in Palestine

(3) United Nations Representative for India and Pakistan.

3. Members and Presidents

The Security Council consists of eleven members, five permanent and six non-permanent elected for a two-year term by the General Assembly.

The following were the members of the Security Council during 1953:

PERMANENT MEMBERS

China, France, USSR, United Kingdom, United States

NON-PERMANENT MEMBERS

Elected to serve until 31 December 1953: Chile, Pakistan, Greece

Elected to serve until 31 December 1954: Colombia, Denmark, Lebanon

The Presidency of the Council is held in turn by Member States in the English alphabetical order of their names, each President holding office for one month. The following representatives held the office of President during 1953:

January	Greece	Alexis Kyrou
February	Lebanon	Charles Malik
March	Pakistan	Ahmed S. Bokhari
April	USSR	Andrei Y. Vyshinsky
May	United Kingdom	Sir Gladwyn Jebb
June	United States	Henry Cabot Lodge, Jr.
July	Chile	Rudencindo Ortega Masson
August	China	Tingfu F. Tsiang
September	Colombia	Francisco Urrutia
October	Denmark	William Borberg
November	France	Henri Hoppenot
December	Greece	Alexis Kyrou

4. Meetings of the Council and Matters Considered during 1953

The Security Council is organized to function continuously.

During 1953 it held 43 meetings, its 612th to 654th, between 11 March and 29 December. All the meetings were held at United Nations Headquarters. The following were the questions considered:

¹⁹ A summary of the Charter provisions concerning the Security Council is to be found in Y.U.N., 1951, pp. 38-41. The text of the Charter and of the Statute of the Court is reproduced in Y.U.N., 1952, pp. 10-26.

²⁰ This section lists the subsidiary bodies of the Security Council during 1953. As no new subsidiary bodies were established during the year, terms of reference are not given here; they may be found in Y.U.N., 1950, pp. 47-50 and Y.U.N., 1951, p. 42, or in Structure of the United Nations (Seventh Revision) January 1954 (ST/DPI/8). Members of subsidiary bodies and representatives serving on them during 1953 are listed in Appendix II.

²¹ See under The General Assembly.

Meeting	Subject	Date	Meeting	Subject	Date
		March			October
612th	Recommendation for the appointment of the Secretary-General of the United Nations (closed meeting)	11		on the west bank of the River Jordan in the Demilitarized Zone	
613th	Recommendation for the appointment of the Secretary-General of the United Nations (closed meeting)	13	630th	The Palestine question (Qibya incident)	27
614th	Recommendation for the appointment of the Secretary-General of the United Nations (closed meeting)	19	631st	The Palestine question (complaint by Syria)	27
615th	Recommendation for the appointment of the Secretary-General of the United Nations (closed meeting)	24	632nd	The Palestine question (Qibya incident)	29
616th	Recommendation for the appointment of the Secretary-General of the United Nations (closed meeting)	27	633rd	The Palestine question (complaint by Syria)	30
617th	Recommendation for the appointment of the Secretary-General of the United Nations (closed meeting)	31			November
		August	634th	Appointment of a Governor of the Free Territory of Trieste	2
618th	Consideration of the report of the Security Council to the General Assembly (closed meeting)	12	635th	The Palestine question (Qibya incident)	9
	The date of election to fill a vacancy in the International Court of Justice		636th	The Palestine question (complaint by Syria)	10
619th	The Moroccan question (question of adoption of the agenda)	26	637th	The Palestine question (Qibya incident)	12
620th	The Moroccan question (question of adoption of the agenda)	27	638th	The Palestine question (Qibya incident)	16
621st	The Moroccan question (question of adoption of the agenda)	31	639th	The Palestine question (complaint by Syria)	18
		September	640th	The Palestine question (Qibya incident)	20
622nd	The Moroccan question (question of adoption of the agenda)	1	641st	Application by Japan to become a party to the Statute of the International Court of Justice	23
623rd	The Moroccan question (question of adoption of the agenda)	2		Application by San Marino to become a party to the Statute of the International Court of Justice	
624th	The Moroccan question (question of adoption of the agenda)	3		Appointment of a Governor of the Free Territory of Trieste	
		October	642nd	The Palestine question (Qibya incident)	24
625th	Appointment of a Governor of the Free Territory of Trieste	15	643rd	The Palestine question (Qibya incident)	25
626th	The Palestine question: (a) Letters dated 17 October 1953 from the representatives of France, United Kingdom and United States addressed to the President of the Security Council (question of adoption of the agenda)	19	644th	Election of a member of the International Court of Justice to fill the vacancy caused by the resignation of Judge Sergei Aleksandrovich Golunsky	27
627th	The Palestine question: compliance with and enforcement of the General Armistice Agreements, with special reference to recent acts of violence, and in particular to the incident at Qibya on 14-15 October: report by the Chief of Staff of the Truce Supervision Organization (question of the adoption of the agenda)	20			December
628th	Appointment of a Governor of the Free Territory of Trieste (question of the adoption of the agenda)	20	645th	Application by Japan to become a party to the Statute of the International Court of Justice	3
629th	The Palestine question: Complaint by Syria against Israel concerning work	27		Application by San Marino to become a party to the Statute of the International Court of Justice	
				The Palestine question (complaint by Syria)	
			646th	The Palestine question (complaint by Syria)	11
			647th	Appointment of a Governor of the Free Territory of Trieste	14
			648th	The Palestine question (complaint by Syria)	16
			649th	The Palestine question (complaint by Syria)	17
			650th	The Palestine question (complaint by Syria)	18
			651st	The Palestine question (complaint by Syria)	21
			652nd	The Palestine question (complaint by Syria)	22
			653rd	The Palestine question (complaint by Syria)	22
			654th	The Palestine question (complaint by Syria)	29

5. Meetings of Subsidiary Bodies

In addition to those organs which functioned continuously throughout the year, the Council's subsidiary bodies held the following meetings:

Military Staff Committee: bi-weekly meetings throughout the year; the first meeting was held on 8 January and the last on 23 December.

Disarmament Commission: 20 August at Headquarters.

6. Organizational Questions²²

a. ELECTION BY THE GENERAL ASSEMBLY OF THREE NON-PERMANENT MEMBERS OF THE SECURITY COUNCIL

At its 450th plenary meeting on 5 October, the General Assembly elected Brazil, New Zealand and Turkey as non-permanent members of the Security Council for a two-year term beginning

1 January 1954 to replace Chile, Greece and Pakistan, retiring members.

Brazil and New Zealand were both elected on the first ballot, receiving 56 and 48 votes, respectively.

Other votes obtained on this ballot were: Turkey—32; Poland—18; Philippines—17; Czechoslovakia—2; Ecuador—2; Mexico—1.

Following six further, inconclusive, ballots, Turkey was elected, having obtained the required two-thirds majority. Voting on the final ballot was: Turkey—40 votes; Poland—19 votes.

b. ANNUAL REPORT OF THE COUNCIL TO THE GENERAL ASSEMBLY

The annual report of the Security Council to the General Assembly (A/2437), covering the period from 16 July 1952 to 15 July 1953, was adopted by the Council at its 618th meeting (closed) on 12 August 1953. The Assembly, at its 455th plenary meeting on 3 November 1953, adopted, without objection, a resolution (803 (VIII)) taking note of the report.

C. THE ECONOMIC AND SOCIAL COUNCIL

1. Charter Provisions

The Economic and Social Council is responsible, under the General Assembly's authority, for promoting: higher standards of living; full employment and conditions of economic and social progress and development; solutions of international economic, social health, and related problems; international cultural and educational co-operation; and universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

It makes or initiates studies and reports with respect to international economic, social, cultural, educational, health, and related matters. It makes recommendations on such matters to the General Assembly, to the Members of the United Nations and to the specialized agencies concerned. It also makes recommendations for the purpose of promoting respect for and observance of human rights.

It prepares draft conventions for submission to the Assembly on matters within its competence and calls international conferences on such matters.

It enters into agreements with specialized agencies, and makes arrangements for consultation with non-governmental organizations.

The Council's decisions are taken by a simple majority of the members present and voting.

The Charter provisions relating to the Economic and Social Council are contained in Chap-

ter IX (Articles 55-60) which sets forth the objectives and functions of the United Nations in the sphere of international economic and social co-operation, and Chapter X (Articles 61-72) which defines the composition, functions and powers, voting and procedure of the Council. Other provisions are to be found in Articles 1, 2, 7, 15, 17, 18, 91, 96, 98 and 101.²³

2. Structure²⁴

Subsidiary organs reporting to the Economic and Social Council are of five types:

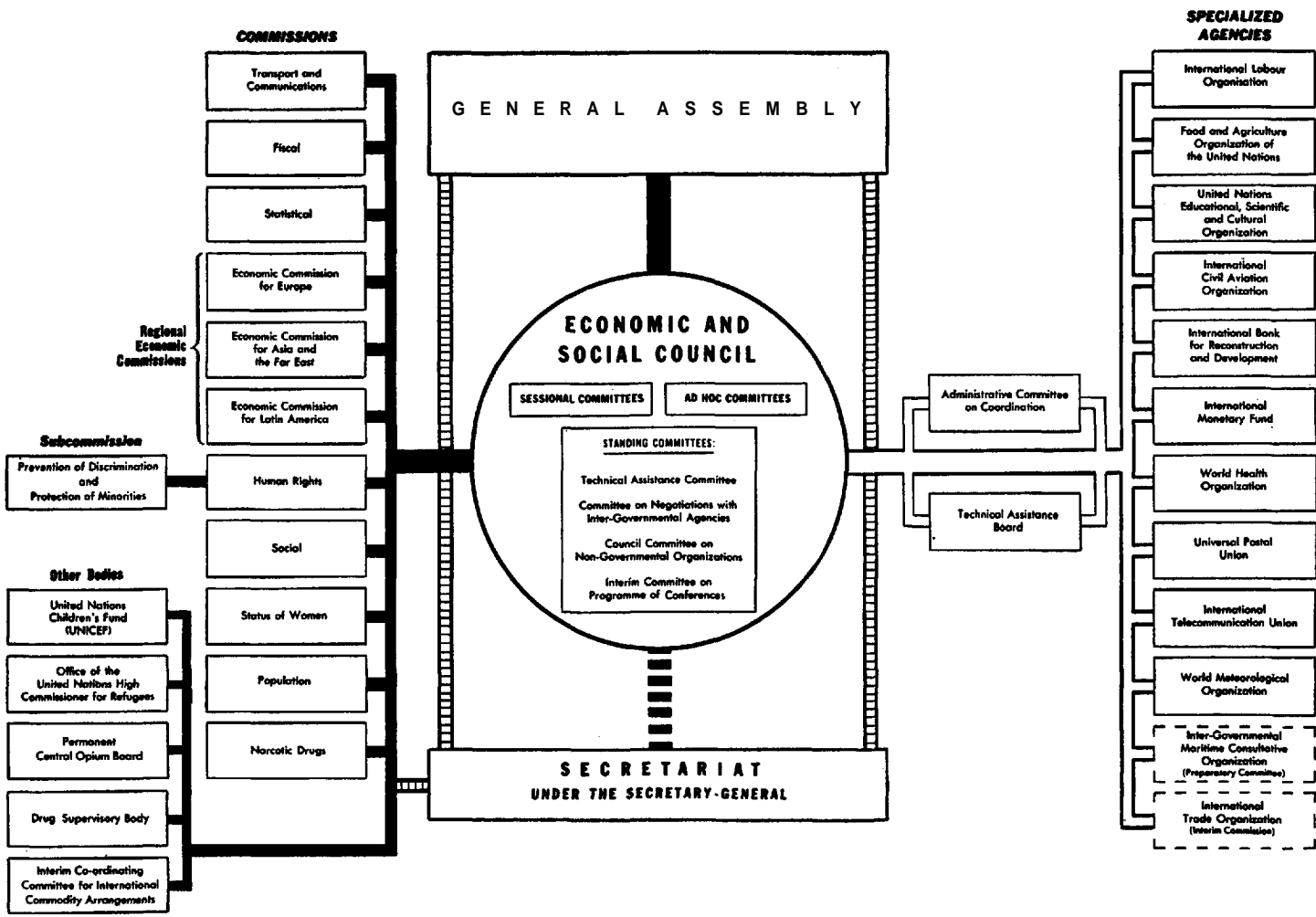
- a. Functional commissions and sub-commissions
- b. Regional economic commissions
- c. Standing committees
- d. Special bodies
- e. Ad hoc committees

²² For the election by the Security Council of a member of the International Court of justice, see under that heading.

²³ A summary of the Charter provisions concerning the Economic and Social Council is to be found in Y.U.N., 1951, pp. 47-49. The text of the Charter is reproduced in Y.U.N., 1952, pp. 10-20.

²⁴ This section lists the subsidiary bodies of the Economic and Social Council during 1953. The terms of reference are given only for new subsidiary organs established during 1953; for the terms of reference of subsidiary organs previously established, see Y.U.N., 1950, pp. 60-66, Y.U.N., 1951, pp. 49-53 and Y.U.N., 1952, pp. 39-40. The terms of reference of subsidiary bodies existing in January 1954 are also given in Structure of the United Nations (Seventh Revision) January 1954 (ST/DPI/8). Members of subsidiary bodies and representatives serving on them during 1953 are listed in Appendix III.

STRUCTURE OF THE ECONOMIC AND SOCIAL COUNCIL



The Council has, in addition, various sessional committees such as the Economic, Social and Co-ordination Committees.

**a. FUNCTIONAL COMMISSIONS
AND SUB-COMMISSIONS**

- (1) Transport and Communications
- (2) Fiscal
- (3) Statistical
- (4) Population
- (5) Social
- (6) Human Rights
Sub-Commission on Prevention of Discrimination and Protection of Minorities
- (7) Status of Women
- (8) Narcotic Drugs

b. REGIONAL ECONOMIC COMMISSIONS

- (1) Economic Commission for Europe

The Commission has established the following principal subsidiary organs:

- (a) Committee on Agricultural Problems
- (b) Coal Committee
- (c) Committee on Electric Power
- (d) Industry and Materials Committee
- (e) Inland Transport Committee
- (f) Committee on Manpower
- (g) Steel Committee
- (h) Timber Committee
- (i) Committee on the Development of Trade

Some of these Committees have established subsidiary bodies, including standing sub-committees and ad hoc working parties.

- (2) Economic Commission for Asia and the Far East

The Commission has established the following principal subsidiary organs:

- (a) Committee on Industry and Trade
- (b) Inland Transport Committee

The Committee on Industry and Trade has standing sub-committees on iron and steel and on electric power, and the Inland Transport Committee has inland waterway, railway and highway sub-committees. In addition, there are various ad hoc working parties.

- (3) Economic Commission for Latin America

The Commission has established the following principal subsidiary organ:

- Committee on Economic Co-operation in Central America

This Committee has a Sub-Committee on Central American Trade, formerly called the Sub-Committee on the Unification of Central American Tariff Nomenclature.

c. STANDING COMMITTEES

- (1) Technical Assistance Committee of the Council
- (2) Committee on Negotiations with Inter-Governmental Agencies
- (3) Council Committee on Non-Governmental Organizations
- (4) Interim Committee on Programme of Conferences

d. SPECIAL BODIES

Under this heading may be placed the following:

- (1) Permanent Central Opium Board
- (2) Drug Supervisory Body
- (3) United Nations Children's Fund

The principal subsidiary bodies established by the Executive Board of the United Nations Children's Fund are:

- (a) Programme Committee
- (b) Committee on Administrative Budget
- (4) Administrative Committee on Co-ordination

Operating within the framework of this Committee are consultative committees on administrative questions, on statistical matters and on public information. Other bodies are established as the need arises.

- (5) Interim Co-ordinating Committee for International Commodity Arrangements
- (6) Technical Assistance Board

e. Ad Hoc COMMITTEES

The following ad hoc Committees either met or were created during 1953:

- (1) Ad hoc Advisory Committee of Experts on the Prevention of Crime and the Treatment of Offenders

This Committee was established under General Assembly resolution 415(V) of 1 December 1950 to advise the Secretary-General and the Social Commission in devising and formulating programmes for study on an international basis and policies for international action in the field of prevention of crime and treatment of offenders.

- (2) Ad hoc Committee on Iron Ore Resources
- (3) Ad hoc Committee on Forced Labour
- (4) Ad hoc Committee on Restrictive Business Practices
- (5) Committee of Nine (appointed by the Secretary-General under Council resolution 416 A (XIV) to prepare a report on a special United Nations fund for economic development)
- (6) Special Rapporteur (on matters relating to Freedom of Information)

In resolution 477(XV) of 10 April, the Economic and Social Council requested the Secretary-General to appoint an international committee of three chemical experts to report on whether methods of determining the origin of raw opium by chemical or physical means are sufficiently advanced to admit of their practical application.

In resolution 468 G (XV) of 15 April, it asked him to appoint a committee of nine²⁵ qualified experts, from countries having a substantial interest in the international transport of dangerous goods, to make a study of this question and to report to the Transport and Communications Commission.

In resolution 502 H (XVI) of 3 August, the Council approved the appointment²⁶ of M. R. Masani as Special Rapporteur in connexion with the study of discrimina-

²⁵ When reviewing the budget, the General Assembly subsequently reduced the number of experts to five.

²⁶ Appointed by the Sub-Commission on Prevention of Discrimination and Protection of Minorities on 10 October 1952.

tion in the field of education to formulate a provisional plan of work and to submit an interim report to the sixth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

3. Members and Officers

The Economic and Social Council consists of eighteen members elected by the General Assembly for a three-year term of office.

The following were the members of the Council during 1953:

Elected to serve until 31 December 1953: Philippines, Poland, Sweden, USSR, United Kingdom, Uruguay
Elected to serve until 31 December 1954: Argentina, Belgium, China, Cuba, Egypt, France
Elected to serve until 31 December 1955: Australia, India, Turkey, United States, Venezuela, Yugoslavia

The officers of the Council were as follows:

President: Raymond Scheyven (Belgium)
first Vice-President: Rodolfo Muñoz (Argentina)
Second Vice-President: Henryk Birecki (Poland)²⁷

4. Sessions of the Council and its Subsidiary Bodies

The Economic and Social Council held the following sessions during 1953:

fifteenth Session—31 March to 28 April, at United Nations Headquarters.

Sixteenth Session—30 June to 5 August, at Geneva.

Sixteenth Session (resumed)—30 November to 7 December, at United Nations Headquarters.

In addition to sessional committees, the Council's subsidiary bodies and other special bodies reporting to it held the following sessions during 1953:

a. FUNCTIONAL COMMISSIONS

Transport and Communications Commission: sixth session—2 to 11 February, at Headquarters.

Fiscal Commission: fourth session—27 April to 8 May, at Headquarters.

Statistical Commission: seventh session—2 to 13 February, at Headquarters.

Population Commission: seventh session—19 to 30 January, at Headquarters.

Social Commission: ninth session—4 to 20 May, at Headquarters.

Commission on Human Rights: ninth session—7 April to 30 May, at Geneva.

Commission on the Status of Women: seventh session—16 March to 3 April, at Headquarters.

Commission on Narcotic Drugs: eighth session—30 March to 24 April, at Headquarters.

b. REGIONAL ECONOMIC COMMISSIONS

ECONOMIC COMMISSION FOR EUROPE: eighth session—3 to 18 March, at Geneva.

Coal Committee: 27th session—24 February, at Geneva; 28th session—28 and 29 May, at Geneva; 29th session—25 and 26 August, at Geneva; and 30th session—2 and 3 December, at Geneva.

Committee on Electric Power: tenth session—8 to 10 June, at Geneva.

Inland Transport Committee: tenth session—26 to 30 May, at Geneva.

Steel Committee: tenth session—19 to 21 January, at Geneva; eleventh session—28 and 29 September, at Geneva.

Timber Committee: eleventh session—5 to 12 October, at Rome.

In addition various sub-committees and working groups held meetings during the year.

ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST: ninth session—6 to 14 February, at Bandung, Indonesia.

Committee on Industry and Trade: fifth session—26 January to 2 February, at Bandung.

Sub-Committee on Electric Power: third session—5 to 9 October, at Bangkok, Thailand.

Inland Transport Committee: second session—19 to 21 January, at Bandung.

Sub-Committee on Iron and Steel: fifth session—31 August to 3 September, at Bangkok.

Railway Sub-Committee: first session—14 to 17 January, at Bandung; second session—5 to 10 October 1953, at Paris.

Highway Sub-Committee: second session—14 to 19 September, at Bangkok.

Inland Waterways Sub-Committee: first session—14 to 17 January, at Bandung.

ECAFE/ILO/UNESCO Inter-Secretariat Working Party on Trained Personnel for Economic Development: third session—7 to 14 September, at Bangkok.

In addition, various ad hoc working groups held meetings during the year.

ECONOMIC COMMISSION FOR LATIN AMERICA: fifth session—9 to 25 April, at Quitandinha, Brazil.

Committee on Economic Co-operation in Central America: second session—13 to 16 October, at San Jose, Costa Rica.

Inter-Agency Regional Co-ordination Committee on Migration: fourth session—11 to 13 April, at Petrópolis, Brazil.

In addition, various ad hoc working groups held meetings during the year.

c. STANDING COMMITTEES

Technical Assistance Committee of the Council: 23 March to 2 April, at Headquarters; 22 July to 5 August, at Geneva; 15 and 19 October, 25 November, at Headquarters.

Council Committee on Non-Governmental Organizations: 19 February, 6 to 27 April, at Headquarters; 3, 6 and 22 July, at Geneva.

Interim Committee on Programme of Conferences: 1 August, at Geneva.

²⁷ Owing to ill health, Mr. Birecki did not attend the sixteenth session.

d. SPECIAL BODIES

Permanent Central Opium Board: 62nd session—6 to 11 July; 63rd session—9 to 13 November, at Geneva.

Drug Supervisory Body: 39th meeting—16 July; 40th meeting—26 to 30 October and 6 November, at Geneva.

Permanent Central Opium Board and Drug Supervisory Body: ninth session—13 to 15 and 17 July; tenth session—2 to 6 November, at Geneva.

United Nations Children's Fund—Executive Board: 19 to 26 March, 8 to 16 September, 27 October, at Headquarters; Programme Committee: 21 and 24 March, 11, 12 and 14 September, at Headquarters; Committee on Administrative Budget: 18 and 24 March, 10 September, at Headquarters.

Administrative Committee on Co-ordination: sixteenth session—25 to 27 May, at Geneva; seventeenth session—6 to 8 October, at Headquarters.

Interim Co-ordinating Committee for International Commodity Arrangements: 9 to 12 December, at Geneva.

Technical Assistance Board: 23rd meeting—16 to 26 March, at Headquarters; 24th meeting—18 to 27 May, at Geneva; 25th meeting—16 July to 6 August, at Geneva; 26th meeting—14 to 16 September, at Paris; 27th meeting—7 to 19 December, at Headquarters.

e. Ad Hoc COMMITTEES

Ad hoc Advisory Committee of Experts on the Prevention of Crime and the Treatment of Offenders: 15 to 24 June, at Headquarters.

Ad hoc Committee on Iron Ore Resources: preliminary meeting—15 to 19 June, at Headquarters.

Ad hoc Committee on forced Labour: fourth session—17 April to 27 May 1953, at Geneva.

Ad hoc Committee on Restrictive Business Practices: fourth session—12 January to 21 February, at Headquarters.

Committee of Nine (Appointed by the Secretary-General under Council resolution 416 A (XIV) to prepare a report on a special United Nations fund for economic development): 21 January to 6 March, at Headquarters.

f. CONFERENCES

Third United Nations Technical Assistance Conference: 26 and 27 February, at Headquarters.

Fourth United Nations Technical Assistance Conference: 12 and 13 November, at Headquarters.

United Nations Opium Conference: 11 May to 23 June, at Headquarters.

United Nations Sugar Conference: 13 July to 24 August, at London.

United Nations Tin Conference: second session—16 November to 9 December, at Geneva.

5. Matters Considered by the Council at its Fifteenth and Sixteenth Regular Sessions

a. FIFTEENTH SESSION

Agenda Item	Consideration and Action Taken
1. Election of the President and Vice-Presidents for 1953	Plenary meeting 672
2. Adoption of the sessional agenda	Plenary meeting 673
3. World economic situation (General Assembly resolution 118(II))	Plenary meetings 688-694, 697, 698. Resolution 460 (XV)
4. Economic development of under-developed countries: integrated economic development—working paper by the Secretary-General under Council resolution 416 F (XIV)	Plenary meetings 694-697. Resolution 461(XV)
5. Annual report of the Economic Commission for Asia and the Far East	Plenary meetings 699-701. Resolution 464(XV)
6. Report of the Transport and Communications Commission (sixth session)	Economic Committee meetings 125, 126, 129. Plenary meetings 687, 689. Resolution 468(XV)
7. International action for conservation and utilization of non-agricultural resources: report by the Secretary-General (Council resolution 345 A (XII), paragraph 1 (e))	Plenary meetings 689, 690. Resolution 463(XV)
8. Procedure for the convening of study groups and international commodity conferences (Council resolution 373(XIII))	Economic Committee meetings 127-130. Plenary meeting 702. Resolution 462(XV)
9. Report of the International Monetary Fund	Plenary meetings 682, 683. Resolution 467(XV)
10. Report of the International Bank for Reconstruction and Development	Plenary meetings 684, 685. Resolution 466(XV)
11. Expanded Programme of Technical Assistance: report of the Technical Assistance Committee and General Assembly resolution 621(VII)	Technical Assistance Committee meetings 29-37. Plenary meeting 687. Resolution 470(XV)

Agenda Item	Consideration and Action Taken
12. Report of the Fiscal Commission (fourth session)	Plenary meeting 673. Consideration postponed to sixteenth session
13. Report of the Statistical Commission (seventh session)	Economic Committee meetings 126, 129. Plenary meeting 702. Resolution 469(XV)
14. Report of the Population Commission (seventh session)	Social Committee meetings 227, 228. Plenary meeting 685. Resolution 471(XV)
15. Recommendations concerning international respect for the right of peoples to self-determination (General Assembly resolution 637 C (VII))	Plenary meetings 674, 675. Resolution 472(XV)
16. Interim report of the Rapporteur on Freedom of Information	Plenary meeting 677. Resolution 473(XV)
17. Allegations regarding infringements of trade union rights received under Council resolution 277 (X)	Plenary meetings 679, 680. Resolution 474(XV)
18. Slavery: report by the Secretary-General under Council resolution 388(XIII)	Social Committee meetings 228-233. Plenary meeting 702. Resolution 475(XV)
19. Recognition and enforcement abroad of maintenance obligations (Council resolution 390 H (XIII))	Plenary meeting 673. Consideration postponed to seventeenth session
20. Relief and rehabilitation of Korea (General Assembly resolution 410(V), section A, paragraphs 5 (d) and 13)	Plenary meeting 673. Consideration postponed to sixteenth session
21. Inter-governmental organizations (Council resolutions 262(IX) and 412(XIII))	Plenary meeting 676
22. International co-operation on cartography: report by the Secretary-General and replies by governments (Council resolution 261(IX))	Plenary meetings 676, 677. Resolution 476(XV)
23. United Nations Narcotics Laboratory (Council resolution 436 F (XIV))	Plenary meeting 681. Resolution 477(XV)
24. Non-governmental organizations:	
(a) Applications and re-applications for consultative status;	Council NGO Committee meetings 123, 124, 127. Plenary meetings 678, 702, 704. Resolution 480(XV)
(b) Hearings by the Council Committee on Non-Governmental Organizations under rules 84 and 85 of the rules of procedure of the Council and applications for hearings by the Council under rule 86;	Council NGO Committee meetings 125, 126. Plenary meeting 678
(c) Other matters reported on by the Council Committee on Non-Governmental Organizations	
25. Amendment of the rules of procedure of the Council and its functional commissions (General Assembly resolution 664(VII))	Plenary meetings 674, 675. Resolution 481(XV)
26. Calendar of Conferences for 1953	Plenary meeting 683
27. Confirmation of members of functional commissions of the Council	Plenary meetings 681, 704
28. Financial implications of actions of the Council	Plenary meeting 704
29. Consideration of the provisional agenda for the sixteenth session of the Council	Council NGO Committee meetings 127-128. Plenary meetings 703, 704
30. Question of inviting Libya, Spain, Nepal and the Republic of Korea to the International Conference on the Limitation of the Production of Opium to be convened at Headquarters on 11 May 1953	Plenary meetings 673, 675, 676. Resolution 478(XV)
31. Application of Afghanistan for membership in the Economic Commission for Asia and the Far East	Plenary meeting 700. Resolution 465(XV)
32. Accession of Italy to the Convention on the Declaration of Death of Missing Persons	Plenary meeting 681. Resolution 479(XV)
33. Election of members of the Council Committee on Non-Governmental Organizations	Plenary meeting 702
34. Admission of the Representative of the Women's International Democratic Federation for participation in the Commission on the Status of Women, in accordance with the resolution adopted by the Commission	Plenary meetings 673, 675-677, 679, 686, 687, 694, 701, 702, 704

b. SIXTEENTH SESSION

Agenda Item	Consideration and Action Taken
1. Adoption of the sessional agenda	Plenary meetings 705, 706
2. Full employment:	Economic Committee meetings 133-137. Plenary meetings 720-724, 748, 749. Resolution 483(XVI)
(a) Reconversion after the rearmament period (Council decision of 28 April 1953);	
(b) Consideration of replies from governments to the questionnaire on full employment;	
(c) Report of the International Monetary Fund under Council resolution 427(XIV), paragraph 6;	
(d) Report by the Secretary-General under Council resolution 426 B (XIV)	
3. Economic development of under-developed countries:	
(a) Report on a Special United Nations Fund for Economic Development, submitted by a committee appointed by the Secretary-General (Council resolution 416 A (XIV), General Assembly resolution 622 A (VII));	Economic Committee meetings 138, 139. Plenary meetings 725-731, 749. Resolution 482 A (XVI)
(b) Report of the International Bank for Reconstruction and Development on the question of creating an international finance corporation (Council resolution 416 C (XIV), General Assembly resolution 622 B (VII));	Economic Committee meetings 139, 140. Plenary meetings 725-731, 749. Resolution 482 B (XVI)
(c) Question of methods to increase world productivity (Council resolution 416 E (XIV));	Economic Committee meeting 140. Plenary meetings 725-731, 749
(d) Report by the Secretary-General under Council resolution 427(XIV), paragraph 7, and General Assembly resolution 623(VII)	Plenary meeting 705. Consideration postponed to seventeenth session
4. Annual report of the Economic Commission for Europe	Plenary meetings 716, 717. Resolution 484(XVI)
5. Annual report of the Economic Commission for Latin America	Plenary meetings 718, 719, 721. Resolution 485(XVI)
6. Question of admission to membership in the regional economic commissions of States not members of the United Nations (Council decision of 28 April 1953)	Plenary meeting 705. Consideration postponed to seventeenth session
7. Restrictive business practices: reports of the Ad Hoc Committee on Restrictive Business Practices and of the Secretary-General under Council resolution 375 (XIII)	Plenary meetings 742, 744. Resolution 487(XVI)
8. Technical assistance:	
(a) Regular Programme of Technical Assistance (General Assembly resolutions 200(III), 246(III) and 418(V));	Plenary meeting 747. Resolution 492 A (XVI)
(b) Technical assistance in public administration;	Plenary meetings 747, 748. Resolution 492 B (XVI)
(c) Expanded Programme of Technical Assistance; report of the Technical Assistance Committee ²⁸	Technical Assistance Committee meetings 38-53. Plenary meeting 751. Resolution 492 C (XVI)
9. Report of the Fiscal Commission (fourth session)	Economic Committee meetings 131, 132. Plenary meetings 710-712, 719. Resolution 486(XVI)
10. Programme of concerted practical action in the social field of the United Nations and the specialized agencies (Council resolution 434 (XIV), General Assembly resolution 535 (VI))	Plenary meetings 734-736, 738, 739, 744. Resolution 496(XVI)
11. Report of the Social Commission (ninth session) (Council resolution 434(XIV), General Assembly resolution 642(VII))	Social Committee meetings 234-236. Plenary meeting 736. Resolution 494(XVI)
12. Reports of the Executive Board of the United Nations International Children's Emergency Fund	Plenary meetings 732, 733. Resolution 495(XVI)

²⁸ See also resumed sixteenth session, below.

Agenda Item	Consideration and Action Taken
13. Report of the Commission on Human Rights (ninth session)	Social Committee meetings 236-240, 256. Plenary meeting 746. Resolution 501(XVI)
14. Prevention of discrimination and protection of minorities: report of the Commission on Human Rights (ninth session) (Council resolution 443 (XIV))	Social Committee meetings 250-256. Plenary meeting 746. Resolution 502(XVI)
15. Freedom of information (Council resolution 442 (XIV), General Assembly resolutions 631 (VII) and 633(VII)):	Plenary meeting 705. Consideration postponed to seventeenth session ²⁹
(a) Report of the Rapporteur on Freedom of Information;	
(b) Encouragement and development of independent domestic information enterprises	
16. Forced labour: reports of the Ad hoc Committee on Forced Labour (Council resolution 350(XII))	Plenary meeting 705. Consideration postponed to seventeenth session
17. Allegations regarding infringements of trade union rights received under Council resolutions 277(X) and 474(XV)	Plenary meetings 719, 720, 722. Resolution 503(XVI)
18. Report of the Commission on the Status of Women (seventh session)	Social Committee meetings 241-245, 248. Plenary meeting 736. Resolution 504(XVI)
19. Annual report of the United Nations High Commissioner for Refugees (General Assembly resolution 428(V), Annex, Chapter II)	Plenary meetings 713-715. Resolution 500(XVI)
20. Narcotic Drugs:	
(a) Report of the Commission on Narcotic Drugs (eighth session);	Social Committee meetings 246, 249. Plenary meeting 739. Resolution 505 A-E (XVI)
(b) Report of the Permanent Central Opium Board;	Social Committee meetings 246, 247, 249. Plenary meeting 739. Resolution 505 F (XVI)
(c) Report by the Secretary-General on the United Nations Opium Conference (Council resolution 436 A (XIV))	Social Committee meetings 247, 249. Plenary meeting 739. Resolution 505 G-1 (XVI)
(d) Problem of the coca leaf (Council resolution 436 E (XIV))	Social Committee meeting 247. Plenary meeting 739. Consideration postponed to seventeenth session
21. Question of assistance to Libya (General Assembly resolution 515(VI))	Plenary meetings 746, 747. Resolution 493(XVI)
22. Report of the International Labour Organisation	Plenary meetings 708, 709. Resolution 498(XVI)
23. Report of the Food and Agriculture Organization of the United Nations	Plenary meetings 709, 710. Resolution 488(XVI)
24. Report of the United Nations Educational, Scientific and Cultural Organization	Plenary meeting 706. Consideration postponed to seventeenth session
25. Report of the World Health Organization	Plenary meetings 707, 708. Resolution 499(XVI)
26. Report of the International Civil Aviation Organization	Plenary meeting 716. Resolution 489(XVI)
27. Report of the Universal Postal Union	Plenary meeting 715. Resolution 490(XVI)
28. Report of the International Telecommunication Union	Plenary meetings 706, 707. Consideration postponed to seventeenth session
29. Report of the World Meteorological Organization	Plenary meetings 715, 716. Resolution 491(XVI)
30. Co-ordination of the work of the United Nations and the specialized agencies:	Plenary meetings 740, 741. Resolution 497(XVI)
(a) Reports of the Administrative Committee on Co-ordination;	
(b) Review of 1954 programmes and of the list of United Nations priority programmes in the economic and social fields (Council resolution 451 A (XIV))	
31. Relief and rehabilitation of Korea (General Assembly resolution 410(V), Section A, paragraphs 5 (d) and 13)	Plenary meeting 750. Consideration postponed to a future session

²⁹ At the 706th and 718th plenary meetings the Council discussed the position of Mr. Lopez (Philippines), rapporteur on freedom of information, whose country would no longer be a member of the Council at the time of this session.

Agenda Item	Consideration and Action Taken
32. Non-governmental organizations:	
(a) Hearings by the Council Committee on Non-Governmental Organizations under rules 84 and 85 of the rules of procedure of the Council and applications for hearings by the Council under rule 86;	Council NGO Committee meetings 130-132. Plenary meeting 714
(b) Other matters reported on by the Council Committee on Non-Governmental Organizations	Council NGO Committee meeting 132. Plenary meeting 747
33. Question of access to Headquarters of representatives of non-governmental organizations in consultative status: report by the Secretary-General on the result of his negotiations with the United States Government (Council decision of 28 April 1953)	Plenary meetings 743, 745, 746. Resolution 509(XVI)
34. Calendar of conferences for 1953 (Council decision of 19 December 1952)	Plenary meeting 707
35. Calendar of conferences for 1954 (Council resolution 174(VII), General Assembly resolution 694 (VII)) ³⁰	Interim Committee on Programme of Conferences meeting 33. Plenary meeting 749
36. Elections:	
(a) Election of one-third of the membership of the functional commissions of the Council;	Plenary meetings 747, 749
(b) Election of members of the Executive Board of the United Nations International Children's Emergency Fund (General Assembly resolution 417(V))	Plenary meeting 749
37. Confirmation of members of functional commissions of the Council ³¹	Plenary meeting 750
38. Financial implications of actions of the Council (rule 34 of the rules of procedure)	Plenary meeting 751
39. Arrangements regarding the report of the Council to the General Assembly (General Assembly resolution 628 (VII))	Plenary meeting 750
40. Work of the Council in 1954:	
(a) Basic programme for 1954 (rule 9 of the rules of procedure);	To be considered at the resumed sixteenth session (see below)
(b) Provisional agenda for the first regular session of 1954 (rule 11 of the rules of procedure)	
41. Disposal of items arising out of the eighth regular session of the General Assembly ³²	To be considered at the resumed sixteenth session (see below)
42. Accession of Vietnam and the Vatican City State to the Convention on Road Traffic of 19 September 1949	Plenary meetings 706, 715. Resolutions 506, 507(XVI)

Additional Item:

43. Accession of the Federal Republic of Germany to the Convention on Declaration of Death of Missing Persons	Plenary meeting 750. Resolution 508(XVI)
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c. RESUMED SIXTEENTH SESSION

1. Work of the Council in 1954:	Plenary meetings 752-754. Resolutions 510, 511(XVI)
(a) Basic programme for 1954;	
(b) Provisional agenda for the seventeenth regular session of the Council and fixing of dates for commencement of discussion of groups of related items [40] ³³	

³⁰ See also resumed sixteenth session, below.

³¹ During the resumed sixteenth session, at the 754th plenary meeting, the Council confirmed further nominations.

³² Considered under Item 1 of the agenda for the resumed sixteenth session.

³³ The numbers in square brackets refer to the numbers of the items as they appeared in the agenda for the sixteenth session.

Agenda Item

2. Calendar of Conferences for 1954: Argentine proposal that one of the sessions of the Council be held at Buenos Aires in 1954 [35]
3. Expanded Programme of Technical Assistance: report of the Chairman of the Technical Assistance Committee under paragraph 7 of Council resolution 492 C II (XVI) [8(c)]

Consideration and Action Taken

Plenary meeting 752

Plenary meeting 752

6. Organizational Questions

a. ELECTIONS

(1) Election of Six Members of the Council

At its 450th and 451st plenary meetings on 5 October, the General Assembly re-elected the USSR and the United Kingdom and elected Czechoslovakia, Ecuador, Norway and Pakistan for a three-year term beginning 1 January 1954, to replace the Philippines, Poland, Sweden and Uruguay, retiring members.

The United Kingdom, Ecuador, the USSR, Czechoslovakia and Norway were elected on the first ballot. The voting on this ballot was as follows: United Kingdom—47; Ecuador—45; USSR—45; Czechoslovakia—42; Norway—42; Indonesia—36; Pakistan—33; Afghanistan—28; Philippines—7; Colombia—2; and Burma, Haiti, Israel, New Zealand, Peru, Poland, Thailand and Uruguay one vote each.

Following four further, inconclusive, ballots, Pakistan was elected, having obtained the required two-thirds majority; on this ballot Pakistan received 38 votes and Indonesia 17.

(2) Vacancies in Membership of Subsidiary Bodies of the Council

At its sixteenth session, at the 747th and 749th plenary meetings on 3 and 4 August 1953, the Economic and Social Council held its annual elections for one third of the membership of the functional commissions (exclusive of the Commission on Narcotic Drugs, for which see below).

The following were elected (asterisk indicates member re-elected):

Transport and Communications Commission: Byelorussian SSR*, Egypt*, USSR*, United States*, Venezuela (replacing Brazil).

Fiscal Commission: China*, France*, India*, Turkey*, United Kingdom*.

Statistical Commission: Denmark*, France*, Panama*, United Kingdom*, Yugoslavia (replacing Egypt).

Population Commission: Argentina, Belgium*, Brazil*, Canada, Syria. (The three retiring members replaced were Australia, Peru, Yugoslavia.)

Social Commission: Australia, Belgium*, Byelorussian SSR*, China*, Israel*, Uruguay. (The two retiring members replaced were Canada and Ecuador.)

Commission on Human Rights: Australia*, Chile*, Greece, Pakistan*, Turkey, United States*. (The two retiring members replaced were Sweden and Yugoslavia.)

Commission on the Status of Women: Cuba*, Dominican Republic*, France*, Poland*, Sweden, Yugoslavia. (The two retiring members replaced were the Netherlands and New Zealand.)

Commission on Narcotic Drugs: At its 749th plenary meeting, the Council also elected the five members of the Commission on Narcotic Drugs which are elected every three years (the remaining members serving for an indefinite period). It re-elected Egypt, Iran, Mexico and Poland and elected Greece to replace the Netherlands.

United Nations Children's fund (UNICEF): Members of the Social Commission being ex officio members of the Executive Board of UNICEF, the Council, in electing members of this Commission (see above), automatically elected them as members of the Board. At its 749th plenary meeting it re-elected Italy and Switzerland and elected Ecuador to replace Uruguay, as members of the Board.

Sub-Commission on Prevention of Discrimination and Protection of Minorities

At its ninth session, held from 7 April to 30 May, the Commission on Human Rights elected new members of this Sub-Commission for a term of office commencing on 1 January 1954 and terminating on 31 December 1956. The new members, elected by the Commission subject to the consent of their Governments, were: Charles D. Ammoun (Lebanon); Jorge Bocobo (Philippines); P. Chatenet (France); Nikolai P. Emelyanov (USSR); R. Hiscocks (United Kingdom); Mrs. Oswald B. Lord (United States); M. R. Masani (India); M. A. Mohammed (Egypt); H. Roy (Haiti); Hernán Santa Cruz (Chile); Max Sorensen (Denmark); Joseph Winiewicz (Poland).

b. AMENDMENTS TO THE RULES OF PROCEDURE OF THE COUNCIL AND ITS SUBSIDIARY BODIES

The Economic and Social Council had before it, at its 674th and 675th plenary meetings on 1 April 1953, a note by the Secretary-General (E/2355) on this subject.

Part I of the note contained the amendments proposed to the rules of procedure consequent upon the Assembly's endorsement (664(VII)) of the Council's opinion (456 C (XIV)) that Spanish should be adopted³⁴ as a working language of the Council and its functional commissions, namely rules 35 to 38 of the Council and rules 29 to 32 of its functional commissions.

³⁴ See Y.U.N., 1952, pp. 76-79.

In Part II of the note the Secretary-General proposed that rule 37 of the functional commissions concerning records should be amended on the basis of the corresponding rule 43 of the Council which had been revised at the fourteenth session (456(XIV)).³⁵ As revised, this rule would provide that participants in the discussions would have three working days, instead of 48 hours, to submit corrections to provisional summary records for incorporation in the final text and that separate corrigenda would not normally be issued.

A proposal by the USSR representative (E/L.476) that the Council should also request the Assembly to give favourable consideration to the question of adopting Russian as a working language of the Council and its functional commissions was rejected by 10 votes to 4, with 4 abstentions.

The Council, at its 675th plenary meeting on 1 April, on the basis of a draft resolution by Argentina, Cuba, Venezuela and Uruguay (E/L.477) adopted (481(XV)) the revised rules of procedure as contained in the note by the Secretary-General.³⁶

The Economic Commission for Asia and the Far East, at its ninth session from 6 to 14 February 1953, decided to amend rule 5, paragraph (c) of its rules of procedure so that the provisional agenda for its sessions might include items proposed by any associate member of the Commission.

The Economic Commission for Latin America, at its fifth session from 9 to 25 April 1953, decided (E/2405) to amend its rules of procedure³⁷ with respect to the consultative status of non-governmental organizations in accordance with the recommendations of Council resolution 414 C.1 (XIII),³⁸ adopted on 18 September 1951.

c. QUESTION OF ADMISSION TO MEMBERSHIP IN THE REGIONAL ECONOMIC COMMISSIONS OF STATES NOT MEMBERS OF THE UNITED NATIONS

The Council at its fifteenth session had before it an application from the Government of Afghanistan for the admission of that country to membership in the Economic Commission for Asia and the Far East (ECAFE). The Council, at its 700th plenary meeting on 24 April 1953, adopted by 17 votes to none, with 1 abstention, a draft resolution by India (E/L.501). By this resolution (465(XV)), the Council amended the list of member States in the Commission's terms of reference to include Afghanistan as a member.

At its ninth session, from 6 to 14 February 1953, ECAFE had had before it proposals to admit certain associate members to full membership. The Commission adopted a resolution (E/CN.11/370) recommending that the Council take early and full cognizance of the views of the Commission in the matter and admit to membership of the Commission those associate members who are responsible for their own international relations and who apply to the Commission for such membership.

The Council at its fifteenth session, at its 699th to 701st plenary meetings on 24 and 27 April, also had before it communications from the Governments of Cambodia (E/2400), Laos (E/2399) and Vietnam (E/2398), referring to the above-mentioned resolution of the Commission and applying for membership in ECAFE.

In place of the draft resolution recommended by ECAFE (E/2374),³⁹ a draft resolution to admit Cambodia, Ceylon, Japan, the Republic of Korea, Laos, Nepal and Vietnam as members of the Commission was submitted jointly by France and the United States (E/L.504). Paragraph (b) of the draft resolution was modified by an amendment submitted by Australia (E/L.505) and accepted by the sponsors. The draft resolution, as modified, proposed:

"(a) to amend paragraph 3 of the terms of reference of the Economic Commission for Asia and the Far East to include Cambodia, Ceylon, Japan, the Republic of Korea, Laos, Nepal and Vietnam as members of the Commission, provided that in each case the States agree to contribute annually such equitable amounts as the General Assembly shall assess from time to time in accordance with procedures established by the General Assembly in similar cases; and

"(b) to amend paragraph 4 to delete the above-mentioned countries from this paragraph as and when each country named in paragraph (a) becomes a full member of the Commission".⁴⁰

A number of objections were raised against the draft resolution. Some representatives, including those of India, Sweden and Yugoslavia, were doubtful as to whether the Council had the power under Article 69 of the Charter to grant full membership or voting rights to States not Members of the United Nations in its regional economic com-

³⁵ See Y.U.N., 1952, p. 79.

³⁶ For text of the revised rules, see Official Records of the Economic and Social Council, Fifteenth Session, Supplement No. 1, Resolution 481(XV).

³⁷ Rules 8, 9, 9a (new rule), 38, 49, 50. For text of these rules of procedure see Official Records of the Economic and Social Council, Sixteenth Session, Supplement No. 3, Appendix D.

³⁸ See Y.U.N., 1951, pp. 66-67.

³⁹ For discussion of annual report of ECAFE, see under Activities of the Regional Economic Commissions.

⁴⁰ Words in italics indicate text as amended by Australia.

missions. The Indian representative also considered the proposal premature. The representatives of Argentina, Egypt, India, the USSR and Yugoslavia expressed the view that the Council should decide the question of granting membership to States not Members of the United Nations by means of a general rule applicable to all regional commissions and felt that the draft resolution was not consistent with the Council's previous decision regarding voting rights for non-members of the United Nations participating in a consultative capacity in the Economic Commission for Europe (ECE). Doubts were also expressed by the representatives of Poland, the USSR and Yugoslavia as to whether certain of the States recommended for membership in ECAFE in the draft resolution were responsible for their own international relations.

On the other hand, the representatives of China, France, the United Kingdom and the United States were of the opinion that the Council was competent to act on this matter. They referred to a formal legal opinion given by the Secretariat at the Council's thirteenth session that the Council was competent to invite States not Members of the United Nations to participate as full members in the regional commissions. Furthermore, the action proposed in the draft resolution would not be inconsistent with what had been done with regard to membership in ECE, since the proposal in that connexion had been that all the non-member countries participating in the work of ECE in a consultative capacity should be given full voting rights en bloc without reference to the merits of each individual case. It would also be possible to take a separate decision regarding each individual State. With regard to the question of whether or not certain States were responsible for their own international relations, these

representatives drew the Council's attention to the General Assembly's resolution 195(III), regarding the Government of the Republic of Korea, and resolution 620(VII), which expressed the General Assembly's opinion regarding the position of Cambodia, Laos and Vietnam.

The Council, at its 701st plenary meeting on 27 April, decided by 9 votes to 8, with 1 abstention, to adjourn to its sixteenth session the discussion of the question of admission to membership in the regional economic commissions of States not Members of the United Nations. At its sixteenth session the Council deferred the question to its seventeenth session.

d. ANNUAL REPORT OF THE COUNCIL TO THE GENERAL ASSEMBLY

The Economic and Social Council, at its 750th plenary meeting on 5 August 1953, discussed the arrangements for its annual report to the General Assembly and decided to follow the usual practice of authorizing its President to prepare its report in consultation with the two Vice-Presidents and the Secretariat.

The Council's report (A/2430), which covered the period from 2 August 1952 to 5 August 1953, was divided into nine chapters: Chapter I (Constitutional and organizational questions); Chapter II (General economic questions); Chapter III (Economic development of under-developed countries); Chapter IV (Social questions); Chapter V (Human rights); Chapter VI (General questions); Chapter VII (Questions, of co-ordination and relations with specialized agencies); Chapter VIII (Non-Governmental organizations); Chapter IX (Financial implications of the actions taken by the Council). The General Assembly at its eighth session considered the report in connexion with the various substantive questions.⁴¹

D. THE INTERNATIONAL TRUSTEESHIP SYSTEM AND THE TRUSTEESHIP COUNCIL

1. Charter Provisions

The United Nations Charter contains a general "Declaration Regarding Non-Self-Governing Territories" under which all Members of the United Nations responsible for administering such Territories undertake certain obligations.

For those Non-Self-Governing Territories not placed under the International Trusteeship System, they undertake to transmit to the Secretary-General information concerning economic, social and educational conditions in the Territories. (Summaries and analyses of this information are con-

sidered by a committee of the General Assembly, the Committee on Information from Non-Self-Governing Territories).⁴²

The International Trusteeship System applies to those Non-Self-Governing Territories placed under it by individual Trusteeship Agreements. The basic objectives of the System are:

- (1) to further international peace and security;
- (2) to promote the political, economic, social and educational advancement of the inhabitants of the Trust

⁴¹ See under appropriate headings.

⁴² For the functions of this Committee, see Y.U.N., 1951, p. 81; for its members in 1953, see under General Assembly's subsidiary bodies, Appendix I.

Territories and their progressive development towards self-government or independence;

(3) to encourage respect for human rights and fundamental freedoms for all without distinction and to encourage recognition of the interdependence of the peoples of the world; and

(4) to ensure equal treatment to Members of the United Nations and their nationals in social, economic and commercial matters and in the administration of justice.

The System applies to Territories in the following categories placed under it by individual Trusteeship Agreements:

- (1) Territories held under Mandate;
- (2) Territories detached from enemy States as a result of the Second World War; and
- (3) Territories voluntarily placed under the System by the States responsible for their administration.

The functions of the United Nations with regard to Trusteeship Agreements for all Trust Territories not designated as strategic areas are exercised by the General Assembly with the assistance of the Trusteeship Council. For areas designated as strategic, these functions are the responsibility of the Security Council.

The Trusteeship Council, under the Assembly's authority:

- (1) considers reports submitted by the Administering Authorities of the Trust Territories on the basis of a questionnaire prepared by the Council;
- (2) accepts petitions and examines them in consultation with the Administering Authorities;
- (3) provides for periodic visits to the Territories; and
- (4) takes other actions in conformity with the terms of the Trusteeship Agreements.

Chapter XI of the Charter (Articles 73 and 74) contains the Declaration Regarding Non-Self-Governing Territories.

Chapter XII (Articles 75-85) and Chapter XIII (Articles 86-91) deal with the International Trusteeship System. Chapter XII establishes this System and Chapter XIII defines the composition, functions and powers, voting and procedure of the Trusteeship Council. Other provisions relating to the Council are to be found in Articles 1, 2, 7, 15, 16, 18, 96, 98 and 101.⁴³

2. Trusteeship Agreements

Trusteeship Agreements placing the following Territories under the International Trusteeship System have been approved; the Administering Authorities are designated in the Agreements.

Administering Authority	Trust Territory	Agreement Approved by General Assembly
Australia	New Guinea	13 Dec. 1946
Belgium	Ruanda-Urundi	13 Dec. 1946
France	Cameroons under French Administration	13 Dec. 1946

Administering Authority	Trust Territory	Agreement Approved by General Assembly
France	Togoland under French Administration	13 Dec. 1946
Italy	Somaliland under Italian Administration	2 Dec. 1950
New Zealand	Western Samoa	13 Dec. 1946
United Kingdom	Cameroons under British Administration	13 Dec. 1946
United Kingdom	Togoland under British Administration	13 Dec. 1946
United Kingdom	Tanganyika	13 Dec. 1946
United Kingdom, New Zealand and Australia (administered by Australia)	Nauru	1 Nov. 1947
	(Strategic Area)	Approved by Security Council
United States	Trust Territory of the Pacific Islands	2 April 1947

Although the terms of the Trusteeship Agreements vary, all contain provisions defining the Territory to which the Agreement applies, designating the Administering Authority and stating the obligations and rights of the Administering Authority. The Agreement for the strategic area Trust Territory of the Pacific Islands and the Agreement for Somaliland under Italian Administration differ in certain respects from the other Trusteeship Agreements.⁴⁴

3. Structure⁴⁵

a. STANDING COMMITTEES

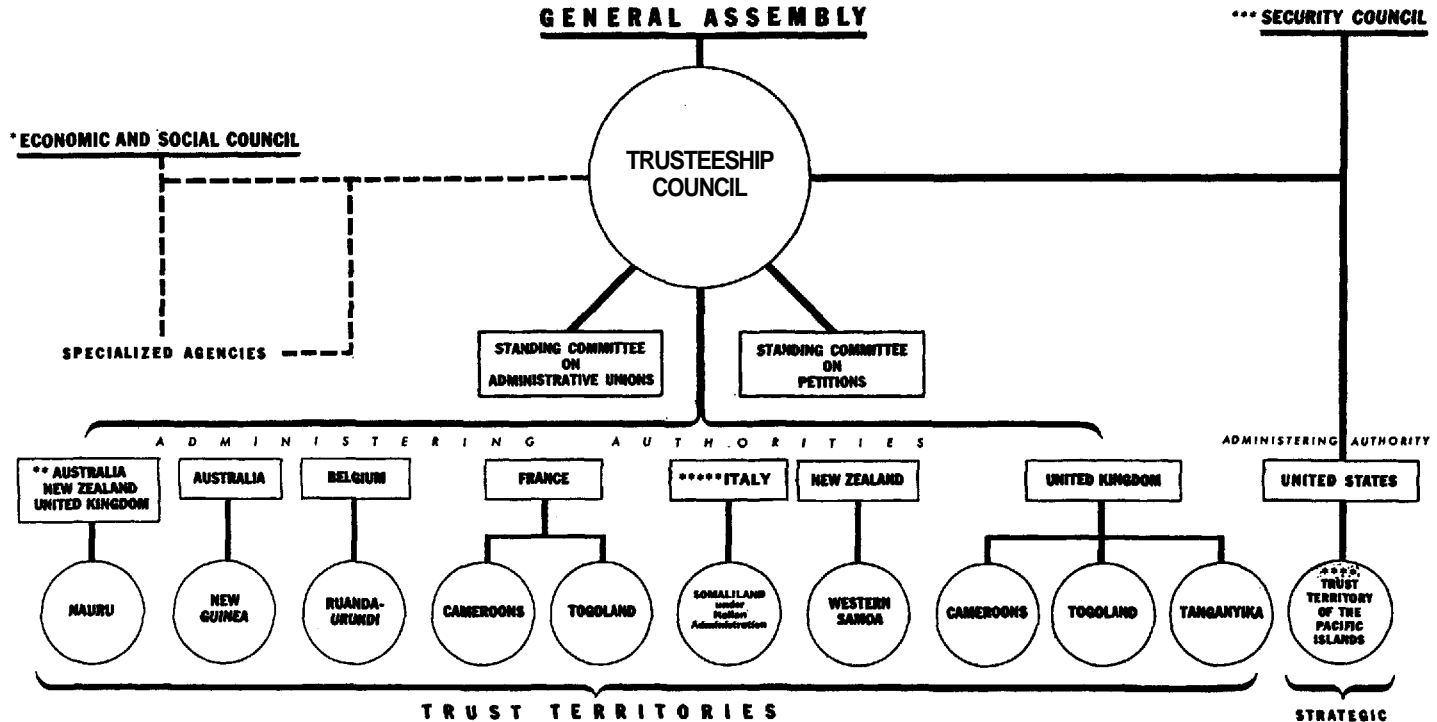
- (1) Standing Committee on Administrative Unions
- (2) Standing Committee on Petitions

⁴³ A summary of the Declaration Regarding Non-Self-Governing Territories is given in Y.U.N., 1951, pp. 80-81, and the Charter provisions covering the International Trusteeship System and the Trusteeship Council are summarized in Y.U.N., 1951, pp. 83-85. The text of the Charter is reproduced in Y.U.N., 1952, pp. 10-20.

⁴⁴ A summary of the main provisions of the Agreements is given in Y.U.N., 1952, pp. 40-42.

⁴⁵ This section lists the subsidiary bodies of the Trusteeship Council during the year. The terms of reference are given only for subsidiary bodies established during 1953 or where there has been a change in the functions of existing bodies; for the terms of reference of bodies previously established, see Y.U.N., 1951, pp. 85-87 and Y.U.N., 1952, p. 42. The terms of reference of subsidiary bodies existing in January 1954 are also given in Structure of the United Nations (Seventh Revision) January 1954 (ST/DPI/8). Members of subsidiary bodies and representatives serving on them during 1953 are listed in Appendix IV.

STRUCTURE OF THE INTERNATIONAL TRUSTEESHIP SYSTEM



* For relationship with Trusteeship Council, refer to Article 91 of United Nations Charter.

** Australia exercises full powers of legislation, administration, and jurisdiction on behalf of the three governments which jointly constitute the Administering Authority.

*** For relationship with Trusteeship Council, refer to Article 83, paragraph 3 of United Nations Charter.

**** Marshall, the Caroline, and the Mariana (with the exception of Guam).

***** Italy, as Administering Authority, is aided and advised by a three-member United Nations Advisory Council. Italy participates, without vote, in the deliberations of the Council. The Territory is to become an independent State in 1960.

b. Ad Hoc COMMITTEES

(1) Committee on Rural Economic Development of the Trust Territories

(2) Committee on Participation of Indigenous Inhabitants in the Work of the Trusteeship Council

c. VISITING MISSIONS

During 1953 a visiting mission of the Trusteeship Council went to the Trust Territories in the Pacific.

The terms of reference of the Standing Committee on Administrative Unions were altered during 1953 and the terms of reference of the Committee on Participation of Indigenous Inhabitants in the Work of the Trusteeship Council established as follows:

(1) Standing Committee on Administrative Unions

The terms of reference of this Committee were enlarged by the Council at its twelfth session (resolution 645(XII)) to permit it to study administrative unions not only with regard to the four safeguards enumerated in Council resolution 293(VII)⁴⁶ but also with regard to the interests of the inhabitants of the Territory and the terms of the Charter and the Trusteeship Agreement, as well as any other matters which it may deem appropriate.

(2) Committee on Participation of Indigenous Inhabitants in the Work of the Trusteeship Council

This Committee was established by the Council on 15 July by resolution 647(XII) to examine the question of participation of the indigenous inhabitants of the Trust Territories in the work of the Trusteeship Council in the light of General Assembly resolution 653(VII) and to report to the Council at its thirteenth session.

4. Members and Officers

The Trusteeship Council consists of:

(1) Members of the United Nations administering Trust Territories;

(2) Permanent members of the Security Council which do not administer Trust Territories; and

(3) As many other members elected for a three-year term by the General Assembly as will ensure that the membership of the Council is equally divided between Members which administer Trust Territories and Members which do not.

The following were the members of the Trusteeship Council during 1953:

Members Administering Trust Territories

Australia, Belgium, France, New Zealand, United Kingdom, United States

Permanent Members of the Security Council not Administering Trust Territories

China, USSR

Members Elected by the General Assembly

Dominican Republic, Thailand (to serve until 31 December 1953); El Salvador, Syria (to serve until 31 December 1955)

The officers of the Council, elected at the opening of the Council's twelfth session on 16 June 1953, were:

President: Leslie Knox Munro (New Zealand)

Vice-President: Miguel Rafael Urquía (El Salvador)

5. Sessions of the Council and its Subsidiary Bodies

The Trusteeship Council held its twelfth session from 16 June to 21 July at United Nations Headquarters.

The Council's subsidiary organs held the following meetings during the year:

Standing Committee on Administrative Unions: 7 and 14 July, at Headquarters.

Standing Committee on Petitions: 17 March to 20 July, 10 September, at Headquarters.

Committee on Rural Economic Development of the Trust Territories: 15 July, at Headquarters.

Committee on the Participation of Indigenous Inhabitants in the Work of the Trusteeship Council: 2, 12 and 6 February and 11, 15 and 17 March, at Headquarters.

6. Matters Considered by the Council at its Twelfth Regular Session

Agenda Item	Consideration and Action Taken
1. Adoption of the agenda	Plenary meeting 461
2. Report of the Secretary-General on credentials	Plenary meetings 461, 482
3. Election of a President and Vice-President	Plenary meeting 461
4. Examination of annual reports of Administering Authorities on the administration of Trust Territories:	
(a) Somaliland under Italian administration, 1952	Plenary meetings 462-467, 475, 483
(b) Trust Territory of the Pacific Islands, year ended 30 June 1952	Plenary meetings 466-470, 479, 483
(c) New Guinea, year ended 30 June 1952	Plenary meetings 471-475, 482, 483

⁴⁶ See Y.U.N., 1950, p. 795.

Agenda Item	Consideration and Action Taken
(d) Nauru, year ended 30 June 1952	Plenary meetings 470-472, 479, 483
(e) Western Samoa, 1951 and 1952	Plenary meetings 475-479, 482, 483
5. Examination of petitions	Standing Committee on Petitions meetings 43-96. Plenary meetings 461, 462, 469, 474, 479, 480, 482, 483. Resolutions 649-865(XII)
6. Reports of the United Nations Visiting Mission to Trust Territories in West Africa, 1952	Plenary meeting 480. Further consideration postponed to thirteenth session
7. Reports of the United Nations Visiting Mission to Trust Territories in the Pacific, 1953	Plenary meetings 466-479, 482. Resolution 648(XII)
8. Report of the Committee on Rural Economic Development of Trust Territories	Committee on Rural Economic Development meeting 12. Plenary meeting 482
9. Trusteeship Council resolution 467(XI): General procedure of the Trusteeship Council	Plenary meeting 482
10. General Assembly resolution 649(VII): Administrative unions affecting Trust Territories	Standing Committee on Administrative Unions meetings 43, 44. Plenary meeting 477. Resolution 645(XII)
11. General Assembly resolution 652(VII): The Ewe and Togoland unification problem	Plenary meetings 481, 483
12. General Assembly resolution 653(VII): Participation of the indigenous inhabitants of the Trust Territories in the government of those Territories and in the work of the Trusteeship Council	Plenary meetings 480, 481. Resolution 647(XII)
13. General Assembly resolution 654(VII): Report of the Trusteeship Council	Plenary meeting 480
14. General Assembly resolution 655(VII): Hearing of petitioners from the Trust Territory of the Cameroons under French administration	Plenary meeting 480. Consideration postponed to thirteenth session
15. General Assembly resolution 656(VII): Hearing of petitioners from the Trust Territory of Somaliland under Italian administration	Plenary meetings 465, 466, 475-477. Resolution 644(XII)
16. Educational advancement in Trust Territories: report of the Secretary-General on offers of fellowships, scholarships and internships for inhabitants of Trust Territories made in pursuance of General Assembly resolution 557(VI)	Plenary meeting 480. Resolution 646(XII)
17. Provision of information on the activities of the United Nations in Trust Territories: report of the Secretary-General on the implementation of the provisions of Trusteeship Council resolution 36(III)	Plenary meeting 482
18. Adoption of the report of the Trusteeship Council to the General Assembly	Plenary meeting 483

7. General Discussion of Conditions in Trust Territories

At the General Assembly's eighth session, the Fourth Committee held a general discussion of conditions in Trust Territories at its 379th to 386th meetings from 24 November to 1 December. The following list shows the participation of Members in the general debate⁴⁷ on the report of the Trusteeship Council (A/2427) and the meetings at which they were heard. The views of Members on individual questions are dealt with under the appropriate subject headings.

Country	Meeting	Date
Australia	381	27 Nov.
Brazil	386	1 Dec.
Burma	386	1 Dec.
Byelorussian SSR	385	1 Dec.
Colombia	379	24 Nov.
Czechoslovakia	384	30 Nov.

Country	Meeting	Date
Dominican Republic	381	27 Nov.
Egypt	386	1 Dec.
El Salvador	384	30 Nov.
France	386	1 Dec.
Guatemala	384	30 Nov.
Haiti	380	25 Nov.
India	380	25 Nov.
Indonesia	383	30 Nov.
Lebanon	383	30 Nov.
Liberia	381	27 Nov.
New Zealand	383	30 Nov.
Pakistan	383	30 Nov.
Philippines	385	1 Dec.
Poland	386	1 Dec.
Saudi Arabia	385	1 Dec.

⁴⁷ The list refers to general statements by delegations and does not show interventions by representatives on individual points.

Country	Meeting	Date
Syria	384	30 Nov.
Ukrainian SSR	384	30 Nov.
USSR	383	30 Nov.
United Kingdom	386	1 Dec.
United States	386	1 Dec.
Uruguay	385	1 Dec.
Yugoslavia	} 380	25 Nov.
		27 Nov.

8. Organizational Questions

a. ELECTIONS

(1) Election by the General Assembly of Two Members of the Trusteeship Council

At its 451st plenary meeting on 5 October, the General Assembly elected India and Haiti as members of the Trusteeship Council for a three-year term, beginning 1 January 1954, to replace the Dominican Republic and Thailand, retiring members.

India and Haiti were elected on the first ballot, receiving 55 and 51 votes, respectively. Other votes obtained were: Indonesia—12; Thailand, the Dominican Republic, Ecuador, Norway and the Philippines—one vote each.

(2) Election of Subsidiary Bodies of the Council

At its 482nd plenary meeting on 20 July, the Council appointed Australia, Belgium, the United Kingdom (representatives of Members administering Trust Territories), El Salvador, Syria and the USSR (representatives of Members having no administering responsibilities) to serve on the Standing Committee on Petitions until the close of the thirteenth regular session in 1954.

By resolution 647 (XII), the Council, at its 481st plenary meeting on 15 July, decided that the Committee on the Participation of Indigenous Inhabitants in the Work of the Trusteeship Council should be composed of representatives of El Salvador, Syria, the United Kingdom and the United States.

b. PROCEDURES OF THE COUNCIL

By resolution 467 (XI), the Council at its eleventh session decided to adopt provisionally a number of amendments to several of its rules of procedure and to reconsider them in the light of experience at its twelfth session. It also invited the Standing Committee on Petitions to report to it at its twelfth session on the effectiveness of the new rules of procedure affecting the handling of petitions.

At its 482nd meeting on 20 July, the Council considered the report of the Standing Committee

on Petitions (T/L.392), in which the Committee noted, *inter alia*, that since the Council had made its request it had held only one session. The Committee expressed the opinion that it would be advantageous to defer consideration of the procedural question until the new rules had been in operation for a period covering a full cycle of two sessions of the Council, in order that greater experience of their operation might be obtained.

Consequently, the Committee recommended, and the Council decided, without objection, that the time limit for the submission of the report of the Committee on the question should be extended to the thirteenth session of the Council.

At the same meeting, the Council also considered a report (T/1044 & Corr.1) on procedures of visiting missions submitted by the United Nations Visiting Mission to Trust Territories in West Africa, 1952. In its report, the Visiting Mission suggested that more flexibility should be permitted to a visiting mission in drawing up its itinerary and work programme. On the question of communications and petitions, the same Visiting Mission, which was the first mission to visit Trust Territories after the revision of the Council's rules of procedure relating to petitions, stated that, from its own experience, the changes made by the Council were timely. In order to ensure that the new procedure was most effectively applied, it recommended that, in preparing the itinerary of future visiting missions, fixed periods should be set aside at regular intervals throughout the visit for the primary purpose of enabling each mission to review the communications and other information it had received and to formulate appropriate inquiries and carry out necessary investigations into the more important petitions.

The Council decided that it would take these suggestions into account when making arrangements for its future visiting missions and that it would direct the next visiting mission to consider the suggestions when preparing its itinerary.

c. THE QUESTION OF PROCEDURE FOR ORAL HEARINGS BY THE FOURTH COMMITTEE

Recalling that at the seventh session of the General Assembly his delegation had submitted a draft resolution (A/C.4/L.240/Rev.1)⁴⁸ on the question of oral hearings of petitioners by the Fourth Committee, the representative of the Dominican Republic stated at the 317th meeting of the Fourth Committee, at the Assembly's eighth session, on 25 September that a general decision

⁴⁸ See Y.U.N., 1952, p. 85.

would have to be reached on how to deal with the problem of deciding which petitions warranted oral presentation in the Fourth Committee.

The United Kingdom representative, at the 318th meeting on 28 September, proposed (A/C.4/L.271) that a sub-committee be established to make recommendations concerning the procedure to be followed in considering applications from petitioners for hearings, including the considerations to be taken into account by the Fourth Committee in reaching decisions in individual cases. The proposal recommended that the sub-committee should consist of eight members, four of whom would be members of the Trusteeship Council—two administering and two non-administering. The representative of the United Kingdom stated that the proposal was in no way intended to restrict the right of petition of the inhabitants of the Trust Territories. It was imperative, however, that some general rules should be adopted by the Committee in the interests of orderly procedure.

The United Kingdom proposal was subsequently revised (A/C.4/L.271/Rev.1). The provision which would require half the members of the Committee to be members of the Trusteeship Council was deleted. A provision was added that the proposed Committee should submit its report within fourteen days of the appointment of its members.

Support for the United Kingdom proposal was expressed by the representatives of Belgium, Colombia, Cuba, the Dominican Republic, France, Greece, Israel, the Netherlands and the Union of South Africa, among others. Those opposing the draft, with or without reservations, included the representatives of Argentina, Bolivia, Burma, Chile, Czechoslovakia, Ecuador, Ethiopia, Guatemala, India, Indonesia, Iraq, Liberia, Mexico, Pakistan, Peru, Poland, Saudi Arabia, Syria, the USSR, Uruguay, Yemen and Yugoslavia. Generally speaking, these representatives did not feel that the number of requests for oral hearings warranted making provision for a procedure concerning the hearing of petitioners by the Fourth Committee; they also felt that it was desirable not only that petitioners should have direct access to the General Assembly but that the Assembly should avail itself of the opportunity of hearing petitioners in order to aid it in its consideration of questions before it.

At the 320th meeting on 29 September, the United Kingdom proposal was put to the vote, 22 votes being cast in favour, 23 against, and 12 abstentions. The proposal was accordingly rejected.

d. ANNUAL REPORTS OF THE COUNCIL

(1) Report to the General Assembly

The annual report of the Trusteeship Council to the General Assembly (A/2427), covering the period from 4 December 1952 to 21 July 1953, was adopted by the Council at its 483rd plenary meeting on 21 July 1953 by 11 votes to none, with 1 abstention.

Under the agenda item "Report of the Trusteeship Council", the General Assembly considered, among other things, the questionnaire for the Trust Territories; measures taken or planned by Administering Authorities to bring Trust Territories toward self-government or independence; the use of scholarships for the advancement of education in the Trust Territories; the spread of information about the United Nations in those Territories; the preparation of Somaliland under Italian Administration for its coming independence in 1960; the possibility of appointing United Nations representatives to the Trust Territories; and assistance to the people of the Ngoa-Ekele Community in the Cameroons under French Administration, whose land had been expropriated.⁴⁹

At its 392nd meeting on 4 December the General Assembly's Fourth Committee adopted (A/2608 G), by 45 votes to none, with 5 abstentions, a draft resolution by Denmark (A/C.4/L.326) taking note of the report. The resolution was, in turn, adopted by 48 votes to none, with 3 abstentions, at the Assembly's 471st plenary meeting on 9 December 1953, as resolution 746(VIII). By this resolution, the Assembly took note of the Council's report and recommended that the Trusteeship Council, in its future deliberations, take into account the comments and suggestions made in the course of the discussion of the report at the Assembly's eighth session.

(2) Report to the Security Council

In accordance with Article 83 of the Charter and with the agreement reached in 1949 by the Trusteeship and Security Councils concerning their respective functions as regards strategic areas under Trusteeship, the Trusteeship Council, at its 466th to 470th and 479th plenary meetings held from 23 to 29 June and 13 July, examined the annual report (T/1047) of the Government of the United States on its administration of the Trust Territory of the Pacific Islands for the year ended 30 June 1952. The Council, at its 483rd plenary meeting on 21 July, adopted a

⁴⁹ These items are dealt with under the respective headings.

report (S/3066, Part II) on the exercise of its functions in respect of this strategic area for the period 2 April 1952 to 21 July 1953. This report

was transmitted by the Secretary-General to the Security Council but was not discussed by the Security Council during 1953.

E. THE INTERNATIONAL COURT OF JUSTICE

1. Provisions of the Charter and the Statute of the Court

The Court is the principal judicial organ of the United Nations. It functions in accordance with its Statute, which is an integral part of the United Nations Charter.

The Court's function is to decide in accordance with international law such disputes as are submitted to it. It applies: international conventions establishing rules expressly recognized by the contesting States; international custom, as evidence of a general practice accepted as law; the general principles of law recognized by civilized nations; judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of the rules of law.

It also gives advisory opinions to the General Assembly and the Security Council on any legal question, and opinions on legal questions arising within their activities to other organs of the United Nations and specialized agencies which are authorized by the Assembly to request them.

The Charter provisions concerning the Court are contained in Chapter XIV (Articles 92-96) which defines the position of the Court in the United Nations organization, the obligations of Members of the United Nations with respect to the Court and the relationship between the Court and the other organs of the United Nations. The Statute of the Court, which forms an integral part of the Charter, contains five Chapters. Chapter I deals with the Court's organization; Chapter II defines its competence; Chapter III sets forth its procedure; Chapter IV lays down the conditions under which the Court may give advisory opinions; and Chapter V contains provisions for amendments to the Statute.⁵⁰

2. Parties to the Statute of the Court

All Members of the United Nations *at ipso facto* parties to the Court's Statute. In accordance with Article 93 of the Charter, non-United Nations members may become parties in accord-

ance with conditions determined in each case by the General Assembly on the recommendation of the Security Council.

Under this provision Switzerland became a party to the Court's Statute on 28 June 1948 and Liechtenstein on 29 March 1950. The conditions, which were identical in each case, provided for the deposit with the Secretary-General of the United Nations of an instrument containing:

acceptance of the Statute; acceptance of the obligations under Article 94 of the Charter; and an undertaking to contribute to the expenses of the Court an equitable amount assessed by the Assembly from time to time after consultation with the government concerned.

a. APPLICATIONS OF JAPAN AND SAN MARINO

During 1953, Japan on 26 October (S/3126) and the Republic of San Marino on 6 November (S/3137) applied to become parties to the Statute.

On the recommendation of its Committee of Experts (S/3146 & S/3147), the Security Council, at its 645th plenary meeting on 3 December, recommended to the General Assembly (A/2600 & A/2601) the conditions on which each of the two States might become a party. In each case the Council's recommendation was adopted by 10 votes to none, with 1 abstention.

The Security Council's recommendations, as embodied in draft resolutions by Lebanon (A/L.174) in regard to Japan and by Chile (A/L.175) in regard to San Marino, were adopted by the General Assembly at its 471st plenary meeting on 9 December 1953, each by 51 votes to none, with 5 abstentions.

By these resolutions (805(VIII) and 806(VIII)), the Assembly *kid down* conditions identical with those previously established for Switzerland and Liechtenstein.⁵¹

⁵⁰ A summary of the main provisions concerning the Court is given in Y.U.N., 1951, pp. 102-106. The text of the Charter and of the Statute is reproduced in Y.U.N., 1952, pp. 10-26.

⁵¹ San Marino deposited its instrument of ratification on 18 February 1954 and Japan on 2 April 1954, thereby becoming parties to the Statute on those dates.

3. Members and Officers

The Court consists of fifteen judges elected by the General Assembly and the Security Council, proceeding independently. They serve nine years and are eligible for re-election. Their term of office begins on the date of the first election, 6 February.

The names and nationality of the judges serving during 1953, in order of precedence, with the year their term of office ends were:

Sir Arnold Duncan McNair (British)	1955
Jose Gustavo Guerrero (El Salvadorean)	
(Vice-President)	1955
Alejandro Alvarez (Chilean)	1955
Jules Basdevant (French)	1955
Green H. Hackworth (United States)	1961
Bohdan Winiarski (Polish)	1958
Milovan Zoricic (Yugoslav)	1958
Helge Klaestad (Norwegian)	1961
Abdel Hamid Badawi (Egyptian)	1958
John E. Read (Canadian)	1958
Hsu Mo (Chinese)	1958
Levi Fernandes Carneiro (Brazilian)	1955
Sir Benegal N. Rau (Indian) ⁵²	1961
E. C. Armand Ugon (Uruguayan)	1961
{ Sergei A. Golunsky (USSR) ⁵³	1961
{ Feodor Ivanovich Kozhevnikov (USSR)	1961
Registrar: Edvard Hambro (Norwegian)	
Deputy-Registrar: Jean Garnier-Coignet (French)	

a. ELECTION OF JUDGE KOZHEVNIKOV

The General Assembly at its 458th plenary meeting and the Security Council at its 644th plenary meeting, the meetings being held concurrently on 27 November, elected Feodor Ivanovich Kozhevnikov (USSR) to fill the vacancy caused by the resignation of Judge Sergei A. Golunsky. Judge Kozhevnikov's term of office, which is the unexpired term of Judge Golunsky, will expire on 5 February 1961.

The Assembly and the Council had before them the list of candidates nominated by national groups (A/2521 & Corr.1 & Add.1 & 2; S/3127 & Add. 1 & 2) and a note by the Secretary-General (A/2574 & S/3144) containing an explanation of the voting procedure. It was noted that the candidatures of Choucri Kardahi (Lebanon), Charles de Visscher (Belgium) and Jean Spiropoulos (Greece) had been withdrawn.

In accordance with General Assembly resolution 264(III), Liechtenstein and Switzerland, parties to the Statute of the Court but not Members of the United Nations, participated in the election in the General Assembly.

Mr. Kozhevnikov received an absolute majority on the first ballot in both the General Assembly and the Security Council. The voting was as follows:

General Assembly—Mr. Kozhevnikov 52 votes; Ernesto Dihigo (Cuba) and Juan Bautista de Laval (Peru) one vote each; Security Council—Mr. Kozhevnikov 9 votes; Mr. de Laval one vote, one ballot paper being blank.

4. Chamber of Summary Procedure

The members of the Chamber of Summary Procedure, elected for one year, beginning 13 May 1953 were:

MEMBERS: President: Sir Arnold Duncan McNair; Vice-President: Jose Gustavo Guerrero; Judges Basdevant, Hackworth and Hsu; Substitutes: Judges Klaestad and Badawi.

5. Matters Considered by the Court during 1953

During 1953 the Court dealt with the following matters:

Minquiers and Ecrehos Case

Ambatielos Case (Merits: Obligation to arbitrate)

Nottebohm Case (Preliminary Objection)

Case of the Monetary Gold removed from Rome in 1943 (Determination of time-limits)

Electricité de Beyrouth Company Case (Determination of time-limits)

Election of the members of the Chamber of Summary Procedure

Administrative matters

6. States Accepting the Compulsory Jurisdiction of the Court

Declarations made by the following States accepting the compulsory jurisdiction of the International Court of Justice (or made under the Statute of the Permanent Court of International Justice and deemed to be an acceptance of the jurisdiction of the International Court for the period for which they still have to run) had not ceased to be in force in accordance with their terms at the end of 1953:

AUSTRALIA	DENMARK	FRANCE
CANADA	DOMINICAN	HAITI
CHINA	REPUBLIC	HONDURAS
COLOMBIA	EL SALVADOR	INDIA

⁵² Died on 30 November 1953.

⁵³ Judge Kozhevnikov (USSR) was elected on 27 November to fill the unexpired term of Judge Golunsky (USSR) who resigned by letter dated 18 July 1953.

⁵⁴ Was succeeded on 1 January 1954 by Julio López Oliván.

ISRAEL	NICARAGUA	SWITZERLAND
LIBERIA	NORWAY	THAILAND
LIECHTENSTEIN	PAKISTAN	UNION OF SOUTH AFRICA
LUXEMBOURG	PANAMA	UNITED KINGDOM
MEXICO	PARAGUAY ⁵⁵	UNITED STATES
NETHERLANDS	PHILIPPINES	URUGUAY
NEW ZEALAND	SWEDEN	

Most of these declarations are for a specified period⁵⁶ and are made on condition of reciprocity; most of them have reservations attached.⁵⁷

7. Organs Authorized to Request Advisory Opinions from the Court

By the end of 1953 the following were authorized to request advisory opinions from the Court:

Authorized in the Charter to request advisory opinions on any legal question:

- General Assembly
- Security Council
- Authorized by the General Assembly in accordance with the Charter to request advisory opinions on legal questions arising within the scope of their activities:
 - Economic and Social Council
 - Trusteeship Council
 - Interim Committee of the General Assembly
 - International Labour Organisation
 - Food and Agriculture Organization of the United Nations
 - United Nations Educational, Scientific and Cultural Organization
 - International Civil Aviation Organization
 - World Health Organization
 - International Bank for Reconstruction and Development
 - International Monetary Fund
 - International Telecommunication Union
 - World Meteorological Organization

F. THE SECRETARIAT

1. Charter Provisions

The Secretariat consists of a Secretary-General and such staff as the Organization may require.

The main Charter provisions concerning the Secretariat are contained in Chapter XV (Articles 97-101). Other provisions are to be found in Articles 7, 12, 20, 73, 102, 105 and 110 of the Charter, and Articles 5, 7, 13, 14, 18, 36, 40, 67 and 70 of the Statute of the Court.⁵⁸

2. Appointment of the Secretary-General

In letters dated 6 and 7 March 1953 (S/2948 & S/2947) the representatives of France and the United Kingdom requested that a meeting of the Security Council be held to consider the recommendation to be made by the Council to the General Assembly concerning the replacement as Secretary-General of Trygve Lie, who had tendered his resignation.⁵⁹

At its 612th to 617th meetings, held in private between 11 and 31 March 1953, the Security Council considered this question.

At the 612th meeting three persons were suggested for recommendation by the Council. The representative of the United States proposed Brigadier General Carlos P. Rómulo, the representative of the USSR proposed Stanislaw Skrzyszewski and the representative of Denmark

proposed Lester B. Pearson. These three proposals were voted upon by secret ballot at the 613th meeting, and all failed of adoption. The United States proposal received 5 votes in favour, 2 against, and 4 abstentions, and the USSR proposal received 1 vote in favour, 3 against, and 7 abstentions; both were not adopted because they failed to receive seven affirmative votes. The Danish proposal received 9 votes in favour, 1 against, and 1 abstention, and was not adopted owing to the negative vote of a permanent member.

The Security Council then requested the permanent members to hold consultations concerning the recommendation for the appointment of the Secretary-General.

At the 614th meeting on 19 March, the representative of the USSR proposed that the Council should recommend the appointment of Mrs. Vijaya Lakshmi Pandit. The USSR proposal, voted on by secret ballot at the same meeting, was not adopted, receiving 2 votes in favour, 1 against, and 8 abstentions. The permanent members were

⁵⁵ Paraguay's declaration was made without limitation of duration. It was withdrawn by Paraguay by a decision of 26 April 1938.

⁵⁶ For duration of declarations, see Y.U.N., 1950, pp. 123-24.

⁵⁷ For details concerning declarations, including conditions, see I.C.J. Yearbook, 1951-1952, pp. 186-197.

⁵⁸ A summary of the relevant Charter provisions is contained in Y.U.N., 1951, p. 107. The text of the Charter and of the Statute is reproduced in Y.U.N., 1952, pp. 10-26.

⁵⁹ See Y.U.N., 1952, p. 90.

requested to continue their consultations on the matter.

No nominations were made at the 615th and 616th meetings and the consultations among the permanent members continued.

At the 617th meeting on 31 March, the representative of France proposed that the Council recommend the appointment of Dag Hammarskjöld, Swedish Minister of State, as Secretary-General. This proposal was voted upon by secret ballot and was adopted by 10 votes to none, with 1 abstention.

The President of the Security Council, in a letter dated 31 March (S/2975), informed the President of the General Assembly of the Council's recommendations. He also addressed a cablegram to Mr. Hammarskjöld informing him of the recommendation and expressing the hope of the members of the Council that, in view of the immense importance of the post, especially at that time, he would agree to accept the appointment if it were made by the General Assembly.

At its 423rd plenary meeting on 7 April 1953, the General Assembly considered the question of the appointment of the Secretary-General. The President stated that in taking up this item the Assembly accepted with great regret the resignation of Mr. Lie, to whom he expressed a sense of deep gratitude. He then read to the Assembly the letter from the President of the Security Council (S/2975 & A/2380).

The Assembly unanimously adopted a Canadian draft resolution (A/L.150) providing that the terms of appointment of the second Secretary-General should be the same as those of the first Secretary-General (resolution 709(VII)).⁶⁰

Voting by secret ballot, the Assembly then adopted by 57 votes to 1, with 1 abstention, the recommendation of the Security Council for the appointment of Mr. Hammarskjöld.

At the 426th plenary meeting on 10 April 1953, Mr. Hammarskjöld took the oath of office.

3. Administrative Organization of the Secretariat

At the end of 1953, the Secretariat was organized in the following principal units.⁶¹

SECRETARY-GENERAL

- Executive Office of the Secretary-General
 - Office of the Executive Assistant
 - General Assembly Affairs and Administrative Section
 - Protocol and Liaison Section

- Office of the Director of Co-ordination for Specialized Agencies and Economic and Social Matters

- Library

- Department of Political and Security Council Affairs

- Office of the Assistant Secretary-General

- General Political Division

- Administrative and General Division

- Disarmament Affairs Group

- Military Staff Committee Secretariat

- Department of Economic Affairs

- Office of the Assistant Secretary-General

- Division of Economic Stability and Development**

- Fiscal Division

- Division of Transport and Communications

- Statistical Office**

- Economic and Social Council Secretariat⁶²

- Secretariats of the Economic Commission for

- Europe, for Asia and the Far East, and for Latin America

- Technical Assistance Administration

- Office of the Director-General

- Executive Office

- Programme Division

- Public Administration Division

- Department of Social Affairs

- Office of the Assistant Secretary-General

- Cartographic Office

- Division of Human Rights

- Division of Narcotic Drugs

- Population Division

- Division of Social Welfare

- Department of Trusteeship and Information from

- Non-Self-Governing Territories

- Office of the Assistant Secretary-General

- Division of Trusteeship

- Division of Information from Non-Self-Governing Territories

- Department of Public Information

- Office of the Assistant Secretary-General and External Services⁶³

- Management and Circulation Division

- Press and Publications Bureau

- Radio Division

- Films and Visual Information Division

- Special Services Division

- Legal Department

- Office of the Assistant Secretary-General

- General Legal Division

- Division for the Development and Codification of International Law

- Division of Immunities and Treaties

- Conference and General Services

- Office of the Assistant Secretary-General

- Conference Section

⁶⁰ See resolution 11(I) of 1 February 1946; this text is reproduced in Y.U.N., 1946-47, p. 82.

⁶¹ A summary of the functions of the eight departments, the Executive Office of the Secretary-General and the Technical Assistance Administration is contained in Y.U.N., 1952, pp. 45-51.

⁶² Jointly under the Departments of Economic and Social Affairs.

⁶³ For United Nations Information Centres which come under this Office, see list at end of volume.

Bureau of General Services
 Purchase and Transportation Division
 Communications and Records Division
 Telecommunications Service
 United Nations Postal Administration
 Buildings Management Service
 Bureau of Documents
 Documents Control Division
 Language Services Division
 Publishing Division
 Stenographic Service
 Administrative and financial Services
 Office of the Assistant Secretary-General
 Secretariat of the Advisory Committee on Administrative and Budgetary Questions
 Secretariat of the Administrative Tribunal
 Secretariat of the Joint Appeals Board and Joint Disciplinary Committee
 Secretariat of the Joint Staff Pension Board and the United Nations Staff Pension Committee
 Bureau of Finance
 Budget Division

Accounts Division
 Treasury
 Bureau of Personnel
 Appointments and Staff Relations Division
 Policy, Training and Examination Division
 Technical Assistance Recruitment Office
 Inspection Service
 Health Service
 United Nations Field Operations Service
 European Regional Office of the United Nations

In addition, there were portions of the secretariats of the Technical Assistance Board, the United Nations Children's Fund and the United Nations Korean Reconstruction Agency, as well as liaison officers for the Office of the United Nations High Commissioner for Refugees and for the United Nations Relief and Works Agency for Palestine Refugees in the Near East, with offices at Headquarters which form part of the United Nations Secretariat but do not administratively come under any of the eight Departments or the Technical Assistance Administration.

G. CONSTITUTIONAL QUESTIONS

1. Preparatory Work for the Possible Holding of a General Conference for Charter Review

a. STATEMENTS AT THE OPENING OF THE GENERAL ASSEMBLY'S EIGHTH SESSION

Article 109 of the Charter provides that a proposal to call a General Conference for the purpose of reviewing the Charter shall be placed on the agenda of the tenth annual session of the General Assembly if such a conference has not been held before. References to the preparatory measures for such a conference and to the revision of the Charter were made during the general debate at the opening of the eighth session of the General Assembly. A number of representatives, including those of Egypt, the Netherlands, New Zealand and the United Kingdom, while not committing their Governments on the question of Charter revision or of the calling of a conference, expressed the view that preparatory studies should be undertaken by the Secretariat in case the Assembly at its tenth session did decide to hold such a conference.

The representatives of Brazil, the Dominican Republic, Ecuador, El Salvador, Panama, Peru and Venezuela, among others, expressed views in favour of calling such a conference and in favour of revising the Charter.

The representative of the United States said that the Charter should be reviewed in the light of experience. He referred to a resolution adopted by the United States Senate in 1948 calling for

the elimination of the rule of unanimity in the Security Council from all questions involving the pacific settlement of disputes and the admission of new Members.

The representative of Sweden stated that no difficulties could be solved by the mere amendment of a document. The "veto", he said, merely reflected the fact that no Great Power would agree to be bound by decisions unacceptable to it. It was not practicable, at present, to think in terms of a world government and, in his view, there was no immediate need to revise the Charter.

The representative of Colombia, while agreeing with the view that the Charter might be improved, cautioned against any step which might harm the United Nations as a whole. The representative of Israel questioned whether the effectiveness of the Organization would be increased by a review of the Charter.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR opposed categorically the idea of revising the Charter in the present state of international tension. They characterized the suggested preparatory measures as part of a campaign directed, mainly by the United States, against the fundamental principles of the Charter, particularly against the rule of unanimity of the permanent members in the Security Council.

b. CONSIDERATION BY THE SIXTH COMMITTEE

At its 435th plenary meeting on 17 September 1953, the General Assembly referred to the Sixth

Committee the following three items:

(1) An item proposed by Argentina (A/2415) entitled: "Publication of documents concerning the drafting and application of the Charter". In its explanatory memorandum, Argentina stated that since some provisions of the Charter had given rise to varying interpretations it was necessary to refer to the preparatory work in connexion with the drafting of the Charter. It was also important to know the interpretation given and the practice followed by the United Nations. The Argentine delegation therefore proposed that the Secretary-General be given the means to prepare and publish:

"(a) a systematic compilation of the documents of the San Francisco Conference not yet published;

"(b) a complete index of all the documents of the San Francisco Conference;

"(c) a systematic and comprehensive study of the legislative history of the Charter; and

"(d) a repertory of the practice followed by the main organs of the United Nations on given subjects."

(2) An item proposed by the Netherlands (A/2442) entitled: "Preparatory work with regard to the possible holding of a General Conference of the Members of the United Nations in accordance with Article 109 of the Charter". In its explanatory memorandum, the Netherlands delegation stated that, under paragraph 3 of Article 109, a proposal to call a General Conference of the Members of the United Nations for the purpose of reviewing the present Charter shall be placed on the agenda of the tenth session of the General Assembly, if such a conference has not been held before. In order to facilitate the examination at the Assembly's tenth session of the question whether to convene such a conference, the Netherlands proposed that preparatory work be undertaken by the Secretary-General and by individual Member States. The Netherlands memorandum stated that part of its proposal could be covered by the repertory of practice contemplated in the Argentine memorandum if such a study were undertaken with due regard to Article 109. The Netherlands proposal also envisaged an invitation to Member States to submit their views with regard to Charter revision prior to the tenth session.

(3) An item proposed by Egypt (A/2466/Add.1) entitled: "Amendment of the Charter; election of a technical committee to study and report on the amendment of the Charter on the basis of proposals to be submitted by Member States". The explanatory memorandum by Egypt stated that the United Nations Charter needed revision, having been drafted in special circumstances which no longer prevailed. The memorandum then referred to the General Conference envisaged in Article 109 and proposed the election of a technical committee to prepare the preliminary work in connexion with Charter revision. It stated that the proposal was complementary to those of Argentina and the Netherlands and that the three proposals could be linked together.

(1) Memorandum by the Secretary-General

The Secretary-General submitted a memorandum (A/C.6/343) to the Sixth Committee containing a detailed description of the official records of the San Francisco Conference and indicating, in particular, that the only official re-

ords not published up to the present time were the documents of the Co-ordination Committee, including the summary reports of the Advisory Committee of Jurists. The memorandum outlined the manner in which a chronological and synoptical index of the documentation of the Conference could be prepared by the Secretariat and indicated that the preparation of a systematic and comprehensive study of the legislative history of the Charter, previously undertaken, had had to be deferred in order to give priority to the preparation of a repertory of the practice of the United Nations under the Charter. The Secretary-General suggested that the main purpose of publishing a legislative history of the Charter might be achieved by the preparation of a comprehensive index to the San Francisco documentation.

The memorandum also contained a report on the initial steps taken within the Secretariat with a view to a preparation of a co-ordinated history of the application of the Charter provisions. This study, the Secretary-General noted, would correspond closely to the Argentine and the Netherlands proposals.

A summary of the financial implications of the Argentine proposals stated that the total minimum expense would be \$99,115 and the maximum \$120,000. The expected revenue was between \$1,250 and \$5,000, the Secretary-General concluded.

(2) Proposals before the Sixth Committee

The Sixth Committee considered the three items jointly at its 371st to 380th meetings from 19 October to 4 November. The following draft resolutions were submitted:

(1) A draft resolution by Argentina (A/2415/Add.1), which in its operative part would provide for the Secretary-General to publish before the end of 1954 the studies enumerated in the Argentine memorandum (see above).

(2) A draft resolution by Costa Rica and Egypt (A/C.6/L.305), under which the General Assembly would: (a) request the Secretary-General to prepare all the relevant documents and materials necessary for the preparatory work for a General Conference; (b) establish an advisory committee of fifteen members to assist the Secretary-General in the preparatory work; (c) request the committee to prepare a questionnaire to be circulated to Member States to ascertain their preliminary views; and (d) request the committee further to receive, examine, analyse and co-ordinate the views expressed by the Member States and report to the General Assembly not later than 30 June 1955. Under the draft resolution, the General Assembly would invite Member States to submit their views on the questionnaire prepared by the committee.

(3) A draft resolution submitted jointly by Argentina, Canada, Cuba, the Netherlands, New Zealand and Pakistan (A/C.6/L.306/Rev.2), which would refer in

the preamble to the provisions of Article 109 of the Charter and state: (a) that the examination of a proposal to hold a General Conference would require considerable preparation on the part of both the Secretary-General and Member States; and (b) that a study of the legislative history of the Charter and of the practice followed by the various organs of the United Nations would be one of the best methods of acquiring knowledge of the Charter and would greatly facilitate the Assembly's consideration, at its tenth annual session, of the question of calling a General Conference.

Under paragraph 1 of the operative part of this draft resolution, the General Assembly would request the Secretary-General to prepare and publish during 1954, or shortly thereafter: (a) a systematic compilation of the documents of the United Nations Conference on International Organization not yet published; (b) a complete index of all the documents of that Conference; (c) a systematic and comprehensive study of the legislative history of the Charter; and (d) a repertory of the various provisions of the Charter, taking into account their application by the various organs of the United Nations and the interpretations to which they had given rise. Under paragraph 2, the General Assembly would invite Member States to submit, preferably not later than 31 March 1955, their preliminary views with regard to the possible review of the Charter, and, under paragraph 3, it would request the Secretary-General to circulate these preliminary views to Member States as soon as they had been submitted.

The following amendments were submitted to the draft resolution of Argentina, Canada, Cuba, the Netherlands, New Zealand and Pakistan:

(1) An amendment by Belgium, Colombia, France and Mexico (A/C.6/L.307), which proposed to replace the preamble of the six-Power draft resolution with a statement: (a) that any measure likely to lead to a more thorough knowledge of the Charter would be conducive to the efficient functioning of the United Nations; (b) that a study of the preparatory work on the Charter and of the practice followed by the various organs of the United Nations would be one of the best means of acquiring knowledge of the Charter; and (c) that such a study might be made with the help of the official documents by the Secretary-General. The amendment would delete paragraphs 2 and 3 of the operative part of the draft resolution calling for the preliminary views of Member States and for their circulation by the Secretary-General.

(2) An amendment by Australia and the United Kingdom (A/C.6/L.308/Rev.1), which would: (a) add a reference in the preamble of the six-Power draft resolution to the memorandum by the Secretary-General; (b) add further that the index to the San Francisco documents would be on the lines envisaged in the Secretary-General's memorandum; (c) delete the provision in the draft resolution for a legislative history of the Charter; and (d) replace the proposed "repertory of the various provisions of the Charter" by "a repertory of the practice of the United Nations organs appropriately indexed".

(3) An amendment by El Salvador (A/C.6/L.309/Rev.2) proposing, *inter alia*, that in paragraph 1 of the operative part of the six-Power draft, the Secretary-General be asked not only to prepare and publish the documentation requested but also to circulate it among Member States.

(4) An amendment by Panama (A/C.6/L.310), which proposed: (a) to replace paragraph 2 of the operative part of the six-Power draft resolution by a paragraph inviting the Member States to submit, preferably not later than 31 March 1955, their objections to the Charter and their views with regard to the possible review of the Charter; (b) to replace paragraph 3 of the operative part by a request to the Secretary-General to circulate these objections and preliminary views to Member States as soon as they had been submitted so that each Member State could express its opinion thereon; and (c) to add a fourth paragraph instructing the Secretary-General to submit all the documentation which he would prepare in accordance with the resolution to the General Assembly at its session in 1955 so that the Assembly could consider whether a General Conference should be convened to take a definitive decision regarding such amendments to the Charter as might be necessary and advisable.

(5) An amendment by Czechoslovakia (A/C.6/L.312), which proposed to delete the provisions for the preparation of a legislative history and a repertory of Charter provisions.

(3) Views Expressed in the Sixth Committee

During the discussion in the Committee, the representatives of Australia, Canada, Denmark, Ethiopia, the Netherlands, New Zealand, Norway, Pakistan, the Philippines, Sweden, Thailand and Turkey, while not committing themselves on the substance of the question of Charter revision or on that of calling a General Conference for that purpose, supported the six-Power draft resolution in its entirety. They considered that, should the General Assembly decide, at its tenth session, to hold a General Conference for Charter review, it would be necessary and useful to have full documentation on the subject. They also considered that the provisions in paragraphs 2 and 3 of the draft resolution concerning the eliciting of preliminary views of Member States would facilitate the exchange of views and stimulate discussion on the subject.

Full support for the six-Power draft resolution was also expressed by a number of other delegations who affirmed the desirability or even the necessity of some form of Charter revision. The representatives of Argentina, Brazil, Chile, Cuba, Ecuador, El Salvador, Honduras, Nicaragua, Panama, Peru and Uruguay expressed the view that the present Charter suffered from serious shortcomings which should be remedied. Among such shortcomings they instanced the incorporation of the principle of the unanimity of permanent members in the Security Council which, it was stated, was contrary to the principle of the sovereign equality of nations. The exercise of the "veto" even on such questions as admission of new Members had, it was maintained, prevented a number of fully deserving States from participat-

ing in the work of the United Nations. Among other alleged shortcomings of the Charter was its lack of clarity regarding the powers of the General Assembly in relation to the maintenance of peace and regarding the scope of Article 2, paragraph 7, providing for non-interference in the domestic affairs of States. These representatives, therefore, supported the six-Power draft resolution and opposed the four-Power amendments.

Explaining their amendments — the effect of which would have been to eliminate from the joint draft resolution of the six Powers any reference to the revision of the Charter — the representatives of Belgium, Colombia, France and Mexico maintained that under Article 109, paragraph 3, all that the General Assembly was empowered to do was to fix the date and the place of the General Conference. The General Conference itself would then consider any proposals which might be submitted to it including those relating to the expression of views by Member States.

Apart from this purely technical objection, these representatives also considered it politically unwise to call for the views of governments two years in advance of the Conference. This, they said, would lead to the adoption of rigid attitudes which would be difficult to change in the Conference. The representative of France said that, while the six-Power proposals were apparently procedural, they actually raised the substantive question of revision.

In regard to the reference to Article 109 in the preamble of the six-Power draft resolution, the representative of France said that the Secretariat, in undertaking the proposed studies, should not have Charter revision particularly in mind since there was no necessary connexion between documentation and Charter revision.

Similar statements in support of the four-Power amendments were made by representatives of Afghanistan, Burma, Guatemala, India, Indonesia, Iraq, Liberia and Syria. Speaking on the substance of Charter revision, the representative of Syria expressed regret at the "revisionist" tendency which had appeared in certain countries, particularly in connexion with the "veto". He stated that the League of Nations had failed because, among other things, the United States had not participated in it and the USSR had joined it very late. He warned that any situation which would result in further division of the Great Powers in the United Nations would be detrimental to the Organization.

The four-Power amendments were also supported by the representatives of the Byelorussian

SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR whose statements, however, were primarily concerned with the substantive aspects of Charter revision. These representatives considered that the entire question of preparatory work for review of the Charter was part of a United States campaign against the basic principles of the Charter. They held that, as early as 1948, the United States had called for modification of the principle of unanimity of the five permanent members of the Security Council in all matters covering the peaceful settlement of disputes and the admission of new Members. In 1953, a special committee of the United States Senate had been set up to study the proposals for Charter revision. The Chairman of that committee had said that he regarded the principle of unanimity as a great weakness in the Organization. In addition, it was stated, the United States Secretary of State, John Foster Dulles in a speech delivered in Boston on 26 August 1953, had stated that the Charter was out of date and that the principle of unanimity failed to meet the present day needs of the United Nations. The aim of the United States attack on the principle of unanimity was, these representatives held, to use the United Nations as an instrument in achieving world domination.

It was stressed that violations of the present Charter and not its alleged shortcomings were at the root of international tensions. Among the violations alleged were the setting up of the North Atlantic Treaty Organization, the intervention in Korea, the institution of the Marshall Plan and the non-representation of the People's Republic of China in the United Nations.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR considered that at the present time any work preparatory to Charter review could be used by aggressive Powers against the interests of peace. They stated that they would vote against the six-Power draft resolution. They agreed, however, with the amendments proposed by the representatives of Belgium, Colombia, France and Mexico and with the legal position outlined by those representatives.

Without taking any position on the question of Charter revision or on the holding of a General Conference to review the Charter, the representative of the United Kingdom stated that the problem before the Sixth Committee was a technical one. He expressed agreement with the objective of the six-Power draft resolution as regards the preparation of studies but considered that the preparation of a comprehensive legislative

history of the Charter would impose too heavy a burden on the Secretariat both financially and in terms of the workload involved. Further, the complete objectivity of such a history would be open to question from many delegations. A good index to the San Francisco documents, would, in his opinion, be far more useful. The amendment concerning the repertory had also been proposed, he said, in deference to the remarks of the Secretary-General in his memorandum.

Referring to the amendments proposed by Belgium, Colombia, France and Mexico, the representative of the United Kingdom stated that he was not in principle opposed to the deletion from the joint draft resolution of provisions concerning the eliciting of views of States. However, he considered, reference to Article 109 of the Charter in the preamble of the draft resolution should be retained, inasmuch as it reflected the true nature of the discussions in the Committee and the agenda item under consideration.

The representative of the United States said that his Government favoured the holding of a General Conference and would regard it as an opportunity to work for a peaceful world order, representing the true interests of all nations. He supported the six-Power draft resolution and, in particular, its provision regarding the submission of preliminary views by governments. He hoped that States whose applications for membership in the United Nations were still pending would also submit their views. His Government, however, had an open mind on the question of Charter revision and its aim would be to build up the Organization rather than to tear it down. In another intervention, the representative of the United States supported the reference in the six-Power draft resolution to Article 109 and the invitation to States to submit their preliminary views; he opposed the four-Power amendments calling for the deletion of these provisions. He indicated that he would vote for the technical amendments submitted by the United Kingdom and Australia.

While agreeing with the draft resolution submitted by the six Powers, the representative of Israel reserved his position with regard to the use of the travaux préparatoires of the San Francisco Conference for the purpose of interpreting the Charter, and with regard to the holding of a General Conference. The General Conference might not produce good results and this would be harmful to the United Nations. However, if it did produce positive results, the amendments adopted by the Conference might remain without effect for an indefinite period since they would be subject to ratification. The co-existence

of the original Charter and a revised text awaiting ratification might, he said, harm the legal standing of the instrument. Examining the technical aspects of the studies contemplated in the six-Power draft resolution, the representative of Israel said that the publication of unpublished San Francisco documents would be useful. As regards an index, he recalled that an index to the documents had been prepared by Mr. Zeydel⁶⁴ and another was contained in volume 16 of the published documents of the San Francisco Conference. As the index prepared by Mr. Zeydel was no longer available, the representative of Israel felt that a new index covering the complete set of San Francisco documents would be useful if it was better than existing indexes. He fully supported the proposal for the preparation of a repertory of the practice of the United Nations. With a good index, he considered, it would be possible to do without a legislative history of the Charter which would be both difficult and expensive to prepare.

The representative of Yugoslavia stated that he was opposed to extreme trends either favouring a revision of the Charter according to certain political concepts or rejecting any revision of the Charter whatever. The best approach to revision, in his opinion, was to review the past experience of the United Nations in applying the Charter. He supported both the six-Power draft resolution and the joint Egyptian-Costa Rican draft resolution.

There was a general lack of support in the Committee for the joint draft resolution submitted by Costa Rica and Egypt, a majority of representatives supporting the view that the election of a technical committee at the present stage was premature and that, instead of assisting the Secretary-General, the Committee might actually hinder the work and affect the objectivity of the studies contemplated. The representatives of Costa Rica and Egypt therefore withdrew their draft resolution.

The representative of Argentina withdrew his draft resolution in favour of the six-Power draft resolution.

In reply to questions raised in the Sixth Committee, the representative of the Secretary-General explained that existing staff would be inadequate for the preparation of a legislative history of the Charter. A concise study would lay a heavier workload on the Secretariat and would require

⁶⁴ Walter H. Zeydel, *Annotation of the Charter of the United Nations and the Statute of the International Court of Justice*, Carnegie Endowment for International Peace, 1947, Washington, D. C.

the same staff (five research assistants) as a comprehensive study, but the printing costs would be less. As regards the proposed index, the debate had made it clear that the index would have to be more complete than had been expected, and the services of an indexer with legal training would be required. With respect to the repertory of the practice of United Nations organs, each department of the Secretariat would be responsible for the section which was its own special concern; two additional staff members working under a Secretariat committee would be necessary for co-ordination and editorial presentation.

In regard to the time schedule, the representative of the Secretary-General noted that publication of the Co-ordination Committee documents and of the index would be completed within one year. The repertory of the practice of the United Nations would be substantially prepared by that time but it was unlikely that it could be completed within a year, particularly since translation and publication would require additional time, the representative of the Secretary-General concluded.

At its 379th and 380th meetings, the Committee voted on the six-Power draft resolution (A/C.6/L.306/Rev.2) and the amendments submitted to it.

The part of the four-Power amendment (A/C.6/L.307) proposing the deletion of the provision regarding the invitation to States to submit preliminary views was adopted by 24 votes to 23, with 5 abstentions. An Argentine proposal to take another vote on the amendment, put to the vote under rule 122 of the rules of procedure, was voted on by roll-call and received 25 votes in favour, 24 against, and 5 abstentions. Having failed to receive the two-thirds majority necessary for the reconsideration of the decision, the proposal was defeated.

By 27 votes to 16, with 2 abstentions, the Committee decided that no vote was necessary on the part of the four-Power amendment proposing the deletion of the provision regarding the circulation of the views of Member States; this provision was considered as deleted from the draft resolution.

In view of the deletion of paragraphs 2 and 3 of the six-Power draft resolution, a vote on the amendment by Panama (A/C.6/L.310) to alter those paragraphs and to add a paragraph providing for the submission to the Assembly of the views and comments of Members was rendered unnecessary.

The two Czechoslovak amendments (calling for the deletion of the provisions regarding the preparation of a legislative history and a repertory of Charter provisions) were rejected, respectively, by 20 votes to 18, with 7 abstentions, and 24 votes to 8, with 5 abstentions.

The amendment by El Salvador asking the Secretary-General to circulate the documents prepared to Member States was adopted by 39 votes to 5, with 5 abstentions.

The amendments by Australia and the United Kingdom (A/C.6/L.308/Rev.1) (see above) were adopted by votes ranging from 29 to 17, with 4 abstentions, to 23 to 16, with 7 abstentions.

The various paragraphs of the joint six-Power draft resolution, as amended, were adopted by votes ranging from 44 to 5 to 38 to 5, with 3 abstentions.

The draft resolution, as a whole, as amended, was adopted by 48 votes to 5.

c. CONSIDERATION BY THE GENERAL ASSEMBLY IN PLENARY SESSION

The Sixth Committee's report (A/2559) was considered by the General Assembly at its 458th plenary meeting on 27 November 1953.

The representatives of Czechoslovakia, Poland and the USSR reiterated the point of view that the question had been brought before the General Assembly as part of a United States campaign against the fundamental provisions of the Charter. What was needed was not a revision of the Charter but a strict adherence to its provisions. They repeated charges made in the Sixth Committee that the United States and its supporters had violated the provisions of the Charter. They opposed the preamble of the draft resolution on the ground that it referred to possible revision of the Charter. Sixteen delegations, it was pointed out, had voted against this provision in the Sixth Committee. They also opposed the paragraph requesting the Secretary-General to prepare a repertory of the practice of the United Nations organs, stating that this imposed on him an obligation which it was not within his competence to fulfil since it entailed a type of research which would unavoidably imply comment on the decisions taken by the United Nations organs.

The representatives of the Netherlands and New Zealand emphasized that the draft resolution adopted by the Sixth Committee was the

result of a compromise. Although they had favoured the proposal to invite the preliminary views of governments on possible revision of the Charter, they would not reintroduce it in the Assembly.

Replying to certain points raised, the representative of the United States said that it was indeed true, as stated by representatives of the "Soviet bloc", that there was need for scrupulous adherence to the present Charter. However, he said, it was the "Soviet bloc" which had been guilty of Charter violations including illegal and aggressive intervention in Greece and Czechoslovakia. It had flouted Security Council and Assembly decisions on Korea and had sabotaged United Nations efforts in the economic and social fields and through the specialized agencies. He said that he supported the draft resolution recommended by the Sixth Committee because it was purely procedural in character and did not prejudice the issue of possible Charter revision.

The draft resolution was voted on by paragraphs and was adopted in votes ranging from 52 to 5, to 52 to none, with 5 abstentions. It was adopted as a whole by 54 votes to 5, as resolution 796(VIII). It read:

"The General Assembly,

"Having regard to the provisions of Article 109 of the Charter under which a proposal to hold a General Conference of the Members of the United Nations for the purpose of reviewing the Charter is to be placed on the agenda of the tenth annual session of the General Assembly if such a conference has not been held before that session,

"Considering that the examination of such a proposal will require considerable preparation on the part of both the Secretary-General and Member States,

"Considering that study of the legislative history of the Charter and of the practice followed by the various organs of the United Nations is one of the best methods of acquiring knowledge of the Charter and will greatly facilitate the General Assembly's consideration, at its tenth annual session, of the question of calling a General Conference,

"Having regard to the memorandum by the Secretary-General,

"Requests the Secretary-General to prepare, publish and circulate among the Member States during 1934, or shortly thereafter:

"(a) A systematic compilation of the documents of the United Nations Conference on International Organization not yet published;

"(b) A complete index of the documents of that Conference on the lines envisaged in part II and part III C of the memorandum by the Secretary-General;

"(c) A repertory of the practice of United Nations organs appropriately indexed."

2. The Question of Chinese Representation

At the opening (432nd) plenary meeting of the General Assembly's eighth session, on 15 September 1953, the representative of the USSR raised a point of order regarding the question of the representation of China in the United Nations, and submitted a draft resolution (A/L.162) proposing that the representatives of the Chinese People's Republic, appointed by the Central People's Government, should "take the lawful seat of China in the General Assembly and in the other organs of the United Nations."

In support of this draft resolution, the representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR maintained that the United Nations Charter and the rules of procedure of the General Assembly were being violated because there were included as representatives of China persons having neither political, legal nor moral rights to represent that State and since, on the other hand, the representatives appointed by the legal government of that country were excluded from the United Nations. The absence of the People's Republic of China from the United Nations, they said, constituted a serious hindrance to the speedy and successful solution of important problems affecting the maintenance of peace and security. Moreover, the situation with regard to the People's Republic of China had encouraged the "Kuomintang clique" to undertake various adventures threatening the preservation of peace in the Far East. The work not only of the General Assembly but also of other United Nations organs and agencies affiliated with the United Nations was adversely affected by the absence of the People's Republic of China. A just decision to recognize the lawful rights of the Chinese people in the United Nations would be in the interest of all peace-loving peoples, would increase the authority of the United Nations and would go a long way towards relieving the existing tension in the Far East and helping to strengthen international peace and security, these representatives said.

Opposing the draft resolution, the representative of China stated that admission of the Chinese People's Republic to the United Nations would be the consummation of more than 30 years of intrigue and aggression by the Soviet Union against the Republic of China. He expressed the view that the Chinese Communist regime was un-Chinese in its origin and also in its nature, and could therefore not endure. Moreover, it had re-

verted to a policy of imperialism threatening all of South East Asia.

The representative of the United States moved that the Assembly postpone for the duration of its eighth session in the year 1953 consideration of all proposals to exclude the representatives of the Government of the Republic of China and to seat representatives of the Central People's Government of the People's Republic of China. Three years previously, he said, the Chinese Communists had intervened as aggressors and as participants in a scheme to overpower the Republic of Korea. Although an armistice had been signed peace had not yet been secured. The Chinese Communists had not shown convincing evidence of a genuine intention to make peace and their actions elsewhere in Asia were far from reassuring. He therefore did not consider that as matters stood any proposals for the representation of the Chinese Communists in the Assembly should be considered.

The representative of the United Kingdom supported the United States proposal for postponement of the question. He said that the conclusion of the armistice in Korea had created hopes that it would be faithfully observed and that progress towards a satisfactory political settlement would follow the armistice, and, consequently, hopes that the day for settling the question of Chinese representation would have been brought nearer by the signature of the armistice.

Following the discussion of these two proposals, the Assembly decided by 40 votes to 8, with 8 abstentions, to give priority to the United States draft resolution. That proposal was then adopted by 44 votes to 10, with 2 abstentions (see below).

After the adoption of this resolution, there was a procedural discussion as to whether the Assembly should vote on the USSR draft resolution. An appeal by the United States representative against a ruling of the Temporary President that the Assembly should vote on the USSR draft was rejected by 13 votes in favour of the appeal, 22 against, and 13 abstentions. In accordance with a motion by the representative of Thailand, the Assembly then voted, under rule 91 of its rules of procedure, on whether a vote should be taken on the USSR draft resolution; it decided, by 35 votes to 11, with 11 abstentions, not to take such a vote.

The resolution adopted by the Assembly (800 (VIII)) read:

"The General Assembly

"Decides to postpone for the duration of its eighth regular session in the current year consideration of all

proposals to exclude the representatives of the Government of the Republic of China and to seat representatives of the Central People's Government of the People's Republic of China."

At the 22nd meeting of the Credentials Committee of the Assembly on 22 September, the representative of the USSR stated that, in the view of his delegation, the credentials of the representative of China should not be considered valid. The Chairman ruled that in view of the resolution adopted by the General Assembly at the 432nd meeting (see above), the discussion of the question was out of order. The Chairman's ruling was challenged by the USSR representative, but was upheld by 5 votes to 1, with 1 abstention.

During 1953, the delegation of the USSR and certain other delegations raised the question of representation of China in various other organs and bodies of the United Nations.

At the opening (484th) meeting of the twelfth session of the Trusteeship Council, on 28 January 1953, the representative of the USSR proposed (T/L.349) that the representative of the Republic of China should be excluded from the Council and a representative of the People's Republic of China, appointed by the Central People's Government of the People's Republic of China, should be invited to participate in the proceedings of the Trusteeship Council. The Council decided, by 10 votes to 1, with 1 abstention, to postpone indefinitely consideration of the USSR proposal.

At the fifteenth session of the Economic and Social Council (672nd plenary meeting on 31 March 1953) the representative of the USSR submitted a similar proposal (E/L.473). The Council, however, by 14 votes to 4, adopted a United States proposal for adjournment of the debate under rule 50 of the rules of procedure.

At the sixteenth session of the Council (708th plenary meeting on 2 July 1953) the representative of Poland, speaking on a point of order and supported by the representatives of India and the USSR, stated that his Government could recognize as the representative of China only a person having credentials signed by the Central People's Government of the People's Republic of China. The President stated that the credentials in question had been presented in due form. He suggested that the incident be considered as closed. Subsequently, in this connexion, when the President and the First Vice-President reported (E/2487) that they had found that proper credentials had been communicated by the repre-

representatives of all members of the Council, the representatives of Poland and the USSR addressed communications (E/2493 and E/2494) to the President of the Council questioning the validity of the credentials of the Chinese delegation.

At the 29th meeting of the Technical Assistance Committee on 23 March 1953, the representative of the USSR moved a draft resolution to exclude the representative of the "Kuomintang group" from the Committee and to invite a representative of the Central People's Government of the People's Republic of China to participate in the Committee. The Chairman ruled that the Committee was not competent to effect the change in its membership. The Committee upheld the Chairman's ruling.

Similar motions were put forward in the functional commissions listed below. The Acting Chairman of those bodies, in ruling that the Commissions were not competent to effect changes in their membership, recalled the terms of reference of the functional commissions, according to which the functional commissions (with the exception of the Commission on Narcotic Drugs, of which the members are States) consist of one representative from each Member State of the United Nations selected by the Council; the Secretary-General consults with the governments thus selected before the representatives are finally nominated by these governments and confirmed by the Council.

Transport and Communications Commission (sixth session, 54th meeting on 2 February 1953) (E/CN.2/L.7, E/CN.2/L.22). The Commission adopted a proposal of the United States representative under rule 52 of the rules of procedure of the functional commissions of the Council, to the effect that the proposal of the representative of the USSR should be declared out of order.

Fiscal Commission (fourth session, 24th meeting on 27 April 1953) (E/CN.8/L.2). The Chairman ruled that the draft resolution submitted by the USSR representative was out of order inasmuch as the nomination of the members of the Commission had been confirmed by the Economic and Social Council and accordingly the representative of China had been designated legally. The Chairman's ruling was upheld.

Statistical Commission (seventh session, 84th meeting on 2 February 1953) (E/CN.3/L.13). The Chairman ruled that the Commission was not competent to take

a decision on the question raised by the USSR representative. The Chairman's ruling was upheld.

Population Commission (seventh session, 75th meeting on 19 January 1953). The Chairman ruled that in view of General Assembly resolution 396(V), which laid down that questions relating to the representation of a Member State in the United Nations were to be considered by the General Assembly or by the Interim Committee when the General Assembly itself was not in session, the Commission was not competent to consider the draft resolution presented by the USSR representative. The Chairman's ruling was upheld.

Social Commission (ninth session, 198th meeting on 4 May 1953) (E/CN.5/L.177). The Acting Chairman ruled the draft resolution submitted by the USSR representative out of order on the grounds that the Commission was not competent to decide on its membership. The Chairman's ruling was upheld.

Commission on Human Rights (ninth session, 339th meeting on 7 April 1953) (E/CN.4/L.219). The Chairman ruled that the draft resolution submitted by the USSR representative was out of order on the grounds that the Commission was not the appropriate body for considering the question of the representation of China on the Commission. An appeal by the representative of the USSR against the ruling of the Chairman was rejected.

Commission on the Status of Women (seventh session, 123rd meeting on 16 March 1953). The Chairman stated that the question raised by the USSR representative was outside the Commission's competence. No vote was taken by the Commission.

Commission on Narcotic Drugs (eighth session, 189th meeting on 30 March 1953). The representative of the United States moved that the Commission adjourn debate on the representation of China, under rule 45 of the rules of procedure of the functional commissions. The Chairman stated that, under rule 50 of the rules of procedure, motions for adjournment had priority over all other proposals. The Chairman's ruling was upheld and the Commission adopted the United States proposal.

Economic Commission for Asia and the Far East (ninth session, 107th meeting on 6 February 1953) (E/CN.11/363). The Commission adjourned until its next session the debate on the subject, under rule 26 of its rules of procedure.

Executive Board of the United Nations International Children's Emergency Fund. The question of the representation of China was also raised at the meetings of the Executive Board of UNICEF. At the 103rd meeting on 19 March the Board adopted a motion, under rule 25 of the Executive Board's rules of procedure, to adjourn the debate on the question of the representation of China for the current session.

H. ADMINISTRATIVE ARRANGEMENTS⁶⁵

1. Organization of the Secretariat

The General Assembly, by resolution 681 A (VII)⁶⁶ adopted on 21 December 1952, had requested the Secretary-General to present a report at its eighth session on the question of organization of the Secretariat.

The Secretary-General stated (A/2554) that he had arrived at two main conclusions: (1) that a streamlining of the Secretariat leading to substantial economies was not possible without a review of its substantive tasks; and (2) that no such economies were possible without the development of a wider degree of flexibility in the use of staff, both within and among the various organizational units.

The Secretary-General proposed that three further offices should be given a similar position to that occupied by the Executive Office of the Secretary-General, i.e., as offices under his immediate and personal direction. The three offices concerned would be a Personnel Office to replace the Bureau of Personnel, a Finance Office to replace the Bureau of Finance and a Legal Office to replace the Legal Department. The existing Department of Administrative and Financial Services, as such, would disappear. Under the suggested arrangement, he considered, the control of the Secretary-General over personnel and financial matters would become more direct, and the position of the officials responsible for these matters, who would act directly on his behalf, would be clarified and strengthened. Similarly, the change from Legal Department to Legal Office would reflect more clearly its role in providing legal advice to the Secretary-General and in acting on his behalf in legal matters. The concentration of administrative responsibility at the centre should lead, he said, to a simplification of procedures and have a good effect in the day-to-day administration.

He suggested the following arrangements with respect to the other departments: (1) the Departments of Economic Affairs and Social Affairs to be amalgamated into one department; (2) the Department of Conference and General Services to be divided into two units, a Department of Conference Services and an Office of General Services; (3) the Department of Political and Security Council Affairs, the Department of Trusteeship and Information from Non-Self-Governing Territories and the Department of Public Information to be maintained as separate departments; (4) the Technical Assistance Administra-

tion to be maintained as an independent unit, and its close co-ordination with the new Department of Economic and Social Affairs to be supervised directly by the Secretary-General.

As currently organized at its top levels the Secretariat had two top echelons under the Secretary-General, one consisting of Assistant Secretaries-General and one of Principal Directors. The original intention, the Secretary-General stated, had been to create in the Assistant Secretaries-General a group of officials broadly representative of the Member States, on the highest responsible level, who, in addition to being heads of departments, would serve the Secretary-General in a representative capacity with individual Member countries and groups of countries. Under them, the Principal Directors were intended to function as the administrative officials charged with the conduct of operations of the various departments. The Secretary-General, however, found the arrangement, as it had developed, difficult to justify.

He believed that the reconstituted departments should be headed by one echelon of officials instead of two, namely, Under-Secretaries. Their responsibilities, as in the case of the Principal Directors, would be essentially administrative. Such political responsibilities as they might be required to exercise in particular areas or on particular issues would be theirs by delegation from the Secretary-General and exercised on his personal responsibility. In exceptional cases it might be necessary to give them the assistance of Deputy Under-Secretaries. He suggested that there might also be a need for one or two Under-Secretaries without portfolio to serve as advisers to the Secretary-General on special questions. If experience were to show that the proposed arrangement of the Under-Secretaries imposed too heavy a burden on the time of the Secretary-General, it might be desirable, he suggested, to create one post of Deputy Secretary-General.

On the basis of the policies and arrangements set forth in his report, the Secretary-General hoped to be able to achieve a reduction in the over-all budget of the United Nations of one million dollars over the coming fiscal year. The incidence of this saving, he added, could only be determined as the review of the Secretariat operations proceeded and in the light of the decisions of other organs of the United Nations as they af-

⁶⁵ For appointment of the Secretary-General, see under The Secretariat.

⁶⁶ See Y.U.N., 1952, p. 94.

fects the work-load. He further suggested that the abolition of posts involved need not affect the existing staff to any important extent as most of the abolitions could be absorbed by the normal turnover.

The Advisory Committee on Administrative and Budgetary Questions, in its 36th report to the Assembly's eighth session (A/2606), stated its general agreement with the broad outlines of the Secretary-General's suggested programme, while recognizing the tentative character of that programme. It considered, nevertheless, that certain substantial changes might be introduced during 1954 in the administrative structure of the Secretariat and that, in consequence, the General Assembly should study the proposals as carefully as possible in the time remaining at the eighth session. It had therefore limited its observations to those specific questions which the Secretary-General, recognizing their significance, had himself raised, and upon which he was looking to the General Assembly for its views and guidance.

The Advisory Committee concurred in the proposal to substitute for the two highest levels under the Secretary-General a single supervisory level. At the same time it recognized that the structure of the Secretariat at the highest levels, together with problems connected with the geographical distribution of the staff, might raise important issues of a political nature.

There was good ground, the Advisory Committee considered, for the conversion of the Legal Department into a Legal Office under the immediate, personal direction of the Secretary-General. On the other hand, a similar action in respect of Administrative and Financial Services seemed open to certain doubts if there were any risk that the authority of those functions might be reduced. Similarly, the Advisory Committee had doubts about the continued separation of the Technical Assistance Administration from the unified Department of Economic and Social Affairs, in that the Administration seemed to form a natural and integral part of its substantive counterpart in economic and social affairs.

The reports of the Secretary-General and the Advisory Committee were considered by the Fifth Committee at its 427th to 429th meetings on 8 and 9 December.

The Secretary-General, in introducing his report at the Committee's 427th meeting, expressed his satisfaction at the essential agreement between the Advisory Committee and himself on the proposals as a whole. Amplifying his report, he stated

that, in making his proposal for the abolition of the existing two top levels in the Secretariat and the introduction of a new unified top level, he was faced with two possibilities—either he could start out from the political angle, consulting the governments most directly concerned, and frame his proposals upon that basis, or he could outline what seemed to him to be the most rational administrative arrangement, submit it to the General Assembly for preliminary consideration and enter into consultations with governments on the basis thus established. He had chosen the latter course because otherwise it would have been difficult to have presented to the Assembly a plan which set out in clear terms what was in his opinion the best possible administrative plan. His next step would necessarily be to undertake such consultations as might be necessary in order to see how the main political considerations could be taken into account and to what extent his optimum plan would have to be adjusted in order to meet those considerations. If he then found it impossible to establish what he considered to be a proper balance on the top level in respect of national representation, he would have to present to the Assembly's ninth session definite plans for the organization of the Secretariat which might depart from his present proposals. In such a case he would inform the Assembly of the reasons for any deviations. He emphasized, however, that, under the Charter, it was for him to decide on the recruitment of persons filling top level posts in the Secretariat as well as on the distribution of responsibilities between officials at that level.

The Secretary-General emphasized that at this juncture he was requesting of the Assembly only its preliminary consideration and advice; a final decision would have to be taken on the basis of his proposals in the 1955 budget. But if the Fifth Committee and the Assembly were to endorse the general attitude of the Advisory Committee, then he would go ahead with his organization plans to the extent that this could be done without encroaching on the rights of the Fifth Committee or the Assembly to decide finally on such matters.

The majority of the representatives supported the Secretary-General's proposals and considered that they represented a constructive step towards securing improvements in the organization and structure of the Secretariat.

Representatives who participated in the discussion unanimously expressed their confidence in the capacity of the Secretary-General to carry through his reforms in a manner which would meet with the approval of Member States and

which would lead to substantial economies. The representative of the United Kingdom, in particular, urged that the Secretary-General should be given full authority to proceed along the lines he had tentatively suggested without necessarily waiting for the Assembly at its ninth session to pass in detail upon arrangements which, in any event, fell largely within his administrative jurisdiction. The representative of the United States suggested that the detailed implementation of the broad plans which the Secretary-General had outlined in his report could best be left to the Secretary-General himself in consultation from time to time with the Advisory Committee.

Most representatives welcomed the proposal for merging the two highest levels immediately below the Secretary-General into a single supervisory level. The representatives of Czechoslovakia and the USSR, however, while in general agreement with the other main features of the proposed reorganization, voiced their objection to the abolition of the post of Assistant Secretary-General. Such a change, they contended, would be in violation of the gentleman's agreement made in 1946 for the distribution of top level posts among nationals of Member States; nor would it be in conformity with the decisions taken by the General Assembly itself, as embodied in resolutions of the first session, relating to the structure and staffing of the Secretariat. It would be a mistake, they argued, to change so radically the functions and roles of the Assistant Secretaries-General by replacing them with Under-Secretaries, whose responsibilities would be of an essentially administrative character. The representative of France likewise had serious misgivings about the proposal to abolish the posts of Assistant Secretary-General and Principal Director; political and geographical factors, he said, should be taken into account.

The Secretary-General explained at the 428th meeting that the functions and rights of the new Under-Secretaries would be almost identical with those of the Assistant Secretaries-General. As matters stood, the Assistant Secretaries-General did not have the wide powers envisaged at the San Francisco Conference. The Under-Secretaries would retain the powers delegated to them by the Secretary-General. It was not open to the Secretary-General to delegate the wide political powers vested in him by the Charter, by setting up a sort of international cabinet.

The representatives of China, the Netherlands, New Zealand and Turkey, among others, expressed concern lest the proposed arrangements, particu-

larly the additional responsibilities which would devolve upon the office of the Secretary-General, might prove too heavy and time-consuming by adding unduly to the Secretary-General's administrative burdens at the expense of his political responsibilities. Some representatives, in particular the representative of New Zealand, expressed their readiness to give sympathetic consideration to any request which the Secretary-General might later feel obliged to make for the appointment of a Deputy.

The merger of the Departments of Economic and Social Affairs was, in general, welcomed. Several representatives, however, regretted that the proposed merger did not also include the Technical Assistance Administration since, they held, the maintenance of this department as a separate unit would inevitably make for a good deal of duplication. The hope was expressed that the Secretary-General would find it possible to bring about the closest possible association between the Department of Economic and Social Affairs, on the one hand, and the Technical Assistance Administration, on the other.

During the discussions, many representatives stressed the necessity of paying particular attention to the problem of ensuring wide geographical distribution of posts in the higher policy-making levels, no less than throughout the Secretariat as a whole. In this connexion, the representatives of Argentina, Syria and Turkey, among others, expressed the hope that the Secretary-General would bear in mind the interests of the smaller Member States no less than those of the larger Powers. At the same time, the representative of the United States, in particular, emphasized the importance of taking advantage of any general reorganization to improve the quality, no less than the geographical distribution, of the staff. The representative of Belgium declared that the mere desire to apply the principle of geographical distribution must not result in a lowering of the standards of recruitment. Should any conflict arise between the principle of geographical distribution and that of competence, the latter principle, he argued, must prevail.

Most representatives associated themselves with the Secretary-General's two main conclusions, as set down in his report. It was generally agreed that the economies aimed at and anticipated should be the expression not of a policy of contraction, but of one aimed at fulfilling, at the least possible expense, the tasks of the Secretariat as they arise out of the general development of the United Nations.

At its 429th meeting on 9 December, the Fifth Committee adopted, by 40 votes to 5, an oral draft resolution proposed by the Committee Chairman.

This draft resolution (A/2625) was considered by the General Assembly at its 471st plenary meeting on 9 December, when the USSR representative repeated the arguments he had advanced in the Committee against the Secretary-General's proposal to abolish the office of Assistant Secretary-General and said he would vote against the draft resolution.

The draft resolution was adopted, without further discussion, by 53 votes to 5, as resolution 784 (VIII).

By it, the Assembly took note of the proposals of the Secretary-General in his report and of his statement to the Fifth Committee at its 427th meeting. The Assembly recommended that the Secretary-General should, to the extent possible, proceed along the lines he had proposed and prepare his 1955 budget estimates within the broad framework of these proposals, taking account of the observations and suggestions of the Advisory Committee and of the views expressed in the Fifth Committee at its 427th and 428th meetings on 8 December.

2. Report of the Committee on Special Administrative Questions

On 21 December 1952, the General Assembly adopted resolution 681 B (VII)⁶⁷ which, *inter alia*, provided for the establishment of a Committee on Special Administrative Questions to study certain parts of a memorandum (A/2214) on the administration of the United Nations which the Secretary-General had submitted to the Assembly's seventh session.

The Committee held two meetings on 4 and 8 May 1953 and a third meeting on 3 August. It had before it a memorandum by the Secretary-General (A/AC.68/1). With respect to the first task of the Committee, namely, to study the Secretary-General's suggestion that membership of the Advisory Committee on Administrative and Budgetary Questions should disqualify a person from service as a member or alternate in the Fifth Committee and that membership of the Administrative Tribunal should disqualify a person from service as a governmental representative on legislative committees of the General Assembly, the Secretary-General stated that, after further study of the question, he had found himself unable to maintain that suggestion. With regard to the second task, namely, to study the Assembly's

rules of procedure concerning the Advisory Committee, the memorandum stated that the Secretary-General, after consideration of the matter, had no suggestion to make. As to the Committee's third task, namely, to study the Statute of the Administrative Tribunal, the memorandum stated that the Secretary-General believed it premature to consider amendments to the Statute of the Administrative Tribunal, and neither the President of the Tribunal nor the Secretary-General had any suggestions of a major or urgent nature which would warrant consideration by a committee. No proposals on any of the Committee's tasks had been made by governments.

On 8 May, the Committee, after noting that no proposal had been submitted by the Secretary-General or by Member States, invited the Secretary-General to report to the Committee any proposal he might wish to make or which might be made by Member States. At its third meeting on 3 August, the Committee noted that no proposals had yet been received from Member States, nor had any proposal been submitted by the Secretary-General. In the circumstances, the Committee decided not to make any recommendation in its report (A/2429) to the General Assembly on the substance of the matters referred to it, but to allow all Members and the Secretary-General time to study the question further.

The Committee's report was considered by the Fifth Committee at its 392nd meeting on 19 October. The Fifth Committee also had before it a memorandum from the Secretary-General (A/2464), stating that the Advisory Committee on Administrative and Budgetary Questions had no comments to offer pending the further action contemplated. The Fifth Committee, without discussion or objection, and the General Assembly, on the recommendation of the Fifth Committee (A/2539), at its 456th meeting on 3 November adopted, without discussion or objection, resolution 764(VIII) on the matter. By this resolution, the Assembly took note of the report of the Committee on Special Administrative Questions and of the observations on the report by the Advisory Committee.

3. Personnel Policies of the United Nations

a. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS SEVENTH SESSION

At the request of the Secretary-General (A/2327) and on the recommendation of the General

⁶⁷ See Y.U.N., 1952, p. 94.

Committee (A/2330), the General Assembly at its 406th plenary meeting on 18 December 1952 decided to include in the agenda of its seventh session the item "Report of the Secretary-General on Personnel Policy".⁶⁸ The Secretary-General's report (A/2364), which was dated 30 January 1953, was considered at the resumed seventh session of the Assembly, without reference to a Committee, at the 413th and 416th to 422nd plenary meetings on 10 March and from 28 March to 1 April 1953.

The report dealt with the basic principles governing general personnel policy and their administrative application and gave an account of the problem of alleged subversive activities by staff members against Member States.⁶⁹ It reviewed briefly the sources and nature of the privileges and immunities of the United Nations as they related to recent developments.

Among the documents attached to the report was the opinion of the Commission of Jurists appointed by the Secretary-General to advise him on questions relating to subversive activities and other matters; a Bill relating to employment by the United Nations of United States citizens, recently introduced in the United States Senate, and the United States Executive Order 10422 concerning the investigation by United States authorities of all United States staff members of the United Nations.

(1) **Statement** by the Secretary-General

Introducing his report, the Secretary-General stated that the Charter had conferred upon the Secretary-General and his staff exclusively international responsibilities in contrast to those of representatives on United Nations bodies who must represent national interests. In accordance with that principle, the General Assembly had affirmed the exclusive and independent authority of the Secretary-General for the selection of personnel and administration of policies laid down by the General Assembly. He said that, in a world of mounting political tensions aggravated by the political and ideological conflict between the Western world on the one hand and the USSR and its supporters on the other, the task of a Secretariat serving both sides had been an extremely difficult one. Among additional factors having a bearing on the question, the Secretary-General brought to the attention of the Assembly the following:

(1) That the United Nations Headquarters were located within the borders of one of the most powerful protagonists in the East-West conflict.

(2) That, among Member States, the concepts regarding the rights and status of any civil service

differed and therefore the staff regulations approved by the General Assembly in resolution 590(VI)⁷⁰ were subject to diverse interpretations.

(3) That in 1946 and 1947, it had been necessary to recruit large numbers of staff very rapidly and there was no time to go through the careful processes of full international recruitment which had since been developed.

(4) That in the appointment and retention of staff it had often been necessary for the Secretary-General to seek the assistance of Member States in checking the character and record of applicants and staff members and that, in the Secretary-General's opinion, seeking such assistance did not derogate from his authority.

It was within this framework, the Secretary-General said, that he had sought to uphold and make more solid the constitutional position of the Secretary-General and the Secretariat in both administrative and political matters. In administrative matters he had resisted strong requests, and in some cases pressures, in the appointment or replacement of Secretariat officials. For example, he said, he had refused to replace qualified and competent staff simply because revolutions or coups d'état involving a change in government had occurred in their countries.

As far as political matters were concerned, the Secretary-General referred to the stand taken by him on such questions as those of Iran, the representation of China, the Secretary-General's ten-point peace programme and Korea as evidence of his desire to uphold and strengthen the constitutional position of the office of the Secretary-General in political matters. He further stated that, because of the stand taken by him in support of the United Nations action in Korea, the USSR and the four States supporting it had refused to recognize him as the Secretary-General and had brought to bear upon him the "crudest form of pressure". It was due to a large extent to the attitude of the USSR that he had offered his resignation and requested the Assembly to appoint his successor at the present (seventh) session.

The Secretary-General then referred to the problem of the Secretariat as it related to the United States. The Secretary-General as one of his first acts had requested the help of the United States Government in finding well-qualified personnel

⁶⁸ See Y.U.N., 1952, p. 98.

⁶⁹ For information concerning the work of the Selection Committee and the problem of alleged subversive activities of staff members during 1952, as included in the Secretary-General's report, see Y.U.N., 1952, pp. 95-98.

⁷⁰ For text see Y.U.N., 1951, pp. 117-22.

⁷¹ See Y.U.N., 1952, p. 90.

of United States nationality, but this request had not been complied with. The United States had after 1949 provided some assistance, but although this was helpful in some respects it was not satisfactory because in most cases the Secretary-General was not given sufficient information to enable him to take action. In 1952, in an atmosphere of growing concern in the United States respecting internal subversion, an investigation of the United States staff members of the United Nations Secretariat was begun by two United States Government agencies. One was the Federal Grand Jury, meeting in New York. The other was the United States Senate Internal Security Sub-Committee. Grand Jury proceedings, the Secretary-General stated, were secret and although reports reached him that some United States staff members were refusing to answer questions under the Fifth Amendment to the United States Constitution, which provides that a witness cannot be compelled to answer questions which might tend to incriminate him, the United States Government refused to supply the Secretary-General with information on the ground that the proceedings were secret.

However, in the hearings of the Senate Internal Security Sub-Committee held in 1952 and one held in February 1953, eighteen staff members refused to answer questions about past or present membership in the American Communist Party on the grounds of possible self-incrimination. Most of these staff members had been originally appointed in 1946 and 1947 at the time of very rapid recruitment. In addition, five former staff members, who had previously resigned or whose appointments had been terminated, refused to answer questions on the same grounds.

Explaining his position concerning the conduct of staff members toward the Governments of Member States, the Secretary-General said that, first of all, no staff member should engage in subversive activities against his own Government or the Government of any Member State. Secondly, with regard to United States nationals in the Secretariat, the Secretary-General believed that, in view of the existing laws and regulations of the United States toward the American Communist Party and verdicts of the courts on the leadership of that party, no United States national who was a member of the Communist Party and who was, thereby, barred from employment in the service of his own Government, should, as a matter of policy, be employed in the Secretariat. A major consideration for such a policy was, of course, the fact that the United States was the host country to the United Nations Headquarters.

In the light of these principles and policies, the Secretary-General considered that a United Nations staff member refusing to answer questions on the ground that they might tend to establish that he was guilty of a crime, drew upon himself grave suspicion of being a danger to the security of a Member State. Therefore, he felt that such a staff member committed a grave breach of the staff regulation concerning the conduct required of staff members. Furthermore, the attitude taken by these witnesses tended to discredit and cast unjustified suspicion upon their fellow staff members and even to imperil the position of the whole Organization in the host country.

The Secretary-General stated that nine of those who refused to answer questions held permanent appointments. For that reason, and because of the growing complexities and dangers involved for the United Nations in its relationship with the United States, he had appointed the Commission of Jurists to advise him on the question.

Referring to the opinion of the Jurists, he said that he had accepted only some parts of it and these were contained in part II of his report (A/2364). In particular, he had accepted the finding that refusal by United States staff members to answer questions about membership in the American Communist Party or any subversive activity on the ground of possible self-incrimination constituted a fundamental breach of the staff regulations. He also accepted their judgment that in such circumstances of fundamental breach of contract he had the power, under the present staff regulations, to terminate the appointments of staff members holding permanent contracts.

The Secretary-General stated that although the Jurists had recommended dismissal, he had decided that the staff members involved should be given a second chance. He had therefore notified the staff of his acceptance of the above findings of the Jurists and had notified those concerned that he would be compelled to dismiss them for a fundamental breach of staff regulations unless, within three days, they informed him that they had notified the appropriate United States authorities of their intention to withdraw the plea of privilege and to answer the pertinent questions put to them. Their refusal to do so constituted, in the opinion of the Secretary-General, a clear case for dismissal for misconduct under article X of the staff regulations. Nevertheless, the Secretary-General stated, he had chosen a less severe method of termination, one that would entitle them to the normal indemnities and severance pay, so that they might have a less difficult time while seeking other employment.

The Secretary-General stated that, with two exceptions, no United States staff members were called before the United States Senate Internal Security Sub-Committee in open hearings unless they had either refused to answer questions about Communist Party membership or had admitted past membership. Although these witnesses represented only about 1 per cent of the United States nationals employed by the United Nations, the impression conveyed to the public, whether intentionally or not, had been that the United Nations was employing a large number of United States nationals who were either Communists, former Communists, or had something to hide.

In December 1952, the Grand Jury, without returning a single indictment, had issued a presentment which had been given very wide publicity. It charged that there was "infiltration into the United Nations of an overwhelmingly large group of disloyal United States citizens" and that this situation constituted a "menace" to the United States Government. The Secretary-General stated that, in view of the serious effects of this situation on the relationship of the United Nations with the host country, he had requested the United States, in fairness to himself and to his staff, to provide him with evidence against which the justice of the Jury's conclusions could be weighed. This request was again denied on the ground that the proceedings of the Jury were secret under the law.

The Secretary-General called the attention of the Assembly to the fact that "not a single United States staff member of the United Nations Secretariat has ever, in the whole history of the Organization, been charged in any court of the United States—much less convicted—of espionage or any act of subversion or sabotage". He emphasized that, since almost all the documentation and meetings of the United Nations were open, the United Nations was not a profitable place for spies. Because of the very nature of the Organization no Government gave the United Nations any information which it would withhold on grounds of security.

There were indications that the situation might go from bad to worse in the atmosphere of suspicion which had been created. The Secretary-General referred to a Bill introduced in the United States Congress by the former Chairman of the United States Senate Internal Security Sub-committee included in annex IV of the Secretary-General's report. The Bill would make it a crime subject to five years in prison for United States nationals to work in the United Nations unless

they fulfilled conditions laid down therein. It was also evident, he said, that investigations in search of alleged subversives in the employment of the United Nations and the specialized agencies would also be continued and these, he reported, had subsequently taken place.

In these circumstances, the Secretary-General said, the United States Government decided to issue its Executive Order of 9 January 1953 requiring a full investigation by the United States Federal Bureau of Investigation of all United States citizens employed on the professional staff of the United Nations, and a less extensive investigation by the Civil Service Commission of all other United States citizens employed by the United Nations. The Secretary-General emphasized that the Executive Order was not promulgated as the result of any agreement between the United States Government and the Secretary-General. It was an action of the United States Government alone. The Secretary-General had, however, co-operated in its implementation, he stated, and had welcomed it as a step forward in establishing orderly procedures. He considered that it was in the interest of the staff that these investigations should be completed as soon as possible. In this connexion, the Secretary-General stated that he would offer those staff members whose services had been terminated as a result of their refusal to answer questions on the ground of self-incrimination, this opportunity of having themselves cleared through the investigations to be made under the Executive Order.

If, as a result, they were cleared, he would be prepared to consider them for re-employment, he stated.

In order not to delay the investigations the Secretary-General had permitted the use by investigating officials of the United Nations Headquarters for fingerprinting and other processes, he stated. To do otherwise would have delayed the investigation by months and would have still further undermined the position and the morale of the Secretariat. The Secretary-General stated that no staff members of any nationality except United States nationality were subject to investigation under the Executive Order. In conclusion, the Secretary-General appealed to States, including the United States, which had not ratified the Convention on Privileges and Immunities, to ratify it. Non-ratification of the Convention, he stated, undermined the constitutional position of the United Nations and impeded the effective performance of its work. He reminded the Assembly that the Convention did not provide immunity

from legal processes for staff members in regard to their private activities.

(2) **Proposals before the Assembly**

The following proposals were submitted.

A draft resolution was proposed by France, the United Kingdom and the United States (A/L.146).

In the preamble it would quote Articles 100 and 101⁷² of the Charter dealing with the principles governing the appointment and duties of the United Nations staff and state that the Assembly had considered and reviewed the Secretary-General's report on personnel policy. In the operative part it would express the confidence of the General Assembly that the Secretary-General would conduct his personnel policy with those considerations in mind and call upon Member States to assist him in the discharge of his responsibilities as chief administrative officer of the United Nations.

An amendment to this draft resolution was submitted by Belgium, Denmark, Luxembourg, the Netherlands, Norway and Sweden (A/L.147).

It would add provisions to invite the Secretary-General to submit to the next session of the Assembly a new report on the progress made in the conduct and development of personnel policy, together with the comments of the Advisory Committee on Administrative and Budgetary Questions thereon. The amendment would also invite the Secretary-General and the Advisory Committee to consult with the administrative heads of the United Nations specialized agencies and then to submit "their recommendations as to any further action that may be required of the General Assembly".

This amendment was accepted by the sponsors of the three-Power draft resolution.

As amended by the five Powers, the three-Power draft resolution was finally sponsored by the following thirteen Powers: Belgium, Colombia, Cuba, Denmark, Ecuador, France, Luxembourg, the Netherlands, Norway, Paraguay, Sweden, the United Kingdom and the United States (A/L.146/Rev.1).

A draft resolution was proposed by Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria and Yemen.

In its final revision (A/L.145/Rev.4) it would refer to the report of the Secretary-General, take note of the satisfaction reported by the Secretary-General with respect to the efficiency and integrity of the Secretariat, state the importance of maintaining and developing an international civil service in accordance with the purposes and provisions of the Charter, and state further that the problem called for a close and detailed study. Under this draft resolution, the General Assembly would: (1) resolve to appoint a committee composed of fifteen members to be nominated by the President, to study the report of the Secretary-General

on personnel policy in all its implications and to report to the General Assembly at its eighth session; and (2) request the Secretary-General to communicate the report of the committee to Member States.

(3) **Statement of the United States Representative**

The United States representative stressed the importance attached to the United Nations by his Government in the conduct of its foreign policy. However, if the United Nations was to be an effective force, it must have the full support of world public opinion. Public opinion in the United States was concerned that the effectiveness of the United Nations might be impaired because of the existence of a serious personnel problem; this view, he said, had been summed up by Senator Wiley, Chairman of the United States Senate Foreign Relations Committee, when he said: "There is absolutely no place in the international Secretariat for a single American Communist, or any American of doubtful loyalty ... The United Nations should not become a haven for disloyal Americans or for espionage." The representative of the United States observed that this "essentially administrative problem" was one of the main obstacles in the United States to increased confidence in the United Nations.

To meet the problem, the Secretary-General had dismissed individuals whose actions he regarded as failing to meet the obligations of international civil servants. He had also asked the United States Government to furnish him with full information concerning both present and prospective United States members of his staff so that he could ensure that the Charter standards were met. The United States Government had agreed to undertake investigations necessary to supply the needed information and these were now

⁷² Article 100 of the Charter states:

"1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

"2. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities."

Paragraphs 1 and 3 of Article 101 state:

"1. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly.

"3. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible."

proceeding rapidly. These investigations involved nearly 1,800 persons who had filed the requisite forms and it was hoped that the Secretary-General would have been furnished with the information he had requested by the Assembly's next session. The United States Government, he said, regarded the information provided as advice only and recognized that the responsibility for final judgment rested with the Secretary-General.

In sharing the general concern for the maintenance of an independent Secretariat, the United States, its representative said, realized that, in order for this to be accomplished, employees should not be penalized simply because they might not agree with the policies of the particular regime in power in the country of their citizenship. His Government had no interest in knowing whether any American in the Secretariat was a Democrat or a Republican or an Independent, so long as he met the Charter requirements of efficiency, competence and integrity, but it had an interest in knowing whether he was a member of a conspiracy dedicated to the overthrow of the democratic form of government of the United States. Since the power of selection rested solely with the Secretary-General and since it seemed clear from his report that the standards the Secretary-General proposed to apply would protect staff members against inadequately supported or unreliable representations from Member Governments, the continued independence of the Secretariat should be assured and individual rights safeguarded.

His Government, he continued, considered the report of the Secretary-General on personnel policy to be, on the whole, acceptable. He was not opposed to a full discussion of the report but considered that such a discussion could have no bearing on the practical situation.

His Government had therefore co-sponsored a draft resolution on personnel policy (A/L.146). It believed that at this time the Assembly should take no action which would hinder the Secretary-General in taking whatever action might be necessary to deal with the situation. The United States representative maintained that the establishment of the committee proposed in the joint twelve-Power draft resolution would make it impossible for the Secretary-General to deal adequately with the personnel problem confronting the Organization.

In summarizing the United States position on the question, its representative commended the Secretary-General's policies as "measures designed to strengthen the Secretariat and the United

Nations itself, to meet challenges which face us in the unknown future". He endorsed the Secretary-General's position on the following major points: (1) that refusal to testify on grounds of possible self-incrimination was not consistent with the obligations of United Nations staff members; and (2) that the Secretary-General might dismiss a staff member if he had reasonable grounds for believing that the member was engaging, or was likely to engage in subversive activities against the Government of any Member State.

The representative of the United States then emphasized that his Government would do all in its power to provide the Secretary-General with the information necessary to enable him to make a determination on that matter. That did not, however, constitute dictation to the Secretary-General or to Member Governments.

(4) Discussions in the Assembly

The debate in the General Assembly was concerned mainly with the basic conceptions of an international secretariat, the general principles which should govern personnel policy, the problem of alleged subversive activities against Member States, the questions raised by the refusal by staff members, on the ground of possible self-incrimination, to answer questions asked by United States investigating organs, the question of the relationship of the Organization to the host country as dealt with in the report of the Commission of Jurists (A/2364, Annex III) appointed by the Secretary-General and the question of possible dismissal of staff members on the "likelihood" of their future participation in subversive activities, as envisaged in the report of the Jurists.

There was general agreement in the Assembly that the Secretary-General and his staff had exclusively international responsibilities and that the appointment and removal of the staff was solely within the competence of the Secretary-General whose independence was guaranteed under Articles 100 and 101 of the Charter. However, that competence, it was stated, was to be exercised within the limits imposed by the Charter and the staff regulations laid down by the General Assembly. In this connexion, reference was frequently made to the basic conceptions of an international secretariat contained in the recommendations of the Preparatory Commission which state (PC/20) that "for the duration of their appointments, the Secretary-General and the staff will not be the servants of the State of which they are nationals, but the servants only of the United Nations".

Further, it was stated, the report of the Preparatory Commission contained the following para-

graph which showed that the obligations of United Nations officials were not purely negative: "It is essential that officials should be inspired by a sense of loyalty to the United Nations and devotion to the ideal for which it stands, and that they should develop an esprit de corps and a habit of daily co-operation with persons of other countries and cultures...Loyalty to the Organization is in no way incompatible with an official's attachment to his own country, whose higher interests he is serving in serving the United Nations. It clearly involves, however, a broad international outlook and a detachment from national prejudices and narrow national interests." These recommendations, it was stated, were adopted by the General Assembly by large majorities and continued to retain their validity in the organization of the Secretariat.

There was also general agreement that any staff member who violated article 14⁷³ of the staff regulations by engaging in subversive activities against any Member State or indeed against any State at all, committed serious misconduct and warranted dismissal.

With these general considerations in view, the representatives of Cuba, the Dominican Republic, Ecuador, Greece, Panama, Sweden, the Union of South Africa, the United Kingdom and the United States, among others, expressed confidence in the Secretary-General and the general policy followed by him in matters of personnel, as outlined in his report, with which they were in general agreement. Tributes were also paid to the efficiency, integrity, impartiality and high moral standards of the Secretariat. Reference was frequently made to the fact that, despite the unfavourable publicity which had been given to the cases of certain individuals, no staff member, with a single exception, had ever been convicted by a court of law of any offence involving espionage or other subversive activities. In the case of the United States staff members not a single indictment had been returned or conviction obtained. Some representatives, including those of France and the United Kingdom, emphasized that the United Nations did not offer opportunities for any kind of espionage since the documentation and the activities of the United Nations were open and governments did not entrust their secrets to the United Nations. This was a factor which, they stated, should always be borne in mind when measures to deal with subversive activities were being considered.

All these representatives supported the thirteen-Power draft resolution (A/L.146/Rev.1) which, they stated, did not take a position on the report

of the Secretary-General but left him unfettered in the performance of his duties. At the same time it provided for a study of the problem by an expert body and for further consideration of the question at the eighth session.

All these representatives opposed the twelve-Power draft resolution which, in their view, undermined the position of the Secretary-General and cast doubt on his authority to act on personnel matters.

However, there was considerable divergence of opinion on the question as to whether staff members of United States nationality who refused, on the ground of possible self-incrimination, to answer certain questions asked by United States investigating organs drew upon themselves the suspicion of guilt and were thus liable to automatic dismissal. On this question, the representatives of Cuba, the Dominican Republic, El Salvador, Greece, Panama and the United States, among others, agreed with the position outlined by the Secretary-General on the basis of the report of the Jurists.

Some of these representatives took the view that it was inconceivable that, in the investigation of cases which might lead to the discovery of offences against the security of the State, a national of that State, if he were really innocent, would avail himself of the constitutional privilege granted under the Fifth Amendment to the United States Constitution. It was more reasonable, they considered, to suppose that an innocent person who found himself falsely involved or accused of disloyalty to his Government would deny such accusations as soon as possible. It was maintained by others, moreover, that the techniques for carrying on highly criminal and subversive activities had advanced farther than the techniques for detecting them, even where the great resources of national governments were available. The United Nations, having no such resources, had therefore to be doubly cautious in this respect and could not afford to have on its staff persons who drew suspicion of guilt upon them. These representa-

⁷³ This article stated: "Members of the Secretariat shall conduct themselves at all times in a manner befitting their status as international civil servants. They shall not engage in any activity that is incompatible with the proper discharge of their duties with the United Nations. They shall avoid any action and in particular any kind of public pronouncement which may adversely reflect on their status. While they are not expected to give up their national sentiments or their political or religious convictions, they shall at all times bear in mind the reserve and tact incumbent upon them by reason of their international status." For text of the article, as amended at the eighth session, see p. 78.

tives believed that, in certain cases, such subversive activities might be incapable of proof. They agreed with the view expressed by the Commission of Jurists that staff members refusing to answer questions on the ground of self-incrimination should be dismissed and they fully supported the action that the Secretary-General had taken on the basis of that opinion.

On this specific question, the representatives of Belgium, Canada, France, India, Indonesia, Mexico, the Netherlands, New Zealand, Norway and Sweden, among others, took the stand that the automatic dismissal of staff members refusing to answer questions on the plea of constitutional privilege would amount to the automatic acceptance of a purely national criterion. They considered that any attitude which amounted to the automatic application of national standards to the personnel policies of the United Nations would infringe the fundamental requirements of Articles 100 and 101 of the Charter which laid down universally applicable and indivisible criteria. They maintained that it was impossible to establish any hard and fast rule which would be valid in all cases where a United States national refused to answer a question on the ground of self-incrimination. While the United States citizens in the United Nations were certainly not immune to interrogation and investigation by their Government, the United Nations had a duty to protect them against unjust or unwarranted dismissal. No employee, it was stated, should be dismissed at the mere request of the government of a country where the United Nations or any of its agencies was operating. The United Nations or the agency concerned must determine for itself whether or not just cause for dismissal existed. It therefore followed that the effect of a refusal to answer questions on the ground of self-incrimination must be determined by the Secretary-General through a complete evaluation of each individual case.

In this connexion, the representative of Norway enumerated some of the factors which, in his view, should be taken into account. Did the staff member stand on his constitutional right in a court of law where he was protected by all the rules ensuring him the due process of law? Or was he questioned by an investigating committee functioning in an inquisitorial manner, without benefit of advance preparation for the questions put to him and without benefit of legal counsel? Was the Committee bound by any acceptable law of evidence? Were the questions put to the witness of a concrete and limited nature and so phrased that the answers might result in criminal prosecution? Or were they vague and general in nature

and did they deal with facts which were not in themselves of a criminal nature—for instance the political beliefs and opinions of the witness? To construe a refusal to answer as in itself a form of misconduct which would automatically involve dismissal from the United Nations Secretariat would be, in the opinion of the representative of Norway, contrary to the principles of law and justice accepted by most countries.

While agreeing with the general principle that dismissal should not be automatic, the representative of Australia stated that there might be cases where the refusal to answer questions on the ground of self-incrimination would justify dismissal. For example, it would be unthinkable to retain in United Nations employment any person who refused to answer the question as to whether he was engaged in "espionage". While the refusal would not lead to an inference of guilt, it would certainly draw upon the witness the suspicion of being a danger to the security of a State and necessitate his dismissal as a matter of policy. However, the representative of Australia doubted whether the same considerations would follow where the question related to "subversive activities"—a term much less finite in its content than the term "espionage". He however agreed that if a precise and agreed definition was given to that term, dismissal would be warranted if a staff member claimed privileges in relation to a question intended to establish "subversive activities".

The representative of Australia felt that while refusal to answer a question intended to establish current subversive activity would justify dismissal, if that refusal related merely to past activity there would be no reasonable ground for dismissal and no ground for the presumption that the witness would be likely to engage in subversive activities in the future. Stating that "deep cleavage of judicial opinion" existed on the question, the representative of Australia referred to case's where persons had claimed the constitutional privilege, not because they feared that answers to a specific question might incriminate them but because answering a single question might in some cases constitute the waiver of the claim to constitutional privilege in respect of a whole series of other questions.

He expressed his disagreement with the Secretary-General's contention that refusal on the part of staff members to withdraw the plea of privilege in respect of questions relating to subversive activities amounted to misconduct. That proposition he considered was entirely unworkable as a matter of law. He could not under-

stand how availing oneself of a constitutional privilege could ever amount to misconduct. Refusal to answer a question might, he said, have a bearing on the suitability of a staff member for continued employment but it could not be invoked as a ground for dismissal for misconduct.

While agreeing with the principle that a staff member pleading constitutional privilege was not automatically liable to dismissal, the representative of the United Kingdom expressed the view that the Secretary-General's report did not provide for automatic dismissal. According to paragraph 87 of that report, much would depend on the type of the question to which an answer was refused. That, he said, was an important qualification which should not be overlooked. It was also possible that some of the staff members who had invoked that privilege might have done so, not because they had some guilty secret to conceal but from entirely honourable motives, such as the desire to protect the reputation of their friends or acquaintances. He considered that it would be difficult to maintain the high repute of the United Nations Secretariat if it included members who had invoked that privilege and his Government was therefore inclined to support the position that the Secretary-General had taken on that question.

The sponsors of the thirteen-Power draft resolution and their supporters felt, also, that most of the difficulty attending the problem posed by the refusal of United States staff members to answer questions on the ground of self-incrimination would be solved by the Executive Order of the United States which the Secretary-General had welcomed in his report. The Order, it was stated, was designed to furnish information and did not say that the Secretary-General must dismiss any United States staff member against whom United States authorities expressed an adverse opinion. Therefore, there was no question of the Secretary-General being asked to abdicate his responsibility.

However, representatives generally expressed satisfaction that the Commission of Jurists had recommended the establishment of an advisory panel of high Secretariat officials and that the Secretary-General had accepted the recommendation. The panel, it was stated, had been established under the Chairmanship of a Canadian jurist and would examine individual cases of staff members against whom derogatory opinion had been submitted by a government. The panel would advise the Secretary-General on each case. This, it was stated, would afford the staff some guarantee of fairness and impartiality. In this connexion, the

representative of the Netherlands expressed the hope that the panel would not detract from the functions and powers of existing machinery, such as the Administrative Tribunal. He observed that any material which had been submitted to the panel should not be withheld from the Tribunal when it received a case which had first been dealt with by the panel.

Considerable discussion in the Assembly was devoted to the report of the Commission of Jurists appointed by the Secretary-General. The representative of India dealt primarily with the report of the Commission and, in particular, with the opinion expressed in its report assigning a special position to the host country in which the United Nations maintained its Headquarters. He considered that, while the Secretary-General had not accepted the report in its entirety, he appeared to have considered it, on the whole, as a valid interpretation of the relevant provisions of the Charter and of the staff regulations. A document of such far-reaching importance, the representative of India considered, deserved greater study than was possible in a plenary meeting of the Assembly.

The position of the Jurists, the representative of India said, was that a country had special privileges in respect of its own nationals in the United Nations when those nationals were employed within its own territory. Thus, as the Headquarters of the United Nations were located in the United States, United States nationals at Headquarters should be accepted according to the standards of security which the United States applied for employment in its own Government. This principle, the Jurists held, was to apply to nationals of the host country only, and not to United Nations employees of other nationalities. This principle of the "host country", he submitted, was a new consideration among the criteria governing United Nations recruitment and employment.

India, he said, considered this principle to be of doubtful validity. It would be difficult and not wholly desirable to apply that principle every time the United Nations met in a country, or carried out humanitarian or economic work in another country. He maintained that the application of the principle would seriously restrict the mobility of the Organization and its capacity to employ personnel of its choice at the point where it felt they would be most effective. This and other problems raised in the report of the Jurists, such as those relating to the functions and powers of the Joint Appeals Board and the Administrative Tribunal, the question of staff members invoking

constitutional privilege in refusing to answer questions and questions concerning the privileges and immunities of the United Nations, deserved more detailed study. He therefore urged support for the twelve-Power draft resolution which, he emphasized, did not attempt to pass judgment but merely invited study by a competent body set up by the Assembly.

The representative of Syria expressed doubts as to the necessity for the appointment of the Commission of Jurists by the Secretary-General who, he said, had had the Charter and the General Assembly to guide him. The representative of Syria said that the report submitted by the Jurists was confused and contradictory. Thus, while stating that the Secretary-General's questions to the Commission related exclusively to nationals of the United States, the Jurists had either deliberately or otherwise extended the scope of investigation regarding subversive activity to non-American members of the staff.

In view of the fact that the Secretary-General had stated in paragraph 63 of the report that he intended to base his personnel policy on the conclusions of the Jurists, it was important that the report of the Jurists should be given more study. The representative of Syria agreed with the position adopted by the Indian representative on the principle of the "host country". He also stated that the receiving of information from governments in connexion with recruitment amounted to receiving instructions, which was contrary to the provisions of Article 100 of the Charter. Therefore, the representative of Syria concluded, he had joined in sponsoring the twelve-Power draft resolution which called for the appointment of a committee to study the problem and report to the Assembly. The final word on personnel policy, he emphasized, should rest with the Member States.

Among other representatives who commented on the opinion of the Commission of Jurists, the representatives of Canada, Sweden and the Union of South Africa agreed that it was obsolete in view of the fact that the Secretary-General had not accepted it in its entirety and had not submitted it for consideration by the General Assembly, but had instead submitted his own report.

The representatives of Mexico, New Zealand and the United Kingdom, however, dealt specifically with certain aspects of the Jurists' opinion with which they were not in agreement. The representative of Mexico said that he had serious doubts about the validity of the opinion—a feeling strengthened by the fact that the Jurists had been

obliged to issue a well-known corrigendum to their opinion (A/INF/51/Corr.1) from which it appeared that in their opinion they had used, as synonymous, terms such as "disloyalty" and "subversive activities" which should be very carefully defined. Another "fundamental defect" of their opinion was, the representative of Mexico stated, that they had exceeded their terms of reference. The Secretary-General had requested their opinion solely "with respect to staff members of United States nationality" while the Jurists had, in fact, gone so far as to include staff members of all nationalities. After stating his disagreement with the principle that staff members should be dismissed for refusing to answer questions on the ground of self-incrimination, the representative of Mexico stated also his "serious reservations" regarding the principle recommended in the Jurists' opinion that one of the motives of dismissal might be the "likelihood" of a staff member engaging in subversive activities against any State.

The representative of New Zealand stated that the Jurists, who had made no distinction between new appointments and the retention of existing staff, were applying United States standards to United Nations requirements by accepting "likelihood of engaging in subversive activities" as a criterion for the dismissal of an established staff member. He said that the "Jurists' talk" of "likelihood" must be regarded as a "gloss over the staff regulations".

While he did not question the Secretary-General's decision to appoint the Commission of Jurists, the representative of the United Kingdom stated, their opinion laid greater stress on the obligations of the United Nations towards the host country than on the obligations of the host country towards the United Nations. He also felt that the report was perhaps rather too emphatic about the allegiance of international civil servants to their own governments and made too little allowance for their allegiance to the international organization in which they worked. Finally, he stated, the report suggested that an international organization must in all cases accept without question any definition of subversion or espionage which the host country might adopt—a principle which, if carried to extremes, could, in his opinion, make it impossible for any international organization to exist in certain countries.

The representative of Indonesia regretted the publicity that had attended the recent dismissals in the United Nations. He expressed concern over the "open hostility" which had been directed

against the United Nations in the host country. Some European papers, he said, had commented that the United Nations had taken to "witch-hunting". He regretted the fact that some key members of the Secretariat had been dismissed without conclusive evidence to support the charges levelled against them.

The representatives of the Byelorussian SSR and Poland stated that the "illegal policies" followed by Trygve Lie over the past few years had harmed the independent character of the United Nations. The Secretariat, they stressed, should not be a tool in the hands of any State or group of States. But the Secretary-General's actions, they charged, had been directed towards undermining its international character and its independence of external influences. A purge had been carried out in the Secretariat on the mere suspicion of subversive activities. The United States had been allowed to take fingerprints of staff members in the United Nations Headquarters, thus transforming the building into a police station. It was quite clear, they stated, that these illegal activities of the Secretary-General had been designed to intimidate members of the staff, to root out the slightest progressive trends in the staff and to get rid of all progressive-minded staff members. The Secretary-General, it was stated, had used every effort to break the back of the Staff Council. As long ago as 1950, three members of that body, including its president and secretary, had been dismissed. The annual report of the Staff Association of that year had accused the Secretary-General of engaging in "union busting". In several cases, the Administrative Tribunal had ruled that dismissals were illegal and had granted the employees concerned substantial compensation. These representatives considered that the policy followed by the Secretary-General represented a threat to the independence of the Secretariat and was designed to transform an international staff into a national one—composed of the nationals of the "host country".

The representative of Poland, in particular, referred to the opinion of the Commission of Jurists, stating that the theory of the "host country" had been invented to legalize the violation of the principles of the Charter with regard to personnel policies. That fact, he said, was proved by the action that was being taken in the specialized agencies with headquarters outside the United States.

Towards the close of the debate, the representatives of India and Uruguay drew attention to a new factor in the situation—the appointment of a new Secretary-General. The representative of

Uruguay suggested that the presence of a new Secretary-General might considerably modify the terms of the question and therefore it might be better not to adopt any resolution.

In a final statement, the Secretary-General referred to some of the criticism that had been made in the Assembly of the Jurists' opinion, stating that he had not accepted their opinion in its entirety and that the basis of the discussion should have been his own report. He said that the recommendation of the Jurists regarding the special privileges of the host country had not been accepted by him. As regards the possible dismissal of staff members invoking the constitutional privilege against self-incrimination, he said that the Executive Order of the United States made it unlikely that the question would recur. As regards the objections taken to the use of the Headquarters premises for investigatory purposes, he said that he had granted that permission in the interest of expediting the investigations. He noted that security police were admitted to the Headquarters during Assembly sessions in Paris and London.

(5) Resolution Adopted by the General Assembly

At the 422nd plenary meeting on 1 April, the two draft resolutions were put to the vote. The twelve-Power draft resolution (A/L.145/Rev.4) was rejected by 29 votes to 21, with 8 abstentions.

The thirteen-Power draft resolution (A/L.146/Rev.1) was voted on by paragraphs and adopted as follows:

The first paragraph of the preamble was adopted unanimously and the second paragraph by 41 votes to 10, with 5 abstentions. The first operative paragraph was adopted by 40 votes to 13, with 7 abstentions; the second operative paragraph by 44 votes to 3, with 11 abstentions; the third operative paragraph by 41 votes to 3, with 15 abstentions; and the fourth operative paragraph by 54 votes to 5, with 1 abstention.

The draft resolution as a whole was adopted by 41 votes to 13, with 4 abstentions. It read (resolution 708(VII)):

"The General Assembly,

"Recalling the following provisions of Articles 100 and 101 of the Charter:

'Article 100

'1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

"2. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

'Article 101

"1. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly.

"3. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible."

"and

"Having reviewed and considered the report of the Secretary-General on personnel policy,

"1. Expresses its confidence that the Secretary-General will conduct personnel policy with these considerations in mind;

"2. Requests the Secretary-General to submit to the General Assembly at its eighth session a report on the progress made in the conduct and development of personnel policy, together with the comments of the Advisory Committee on Administrative and Budgetary Questions thereon;

"3. Invites the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions to submit, after appropriate consultations with the administrative heads of the specialized agencies, their recommendations as to any further action that may be required of the General Assembly;

"4. Calls upon all Members of the United Nations to assist the Secretary-General in the discharge of his responsibilities as chief administrative officer of the United Nations."

b. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS EIGHTH SESSION

Pursuant to resolution 708(VII) of 1 April 1953, the Secretary-General submitted his report on personnel policy (A/2533) to the General Assembly on 2 November 1953. He explained that at meetings of the Administrative Committee on Co-ordination on 7 October 1953, he had consulted with the administrative heads of the specialized agencies or their representatives on the subject matter of the report, though not on its text. The Secretary-General noted that the representatives of the specialized agencies were in general agreement with him on the basic objectives to be sought and fully understood the reasons for his conclusions that a change in the staff regulations and an increase in the powers of the Secretary-General, subject to appropriate safeguards, were necessary to meet the administrative needs of the United Nations. It was also agreed that it was desirable that there should be as much uniformity

in personnel policy as might be found practicable, although each organization would have to frame its own policy in the light of its special circumstances.

The report of the Secretary-General was divided into two parts: the first part contained his recommendations concerning proposed amendments to certain articles of the staff regulations and to one article of the Statute of the Administrative Tribunal and the reasons which had led him to make those recommendations; the second part dealt with certain other developments of personnel policy which did not require amendments to the staff regulations, but which were submitted to the General Assembly for its approval or for its information.

Under the first part of the report, the Secretary-General pointed out that, in the course of his review of the administrative system and the rules applying to service in the United Nations, he had found that the staff regulations suffered from ambiguities and omissions which made certain revisions essential if he were to have the powers necessary to fulfil his obligations under the Charter. He further explained that his proposals were based on considerations of a general nature and were in no way adjusted to special circumstances prevailing at a particular time and in relation to a particular country. The objective of a reconsideration of the staff regulations, he added, should be to revise the regulations in the light of the Charter, so that they would provide a just and legal foundation for sound administration, taking into account the equal importance of the independence of the staff and of the effective functioning of the Organization.

The Secretary-General proposed amendments to staff regulations: 9.1(a) regarding termination of permanent appointments; 1.4 relating to conduct reflecting on integrity, independence and impartiality; and 1.7 relating to political activities on the part of staff members. He also proposed to add to the present staff regulation 9.3 a new provision and recommended amending article 9 of the Statute of the Administrative Tribunal.

The question was considered by the Fifth Committee at its 406th to 422nd and 426th meetings on 18, 19, 23 to 25, 27, 28 and 30 November and 1 to 4 and 7 December 1953. The Committee had before it a report by the Advisory Committee on Administrative and Budgetary Questions (A/2555) on part I of the Secretary-General's report, containing its observations on the amendments proposed by the Secretary-General and recommending revised texts of certain of these amendments. A further report by the Advisory Com-

mittee (A/2581) contained its observations on part II of the report of the Secretary-General.

The Fifth Committee also had before it the views of staff representatives set forth in a letter dated 14 November 1953 from the Chairman of the Staff Committee of the United Nations Secretariat at Headquarters, enclosing a statement by the Staff Council dated 13 November 1953, and in a letter dated 10 November 1953 from the Chairman of the Staff Committee of the European Office of the United Nations, enclosing a resolution adopted by the Staff Committee on 9 November 1953 (A/C.5/561).

- (1) Amendments to the Staff Regulations and the Statute of the Administrative Tribunal

A description of the proposed amendments and the action taken on them follows.

The Fifth Committee held a general discussion on part I of the Secretary-General's report at its 406th to 414th meetings from 18 to 28 November. In stating their views on the proposals as a whole, a majority of representatives were in agreement that the powers of the office of the Secretary-General should be made commensurate with his obligations under the Charter. They further believed that the proposed amendments to the staff regulations would have this effect. While it was true that the standards established would involve subjective judgments, it was pointed out that such judgments were no more difficult than those involved in determining what was unsatisfactory service or serious misconduct and that adequate safeguards would exist to protect the interests of the staff.

Several representatives, including those of Chile, Czechoslovakia, Poland, Syria, the Ukrainian SSR and the USSR, maintained that the Secretary-General, under the existing staff regulations, already had adequate powers to ensure respect for the Charter by the staff but that it might be desirable to state these more expressly in order to avoid misinterpretation in the future, provided that the fundamental character of the regulations was not changed.

On the other hand, the representatives of Belgium, Guatemala, Indonesia, Lebanon, New Zealand and Uruguay, among others, while expressing full confidence in the present Secretary-General, believed that the issue should be considered on an institutional rather than on a personal basis. They thought that the proposed amendments would give the broadest discretionary power to the Secretary-General and might be open to abuse in the future. They considered that no action should be taken which might threaten the security

and morale of the staff or which would lead to the violation of existing contracts or acquired rights.

General emphasis was placed on the principle that decisions should be made solely to ensure the sound administration of the Organization while protecting the interests of the staff and avoiding any action which might impair their legitimate rights. Conditions of employment should be such as to create an efficient, competent and sound Secretariat, independent and international in character.

Several representatives supported a suggestion by Brazil that the question be referred to a special committee to meet between the eighth and ninth sessions of the General Assembly. The representatives of Burma, Guatemala, Mexico, Uruguay and Yugoslavia maintained that the issue involved so many complex questions that it could not be adequately dealt with in the short time available during the remainder of the eighth session. Such reference to a special committee, it was suggested, would also permit consultation with other agencies and bodies concerned, as well as receipt of the report of the International Civil Service Advisory Board. However, since there was an apparent majority which favoured resolving the issue during the eighth session, those favouring postponement did not insist on a vote.

Amendments to the texts proposed by the Secretary-General or recommended by the Advisory Committee were submitted by India, by the United Kingdom, jointly by Argentina and Chile, and jointly by Brazil, Egypt, France, India, Indonesia, Lebanon, the Netherlands and Syria (A/C.5/L.255).⁷⁴ Additional amendments to the staff regulations and to the Statute of the Administrative Tribunal were also proposed jointly by Chile and Argentina (A/C.5/L.256) and draft resolutions were submitted by Argentina (A/C.5/L.257) and by Canada (A/C.5/L.258).

Following a detailed examination of the proposed amendments, the Committee at its 422nd meeting on 4 December approved the texts which it recommended for adoption by the General Assembly.

In recommending the adoption of the amendments to the staff regulations, the Committee had in mind the statements of the Secretary-General made on 18 and 25 November 1953 (A/C.5/563 and 566) and those parts of the Secretary-General's report on personnel policy in which he set

⁷⁴ For the convenience of members of the Committee amendments and additions as proposed by the Secretary-General, by the Advisory Committee and by various delegations were presented in this document.

forth his views on the interpretation and application of the new regulations. It was also noted that the Secretary-General had stated that his decisions would remain subject to review by the Administrative Tribunal to the full extent of its existing legal authority.

Consideration of the individual proposals and amendments to the staff regulations and to the Statute of the Administrative Tribunal and the texts approved by the General Assembly are set out below.

(a) AMENDMENTS TO THE STAFF REGULATIONS

Staff Regulation 1.4—The Secretary-General proposed amending this regulation by adding the phrase "or on the integrity, independence and impartiality which are required by that status" to the following sentence: "They [staff members] shall avoid any action and in particular any kind of public pronouncement which may adversely reflect on their status." He explained that the amendment was not intended to alter the meaning of the staff regulation, but only to make it more explicit and to give further clarification concerning the types of action by United Nations staff members which might adversely reflect on their status.

In its report (A/2555), the Advisory Committee wondered whether the proposed addition was absolutely necessary. The conduct that befits the status of an international civil servant, it said, is defined, as regards independence and impartiality, in staff regulation 1.3 and, as regards integrity, in the Charter itself. However, the insertion, the Advisory Committee felt, might provide a useful clarification and on that ground it concurred in the Secretary-General's proposal.

In the Fifth Committee discussion, there was general agreement on the Secretary-General's proposed amendment to this regulation. The amendment was considered to be a clarification of the present regulation and an express recognition of the principles of the Charter. The amendment was unanimously approved by the Fifth Committee at its 414th meeting on 28 November.

Staff Regulation 1.7—The Secretary-General proposed to replace staff regulation 1.7 with a new provision relating to the prohibition of political activities on the part of staff members. Staff members, he said, should obviously not take part in political campaigns, or in political canvassing or management. Some types of political activities, he went on to say, such as service under ordinary conditions on a school board or town council, could not adversely affect the United Nations. In the implementation of the provision, the staff member's rights to his religious or political convictions, he said, should be fully respected.

The Advisory Committee, while concurring in the substitution of a new provision, recommended deleting from the Secretary-General's text the qualifying phrase "unless otherwise authorized in accordance with staff rules issued by the Secretary-General."

A text was also submitted by the United Kingdom (A/C.5/L.255) which, with drafting amendments, provided that staff members might exercise the right to vote but should not engage in any political activity which was inconsistent with or might reflect upon the independence and impartiality required by their status as international civil servants.

The majority of delegations recognized that special requirements for members of the international Secretariat were necessary to ensure their impartiality, and it was noted that prohibition of political activities had been approved by the representatives of the staff. Other delegations, including those of Argentina, India, Lebanon, Uruguay and Yugoslavia, while agreeing in principle with the amendment, felt that the term "political activities" should be more clearly defined, particularly as to whether it included passive membership in a political party.

The Committee took note of a statement by the Secretary-General (at the 412th meeting on 25 November) that it was his intention to implement the regulation prohibiting political activities by a staff rule, which, in relation to party membership, would be drafted along the following tentative lines:

"Membership of a legal political party is permitted provided that such membership, in the case of the staff member concerned, does not entail subjection to party discipline or action in favour of the party, other than the payment of normal financial contributions."

The Committee suggested that the Secretary-General, when drafting a final version of this rule, also consider the text put forward by the United Kingdom, which read as follows:

"Membership of a political party is permitted provided that such membership does not entail any positive action, current or potential, other than voting or payment of normal financial contributions, contrary to the provisions of staff regulation 1.7. In any case of doubt, the staff member should consult the Secretary-General."

At its 417th meeting on 1 December 1953, the Committee approved, by 41 votes to none, with 8 abstentions, the amendment to regulation 1.7 as proposed by the United Kingdom.

Regulation 9.1(a)—The Committee devoted a major portion of its debate on personnel policy to the proposed changes to this regulation, governing the termination of staff members holding permanent appointments. In his report the Secretary-General asked for power to terminate such appointments:

(i) if the conduct of a staff member did not meet the high standards of integrity required by the Charter;

(ii) if facts, anterior to the staff member's appointment and relevant to his administrative suitability should come to light, which, if they had been known should, under the standards of the Charter, have precluded his appointment; or

(iii) if such action would be in the interest of the good administration of the Organization and in accordance with the standards of the Charter.

No termination under any of these sub-paragraphs would take place until the matter was considered by a special advisory board appointed for that purpose by the Secretary-General.

Sub-paragraph (i)—The Advisory Committee concurred in the text for sub-paragraph (i) proposed by the Secretary-General.

Many representatives pointed out that this sub-paragraph merely incorporated in the regulations the standard of integrity which was already found in the Charter and considered that it was a natural corollary to the amendment to staff regulation 1.4. Other representatives, including those of Belgium, Chile, Guatemala, Syria and Uruguay, considered the amendment unnecessary since the standard of integrity was already

covered by the provisions relating to unsatisfactory service and to misconduct. They believed that integrity was too indefinite a term, required subjective evaluation and might be subject to political interpretations.

Attention was drawn to the Secretary-General's statement that "integrity" applied only to actions and activities which were morally objectionable, and had no political connotations.

The representative of India orally proposed a text for this sub-paragraph which, with accepted amendments, provided that the Secretary-General might, by a properly motivated decision, terminate a permanent staff member if he learned of facts relative to his conduct during his period of employment in the United Nations, if such facts indicated that the staff member did not meet the high standards of integrity required by the Charter.

Prior to the voting, the representative of the Secretary-General accepted the oral suggestion of the representative of Israel to change the phrase "the high standards" to "the highest standards" in accordance with the wording of Article 101 of the Charter.

The text proposed by the Secretary-General and endorsed by the Advisory Committee was approved at the Committee's 417th meeting on 1 December 1953 by 27 votes to 9, with 2 abstentions.

Sub-paragraph (ii)—The Advisory Committee, after first raising the question as to whether a special provision of this nature in the regulations was required, concluded that, in view of the wide geographical area of United Nations recruitment, a formal and explicit provision was necessary, and proposed minor amendments, which were accepted by the Secretary-General.

The representative of India, in orally introducing an alternative text, considered sub-paragraph (ii) to be allied with sub-paragraph (i) in that it concerned "past integrity" and therefore opposed the proposal of the Advisory Committee to delete the restrictive term "administrative" where it referred to a staff member's suitability.

Those members of the Committee who supported the sub-paragraph considered it a natural corollary to sub-paragraph (i). An employee, they held, was obligated to disclose any present or past circumstances which might lead prospective employers to refuse to employ him.

Some members of the Committee, including the representatives of Chile, France, Guatemala, the Netherlands, Uruguay and Yugoslavia, expressed doubts as to the necessity of the proposal in that it was covered by the criterion of integrity in the first sub-paragraph, and stated that by applying to past conduct it overlooked the fact that a person could rise above his past. Others, among them the representatives of Czechoslovakia, Poland, the Ukrainian SSR and the USSR, considered the text imprecise and open to misunderstanding.

At its 417th meeting on 1 December 1953, the Committee approved, by 27 votes to 9, with 2 abstentions, the text recommended by the Advisory Committee and accepted by the Secretary-General.

Sub-paragraph (iii)—In its report, the Advisory Committee accepted the text proposed by the Secretary-General subject to an amendment to add a phrase to permit termination if such action would be "in the general interest of the United Nations," and subject to the further safeguard that the provisions would be reviewed by the General Assembly within two years.

While agreeing that the amendment proposed by the Secretary-General would give very broad powers to the Secretary-General, members of the Committee favouring the revision believed that the observations and statements of the Secretary-General and the Advisory Committee should dissipate any misgivings which existed. They believed that adequate safeguards were provided, and noted the Secretary-General's statement to the effect that the provision was intended to be used in the interest of the staff when it was desired not to stigmatize a staff member by termination or dismissal under other provisions of the regulations. Several representatives, including those of Canada, Colombia, Cuba, Lebanon and the Netherlands, conditioned their agreement on the understanding that the power requested would be granted for a period of one or two years only, after which it would be reviewed.

Doubts concerning the appropriateness of the paragraph were raised by the representatives of Belgium, Chile, Czechoslovakia, Egypt, France, Guatemala, India, Indonesia, Israel, New Zealand, Norway, Poland, Syria, Turkey, the Ukrainian SSR, the USSR, Uruguay and Yugoslavia. Opposition was based, among other things, on the grounds that the power to be granted was so broad as to render superfluous other provisions with regard to termination; that the Secretary-General would be the sole judge of the requirements of good administration; and that contracts would be liable to termination by unilateral action by one of the contracting parties.

Explaining again, at the Committee's 412th meeting on 25 November, his intention with regard to the use of this sub-paragraph, the Secretary-General suggested moving the whole clause to the end of the amended regulation and adding the words "provided the action is not contested by a staff member concerned". Thus, he explained, the sub-paragraph would be used only with the consent of a staff member, in place of a resignation on request.

The Advisory Committee considered this new version of the sub-paragraph and concluded (A/C.5/567) that it would be preferable to delete the sub-paragraph altogether rather than to adopt the new text suggested by the Secretary-General. The Secretary-General again clarified his position by stating that he was not formally proposing the alternative text; however, he would accept it if proposed by a delegation.

The United Kingdom submitted a text (A/C.5/L.255) providing that the Secretary-General might also terminate the appointment of a staff member who holds a permanent appointment "if, in the considered judgment of the Secretary-General, after he has personally examined the case, interviewed the staff member concerned, and consulted the Advisory Board, such action would be in the interests of the Organization and in accordance with the standards of the Charter". The representative of the United Kingdom believed that final responsibility must be fixed for the interpretation of the words "in the interest of the good administration ..." as proposed in the Secretary-General's text and the United Kingdom text would lay this responsibility upon the Secretary-General.

The Committee, at its 417th meeting on 1 December, after rejecting the Secretary-General's alternative text by 27 votes to 18, with 5 abstentions, and the United Kingdom text by 36 votes to 9, with 3 abstentions, approved, at the first reading, the original text of the Secretary-General by 24 votes to 15, with 11 abstentions.

Following the first reading, the Secretary-General received a letter from the Chairman of the Staff Committee (A/C.5/573), which he transmitted to members of the Fifth Committee, stating the Staff Committee's preference for the alternative text suggested by the Secretary-General which, it was stated, would largely remove staff anxiety regarding this sub-paragraph.

The representative of Belgium, at the Committee's 422nd meeting on 4 December, orally proposed that the words "provided that the action is not contested by the staff member concerned" should be added to the text previously approved at the Committee's first reading. This sub-paragraph would then be moved to the end of the amendment, as was suggested by the Secretary-General, since reference to a special advisory board would no longer apply to this provision. This proposal was adopted by the Committee by 36 votes to 14, with 4 abstentions.

Special Advisory Board—The Secretary-General's proposal for a special advisory board to consider cases involving termination under the new provisions of regulation 9.1(a) was presented by him as one of the safeguards for the exercise of his new powers.

Argentina and Chile submitted a text (A/C.5/L.255) covering the composition of the board which, with an accepted French oral amendment (providing for the board's chairman being appointed by the President of the International Court of Justice), provided that no termination under the new paragraphs should take place until the matter had been considered and reported on by a special board consisting of five members, of whom two should be appointed by the Secretary-General and two elected by the staff, with the chairman designated by the President of the International Court of Justice. An alternative proposal submitted orally by the representative of the United Kingdom provided that the board should consist of a chairman nominated by the President of the International Court of Justice, two members nominated by the Secretary-General from among individuals of well-established reputation but not connected with the United Nations, one member of the staff representing the Secretary-General and one member representing the staff. The United Kingdom representative also proposed that his text should not be adopted as a staff regulation but included in the rapporteur's report as a suggestion for a staff rule.

On the first reading, the Fifth Committee decided, by 21 votes to 15 with 5 abstentions, in favour of the principle that the provisions governing the membership of the proposed advisory board should be embodied in a staff regulation. Following this vote, the United Kingdom representative proposed his text as an amendment to the joint Argentine-Chilean proposal. The Committee rejected, by 18 votes to 18, with 11 abstentions, the United Kingdom text. The joint amendment was then approved at the Committee's 417th meeting on 1 December at the first reading, by 28 votes to 11, with 6 abstentions.

Prior to the second reading, the Secretary-General suggested reconsideration of this decision and proposed (A/C.5/574) that the board consist of a chairman appointed by the Secretary-General on the nomination of the President of the International Court of Justice and of four members appointed by the Secretary-General in agreement with the Staff Council. He further suggested that the composition of the board be spelled out in a staff rule rather than in a staff regulation, and proposed the adoption of his original proposal that the board be appointed by the Secretary-General,

leaving its precise composition to be spelled out in a staff rule along the lines he had suggested.

In a letter from the Chairman of the Staff Committee (A/C.5/262), the view was expressed that the exact manner in which the staff should choose its representatives should be left open in the text of the staff regulation.

The proposal of the Secretary-General was approved by the Committee at its 422nd meeting on 4 December by 53 votes to none, with 1 abstention.

Regulation 9.3—As a corollary to his new powers under the amended regulation 9.1(a), the Secretary-General proposed in his report an amendment to regulation 9.3 authorizing him, when he considered it justified, to pay to a staff member terminated under regulation 9.1(a) an indemnity payment twice that which would otherwise be payable under the staff regulations.

The Advisory Committee recommended that the payment of increased indemnities should be limited to cases of staff members terminated under paragraph (iii) of regulation 9.1(a), and that the increase should be no more than 50 per cent higher than that which would otherwise be payable.

Several of the representatives who opposed sub-paragraph (iii) of regulation 9.1(a) were also opposed to this amendment. Others, including the representatives of Colombia, the Union of South Africa and the United Kingdom, opposed any increase in the present indemnities which they considered to be sufficient in all cases of termination.

Those supporting the text proposed by the Advisory Committee, among them the representatives of Australia, Cuba, the Dominican Republic and Turkey, believed that, since regulation 9.1(a) (iii) gave wider discretionary powers to the Secretary-General to terminate appointments, he should also have wider discretionary powers with regard to payment of indemnities for persons terminated under this provision. They could not agree, however, that there were any grounds for altering indemnity rates already approved by an earlier Assembly session for terminations under existing regulations. The Chairman of the Advisory Committee pointed out that, while terminations under 9.1(a) (iii) would be exceptional, the new provisions would entail considerable expenditure if it were extended to other cases.

The Committee first voted on an oral United Kingdom proposal that no addition should be made to regulation 9.3. This was rejected by 19 votes to 12, with 16 abstentions. The text recommended by the Advisory Committee was then approved at the Committee's 417th meeting on 1 December by 22 votes to 14, with 11 abstentions.

(b) AMENDMENTS TO THE STATUTE OF THE ADMINISTRATIVE TRIBUNAL

Article 9 of the Statute—In his report, the Secretary-General stated that experience had indicated that, particularly in cases involving termination of appointment, where the Administrative Tribunal found that an application was well-founded, the payment of compensation should be the rule rather than (as under the original Article 9) the exception. To reinstate an employee whom the Secretary-General has considered it necessary to terminate would, he declared, not normally be in keeping with the interest of good administration. Also, from the point of view of the staff member, it would

not be desirable to require a new finding by the Secretary-General that reinstatement was "impossible or inadvisable". From the point of view of financial administration, the Secretary-General proposed that the Tribunal be limited in the amount to be awarded in cases of termination or dismissal to the maximum of two years' net base salary. These observations were embodied in the first paragraph of his proposed amendment to Article 9 of the Tribunal's Statute.

The second paragraph of the Secretary-General's proposal concerned remanding in case of procedural defects and compensation for a loss caused by a procedural delay; the third paragraph, unchanged in substance from the original text, provided that in applicable cases compensation should be fixed by the Tribunal and paid by the organization concerned.

The Advisory Committee concurred in the second and third paragraphs of the Secretary-General's proposal and recommended a new text for the first paragraph. This new paragraph retained the first sentence of the existing article 9 of the Statute, while at the same time meeting the points raised by the Secretary-General. The Advisory Committee further suggested that it was desirable from the point of view of financial administration to limit the compensation that might be awarded to one year's net base salary, or \$10,000, whichever was smaller, and recommended an amendment to the Secretary-General's text to that effect. The Chairman of the Advisory Committee explained that this amount was intended to be in addition to any indemnities paid by the Secretary-General under the staff regulations at the time of termination.

The Secretary-General accepted the first part of the Advisory Committee's text, but desired to maintain his original limit on the amount of compensation which the Administrative Tribunal might award, which was two years' net base salary. It was explained by the representative of the Secretary-General that, in accordance with the practice of the Administrative Tribunal, it was intended that the amount would be less any indemnities paid at the time of termination. The Secretary-General had, however, suggested that in exceptional cases the Tribunal should be free to recommend the payment of higher compensation.

In the Fifth Committee's discussions there was a difference of opinion only on the first paragraph of the Secretary-General's proposal; there was general acceptance and no debate in substance on paragraphs 2 and 3.

A joint amendment was proposed by Brazil, Egypt, France, India, Indonesia, Lebanon, the Netherlands and Syria (A/C.5/L.255) which, with oral drafting changes, would add to the revised text the provision that the Tribunal might, in exceptional cases, when it considered it justified, order the payment of higher indemnity; a statement of the reasons would accompany each such order.

Some representatives, including those of Belgium, Chile, Guatemala, Uruguay and Yugoslavia, opposed any action on this subject on the grounds that it was undesirable to tamper with the Tribunal's Statute in a way which might alter the existing balance between the power of the Secretary-General and the Tribunal.

The Committee, at its 418th meeting on 2 December, voted on the amended text paragraph by paragraph. The Committee voted on the first paragraph in parts. It adopted the first sentence as recommended by the Advisory Committee, the second sentence with the limitation of two years' net base salary, and the eight-

Power proposal concerning higher indemnities in exceptional cases. It then accepted the first paragraph, as a whole, by 34 votes to 13, with 6 abstentions. The second paragraph was approved by 54 votes to none, with 1 abstention, and the third paragraph was approved unanimously.

Article 7 of the Statute—An amendment proposed by Argentina and Chile (A/C.5/255) to Article 7 of the Statute of the Administrative Tribunal, which would have eliminated the provision preventing consideration by the Tribunal of applications unanimously decided by the Joint Appeals Board to be frivolous, was rejected by the Committee at its 418th meeting on 2 December by 20 votes to 7, with 22 abstentions. A further amendment (A/C.5/255) by these two delegations to delete the word "activities" in staff regulation 1.2, on the assignment of staff by the Secretary-General "to any of the activities or offices of the United Nations ..." was withdrawn, following explanations by the representative of the Secretary-General and comments by various delegations.

(2) Provisions for Review

As a result of a suggestion made by the Secretary-General in his report, the representative of Canada proposed (A/C.5/L.258) and the Committee unanimously approved at its 416th meeting on 1 December, a draft resolution providing that the Assembly undertake at its tenth session in 1955, on the basis of a report to be submitted by the Secretary-General and the comments thereon of the Advisory Committee, a review both of the principles and standards progressively developed and applied by the Secretary-General in his implementation of the staff regulations.

(3) Special Fund for Payment of Indemnities

In the course of the discussion of the amendment to staff regulation 9.3, the representative of Argentina proposed a draft resolution (A/C.5/L.257), requesting the Secretary-General to submit to the Assembly's ninth session a report on the possibility of establishing a special fund to be used for the payment of indemnities.

The representative of France suggested, however, that, instead of a resolution on the subject, the report by the Fifth Committee's rapporteur might contain a request to the Secretary-General and to the Advisory Committee to prepare for the ninth session a report on the financing of indemnities, taking into account the views expressed in the Committee's discussions. The representative of Turkey believed that the report should also discuss the question as to whether the establishment of a fund of this kind would be compatible with the provisions of Article 17 of the Charter (which states, *inter alia*, that the "General Assembly shall consider and approve the budget of the Organization"). He explained that, so far as public accounts were concerned, the standard practice was for the legislature to appropriate funds for a

financial year, and to enact special legislation if it anticipated that expenditure would continue beyond that year. The General Assembly, he said, could not delegate its powers, not even to the Secretary-General, and could not relinquish its power to scrutinize expenditure each year. In this connexion, the Chairman of the Advisory Committee stated that, without wishing to anticipate the attitude of the Committee, he believed the establishment of such a fund would raise important constitutional issues.

The Secretary-General informed the Fifth Committee that, if it expressed a wish to that effect, he would undertake a study of the possibility and desirability of the proposal before making budgetary arrangements for the payment of indemnities. He used the term "budgetary arrangements" as he felt that various possible solutions should be studied and not merely the proposal for a special fund. The Fifth Committee at its 415th meeting on 30 November agreed, without objection, that the rapporteur's report should indicate the desire of the Committee that the Secretary-General should submit the study envisaged to the ninth session of the General Assembly.

(4) Other Personnel Problems

The second part of the Secretary-General's report to the Assembly's eighth session (A/2533) dealt with other personnel problems, such as the progress in reviewing temporary staff, the appointment policy, special categories of staff, and the effect on United Nations staff members of the coming into force of the United States Immigration and Nationality Act of 1952.

(a) PROGRESS IN REVIEWING TEMPORARY STAFF

A Selection Committee appointed by the Secretary-General under the chairmanship of F. P. Walters, former Deputy Secretary-General of the League of Nations, conducted a review of temporary staff at Headquarters in 1952⁷⁵ and in the European Office of the United Nations early in 1953. The review was continued at Headquarters in 1953 by two committees, one under the chairmanship of Sir Ramaswami Mudaliar and the other under the chairmanship of Ivan Kerno.

The Secretary-General declared that before the end of 1953 these committees would have completed the review of 1,082 temporary staff members at Headquarters appointed before 1 January 1951, of whom 567 were in the Professional category and 515 in the General Service category. To these numbers at Headquarters there had to be added 296 staff members, already reviewed, in the European Office of the United Nations.

Early in 1954, the Selection Committee, reported the Secretary-General, would undertake the review of the staff of the Economic Commissions for Latin America and for Asia and the Far East and of the staff serving in the United Nations Information Centres.

Simultaneously, a second form of regular review of staff members had been in operation in the Secretariat. This was the review, proposed first by the Preparatory Commission in 1945, of permanent staff members who had completed five years of service in that status. The first permanent appointments were granted during 1947 and the first group of permanent staff members was, therefore, reviewed in 1952. The Secretary-General had appointed a Five-Year Review Committee composed of senior officials of the Secretariat. At the time of the Secretary-General's report (2 November 1953), the Committee had reviewed 670 permanent staff members, and the Secretary-General had accepted its recommendations in virtually every case.

(b) APPOINTMENT POLICY

The Secretary-General declared that the basic aim of an appointment policy devised for the present needs of the Secretariat was to create the most favourable conditions for the development of a body of permanent international civil servants meeting the highest standards of efficiency, competence and integrity. Under such a policy, outside recruitment would be conducted mainly for the purpose of securing replacements, including candidates of nationalities not adequately represented, for posts vacated due to the process of normal turnover.

Candidates recruited for continuous service would be given appointments in probationary status, such probation to be of a duration of not less than two years. Toward the end of their second year of service they would be submitted to review and, as a result, either granted permanent appointments or separated from the service. In exceptional cases, the period of probation might be extended for one additional year.

A special type of appointment, the main characteristic of which would consist in a clear stipulation that no expectancy of continuous service was implied, would be granted to outside assistants for work of a temporary nature or limited duration or to certain recruited persons whom, because of their occupational or personal status, it was not possible or advisable to integrate in the permanent service.

⁷⁵ See Y.U.N., 1952, p. 95.

The Secretary-General stated that it would be his policy to grant permanent appointments to staff members in the Principal Officer and Director category below the rank of Principal Director, to staff members in the Professional category and to staff members serving in the intermediate and higher levels of the General Service category.

As from 1 January 1954, temporary appointments would be divided into two groups: either to replace or secure staff for which continuous service was envisaged (the Probationary appointment and the Regular appointment) or to engage temporary staff to whom no expectancy of continuous service could or should be given (the Fixed-term and the Indefinite appointment).

The probationary appointment would be given to individuals under 50 years of age at the time of recruitment when the Secretary-General intended that the appointee, if he proved that he had the required qualifications, should receive a Permanent or Regular appointment.

The Regular appointment would be given to staff members in the first two salary levels of the General Service category and to manual and skilled trade personnel, after they had served a minimum of two years in Probationary appointments. The Regular appointment would be for an indefinite period which might last until retirement age.

The Fixed-term appointment, which would expire automatically on a date specified in the letter of appointment, would be given for periods not to exceed five years to individuals recruited for service of prescribed duration, including persons seconded by or on leave from national governments and institutions for service with the Secretariat.

The Indefinite appointment would be given only to: (1) individuals specifically recruited for field or mission service who did not qualify for Fixed-term or Probationary appointment, and (2) those recruited subject to a waiver of medical requirements and who were not given a Fixed-term appointment.

An Appointment and Promotion Board composed of senior officials would be appointed by the Secretary-General. The Board would make recommendations for all appointments of an expected duration of more than one year, with the exception of mission and technical assistance experts appointments, and would consider all proposals for promotion.

A Personnel Selection and Review Board, appointed by the Secretary-General, would be composed of the following: a chairman, three mem-

bers appointed from among senior officials of the Secretariat, and one member appointed from among staff members nominated by the Staff Council. The functions of the Board would be: (1) to conduct the review of staff members who became eligible for a Permanent or Regular appointment; and (2) to review every five years staff members holding Permanent or Regular appointments and to advise the Secretary-General whether the staff member had maintained the standards of efficiency, competence and integrity prescribed by the Charter.

The Secretary-General stated that, while it seemed evident that the broad principles of the staff regulations were meant to be universal and to apply to all members of the staff, he had on occasions, where the circumstances warranted it, and particularly in the case of staff appointed for special service of a non-continuous or purely local character, prescribed conditions of employment which modified to some extent the specific stipulations of the staff regulations. This necessary latitude in interpreting the applicability of the staff regulations, he said, had proved to be of particular practical value in setting the conditions of employment in such subsidiary organs created by the General Assembly as the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the United Nations Korean Reconstruction Agency, the Office of the United Nations High Commissioner for Refugees, and also for the appointment of experts specifically recruited to serve the Expanded Programme of Technical Assistance. He declared that, subject to the agreement of the General Assembly, he intended to continue to avail himself of a reasonable latitude of interpretation of the applicability of the staff regulations.

(c) THE UNITED STATES IMMIGRATION
AND NATIONALITY ACT OF
24 DECEMBER 1952

The Secretary-General stated that, on 24 December 1952, there came into force in the United States a new Immigration and Nationality Act which contained provisions of immediate relevance to staff members of the United Nations. Under this Act, the United States authorities could adjust to non-immigrant status any non-United States citizen in permanent residence (immigrant) visa status who had an occupational status which would entitle him to a diplomatic or international organization visa (G-4 visa). The United States Attorney General would cancel the record of such person's admission for permanent residence, and his immigrant status would therefore be terminated. The adjustment of status which

was thus required was made inapplicable by the Act, however, if the individual filed with the United States Attorney General a written waiver of all rights, privileges, exemptions, and immunities, under any law or any executive order, which would otherwise accrue to him because of his having an occupational status entitling him to the non-immigrant status.

According to regulations issued by the United States Attorney General, no United Nations staff member would have his residential status changed to G-4 visa status until he had received formal notice in writing from the United States authorities. The staff member would then have ten days from the receipt of that notice in which to execute the waiver of his privileges and immunities. Some staff members holding permanent residence visas were faced with the decision before the time of the general notification, for example, if they applied for a re-entry permit before proceeding on travel outside the United States.

According to an opinion by the Attorney General of the United States on the effect of these waivers, the Secretary-General stated, a United Nations staff member who signs the waiver can enjoy, under United States law, the same privileges and exemptions as are available to a United States citizen employed by the United Nations, but cannot assert privileges not available to a United States citizen. In illustration, the staff member would remain immune from suit and legal process in relation to his official United Nations functions, but he would become liable to United States income taxation on his income derived from the United Nations.

Following receipt of the text of the United States Act, the regulations adopted by the United States authorities in its implementation, and the opinion of the United States Attorney General, the Secretary-General on 26 June 1953 had issued a circular to the staff (ST/AFS/SER.A/214) in which he said in part that as far as the United Nations was concerned, the signature of the waiver might have consequences which would have to be carefully studied and might call for special rulings by the General Assembly or himself. In the meantime, the Secretary-General, who has exclusive authority to waive privileges and immunities enjoyed by United Nations staff members, was prepared to consider the request of any staff member for authorization of his signature of the waiver, with the understanding that this waiver did not constitute a limitation of the immunities related to official acts of the staff member.

The Secretary-General reported that, of some 3,356 staff members at Headquarters, some 1,755

were not citizens of the United States; 461 being, on 1 October 1953, in permanent residence status. Assuming that all these staff members elected to retain their permanent residence status in the United States, the amount of income taxation that would be reimbursable was estimated to be roughly \$360,000 for the first full taxation year. Of the 461 staff members, 231 were then entitled to the benefits and entitlements associated with international recruitment, of which home leave was the most considerable, amounting to an estimated annual cost of \$280,000 per annum. For the purpose of geographical distribution of the staff, some 178 of these staff members were counted as being internationally recruited.

While the financial consequences were important, the Secretary-General said, there might also be other implications in the case of staff members whose nationality was an important feature of their selection for employment with the United Nations. If such staff members elected to become permanent residents of another country, there might be an implication of an intention not to maintain ties with the country of their nationality. A question might therefore arise with regard to the application of the principle of geographical distribution.

It was proposed by the Secretary-General, and concurred in by the Advisory Committee in its observations (A/2581) on the second part of the report, that a staff member opting for permanent residence status in the country of his duty station, and thereby rendering himself liable to national income taxation on salary and other emoluments received from the United Nations, should receive reimbursement of such taxation, subject to the decision of the General Assembly to appropriate funds annually for this purpose. On the other hand, it was recommended that such staff members should:

- (1) lose any eligibility for home leave;
- (2) lose any entitlement to payment of non-resident's allowance from the date on which the staff rules were changed or from the end of the month in which he signed the waiver, whichever was later;
- (3) lose any entitlement to education grant after the completion of the 1953-1954 academic year, the staff member concerned, however, retaining eligibility for one-way travel for the dependent child between the home country and duty station on the completion of the 1953-1954 academic year;
- (4) lose any entitlement to repatriation grant; and
- (5) lose any eligibility for return transportation for himself or his dependents, and for removal of household effects, which was based on "place of home leave"

The Advisory Committee in its observations, in addition, while concurring in the transitional measure recommended by the Secretary-General

as regards a staff member's entitlement to the education grant, considered as unwarranted the Secretary-General's proposal that staff members who would otherwise have been eligible for home leave during 1953 or 1954 should be permitted to take one final home leave during the year in which it would have fallen due.

The Advisory Committee further recommended:

(1) that persons in permanent residence status should in future be ineligible for appointment as internationally recruited staff members unless they were prepared to change to a G-4 (or equivalent) visa status; and

(2) that, except in the case of the present staff members who were in permanent residence status and therefore affected by the United States Immigration and Nationality Act of 1952, any internationally recruited member of the Secretariat who asked and received authority to change from a G-4 (or equivalent) visa status to a permanent residence status should not thereby acquire any entitlement to reimbursement of national income taxes. This latter recommendation of the Advisory Committee was subsequently modified for the purpose of enabling the Secretary-General, in exceptional and compelling circumstances, to grant permission to a staff member to change his status without losing entitlement to tax reimbursement.

The Advisory Committee expressed the view that a decision to remain in permanent residence status in no way represented an interest of the United Nations and that, on the contrary, to the extent, if any, that it might weaken existing ties with the countries of nationality, it was undesirable from the United Nations point of view.

The Fifth Committee, at its 419th meeting on 3 December, turned its attention to the problems and policy suggestions dealt with in the second part of the Secretary-General's report (A/2533). Discussion was directed for the most part to the problems resulting from the application to United Nations staff members of the relevant provisions of the United States Immigration and Nationality Act of 1952, on the basis of the observations and proposals outlined in the Secretary-General's report and the recommendations set forth in the report of the Advisory Committee (A/2581).

The Fifth Committee was informed that the number of staff members who were in permanent residence status and therefore affected by the above Act, had been reduced, by 17 November 1953, to 453. Of this total, 121 had been authorized by the Secretary-General to sign a waiver of privileges and immunities, including 49 who were entitled to benefits associated with international recruitment.

The specific recommendations of the Advisory Committee received a wide measure of support in the Fifth Committee. A number of representatives, however, including those of Egypt, France, India and Poland, recorded their strong opposition

to any extension of the policy of national income tax reimbursement to a further group of staff members; they said they would not be able to support the appropriation of additional funds for this purpose.

The recommendation of the Advisory Committee that present staff members who opted for permanent residence status in the country of their duty station should, subject to annual appropriation of funds, receive reimbursement of national income taxes, on being put to the vote, was approved by 27 votes to 11, with 12 abstentions. The recommendations relating to loss of entitlement to various benefits associated with international recruitment were approved by 47 votes to none, with 2 abstentions.

In the light of an explanation given by the representative of the Secretary-General, the Fifth Committee accepted, by 25 votes to 12, with 12 abstentions, a proposal by the representative of Denmark that the transitional arrangements, as recommended by the Secretary-General, should apply in the case of home leave, as well as in the case of the education grant.

The Fifth Committee, having been informed that the Secretary-General would in future refuse to recruit persons in permanent residence status for posts subject to international recruitment, concurred, by 48 votes to 1, with 1 abstention, in the recommendation of the Advisory Committee to the effect that persons in permanent residence status should in future be ineligible for appointment as internationally recruited staff members unless they were prepared to change to a G-4, or equivalent, visa status.

The Advisory Committee's recommendation concerning the granting of permission to a staff member to change his status without losing entitlement to tax reimbursement, as subsequently modified, was adopted by 45 votes to 1, with 3 abstentions. In connexion with this last recommendation, certain representatives, in particular the representative of Israel, questioned the equity of treating staff members who were already in permanent residence status differently from those who subsequently opted for that status. Doubts were also expressed as to the equity of making a distinction between United States citizens, who would continue to be entitled to the benefits associated with international recruitment, and other staff members who were not yet citizens of the United States but who had applied for or had acquired permanent residence status.

The hope was expressed that the Secretary-General would submit definite proposals in due

course for dealing with the problem that had arisen with regard to the application of the principle of geographical distribution. The representatives of Argentina, Czechoslovakia, Egypt, India, Poland and the Union of South Africa, among others, considered that international officials should be true representatives of the culture and personality of the country of which they were nationals, and that those who elected to break their ties with that country could no longer claim to fulfil the conditions governing employment in the United Nations.

The representative of the Secretary-General stated that definite proposals had not yet been submitted, since the Secretary-General had as yet no clear knowledge of how large the problem would be. Should any considerable number of internationally recruited staff members decide to retain their permanent residence status, the Secretary-General would report the matter to the General Assembly at its next session, together with specific proposals for dealing with the situation.

The representative of Czechoslovakia orally proposed that staff members at Headquarters having permanent residence status should be excluded, for the purposes of geographical distribution of the staff, from the quotas appropriate to their country of nationality and should be included for such purposes within the quota appropriate to the United States. He requested that this proposal should be voted on in two parts. As the first part of the proposal was rejected by 18 votes to 18, with 10 abstentions, it was ruled that the proposal as a whole had failed of adoption.

The Fifth Committee, however, accepted, by 20 votes to 16, with 13 abstentions, an alternative proposal by the representative of Lebanon to the effect that, for purposes of applying the criterion of equitable geographical distribution as required by Article 101 of the Charter, staff members of a nationality other than that of the host country who acquired permanent residence status in the host country should be classified in a special category.

It was the understanding of the Fifth Committee that its decisions on the second part of the Secretary-General's report (A/2533) should be recorded in its report to the General Assembly (A/2615) for the guidance of the Secretary-General in giving effect to the policies thus approved through appropriate amendments to the staff rules.

(5) Resolutions Adopted by the General Assembly

The report of the Fifth Committee (A/2615) was considered by the General Assembly at its

471st plenary meeting on 9 December. The only representative to comment on the report was the representative of Uruguay. He considered that some of the changes recommended in regulation 9.1 (a) gave the Secretary-General excessive discretionary powers which might open the way for possible arbitrary action and injustice sometime in the future.

The Assembly adopted the draft resolutions proposed by the Fifth Committee as follows: the first resolution by 50 votes to 5, with 3 abstentions; the second by 50 votes to 6, with 2 abstentions; and the third, unanimously. Their texts (782 A, B and C (VIII)) read:

A

AMENDMENTS TO THE STAFF REGULATIONS OF THE UNITED NATIONS

"The General Assembly

"Adopts, as amendments to the Staff Regulations of the United Nations, the text annexed to the present resolution. These amendments shall become effective from the date of their adoption."

ANNEX

Staff regulation 1.4 (amended text)

Members of the Secretariat shall conduct themselves at all times in a manner befitting their status as international civil servants. They shall not engage in any activity that is incompatible with the proper discharge of their duties with the United Nations. They shall avoid any action and in particular any kind of public pronouncement which may adversely reflect on their status, or on the integrity, independence and impartiality which are required by that status. While they are not expected to give up their national sentiments or their political and religious convictions, they shall at all times bear in mind the reserve and tact incumbent upon them by reason of their international status.

Staff regulation 1.7 (amended text)

Staff members may exercise the right to vote but shall not engage in any political activity which is inconsistent with or might reflect upon the independence and impartiality required by their status as international civil servants.

Staff regulation 9.1 (a) (additional provisions)

The Secretary-General may also, giving his reasons therefor, terminate the appointment of a staff member who holds a permanent appointment:

(i) If the conduct of the staff member indicates that the staff member does not meet the highest standards of integrity required by Article 101, paragraph 3, of the Charter;

(ii) If facts anterior to the appointment of the staff member and relevant to his suitability come to light which, if they had been known at the time of his appointment, should, under the standards established in the Charter, have precluded his appointment.

No termination under sub-paragraphs (i) and (ii) shall take place until the matter has been considered and reported on by a special advisory board appointed for that purpose by the Secretary-General.

Finally, the Secretary-General may terminate the appointment of a staff member who holds a permanent appointment if such action would be in the interest of the good administration of the Organization and in accordance with the standards of the Charter, provided that the action is not contested by the staff member concerned.

Staff regulation 9.3 (additional paragraph to become sub-paragraph (b))

(b) The Secretary-General may, where the circumstances warrant and he considers it justified, pay to a staff member terminated under the final paragraph of staff regulation 9.1(a) a termination indemnity payment not more than 50 per cent higher than that which would otherwise be payable under the Staff Regulations.

B

AMENDMENT TO THE STATUTE OF THE UNITED NATIONS ADMINISTRATIVE TRIBUNAL

"The General Assembly

"Adopts, as an amendment to the Statute of the United Nations Administrative Tribunal, the text annexed to the present resolution. This amendment shall become effective from the date of its adoption."

ANNEX

Article 9 (amended text)

1. If the Tribunal finds that the application is well founded, it shall order the rescinding of the decision contested or the specific performance of the obligation invoked. At the same time the Tribunal shall fix the amount of compensation to be paid to the applicant for the injury sustained should the Secretary-General, within thirty days of the notification of the judgment, decide, in the interest of the United Nations, that the applicant shall be compensated without further action being taken in his case; provided that such compensation shall not exceed the equivalent of two years' net base salary of the applicant. The Tribunal may, however, in exceptional cases, when it considers it justified, order the payment of a higher indemnity. A statement of the reasons for the Tribunal's decision shall accompany each such order.

2. Should the Tribunal find that the procedure prescribed in the Staff Regulations or Staff Rules has not been observed, it may, at the request of the Secretary-General and prior to the determination of the merits, order the case remanded for institution or correction of the required procedure. Where a case is remanded the Tribunal may order the payment of compensation, not to exceed the equivalent of three months' net base salary, to the applicant for such loss as may have been caused by the procedural delay.

3. In all applicable cases, compensation shall be fixed by the Tribunal and paid by the United Nations or, as appropriate, by the specialized agency participating under article 12.

REVIEW OF THE STAFF REGULATIONS OF THE UNITED NATIONS, INCLUDING THE PRINCIPLES AND STANDARDS APPLIED IN THEIR IMPLEMENTATION

"The General Assembly

"1. Decides to undertake, at its tenth session in 1955, on the basis of a report to be submitted by the

Secretary-General and of the comments thereon of the Advisory Committee on Administrative and Budgetary Questions, including their recommendations as to such further action as may be required of the General Assembly, a review both of the principles and standards progressively developed and applied by the Secretary-General in his implementation of the Staff Regulations and of the Staff Regulations themselves;

"2. Requests the Secretary-General to circulate to the governments of Member States, not later than four weeks before the opening date of the tenth session of the General Assembly, the report and comments referred to in paragraph 1 above."

4. Staff Regulations of the United Nations: Question of a Probationary Period

In resolution 682 (VII)⁷⁶ of 21 December 1952, the General Assembly asked the Secretary-General to submit, through the Advisory Committee on Administrative and Budgetary Questions, a final proposal on the question of a probationary period for consideration by the Assembly at its eighth session.

In his report to the eighth session (A/2591), the Secretary-General stated that he had consulted with the executive heads and the administrative representatives of the specialized agencies, with whom agreement had been reached, in principle, that all permanent appointments should be preceded by a trial period of service, either in the form of a specific period of probation or on a fixed-term basis, for one or two years. He said that the experience gained in the Secretariat during the past years had led to the conclusion that a period of two years was normally necessary for a proper and accurate assessment of the fitness for permanent appointment of a newly appointed staff member. Provision should also be made for the possibility of extending that period in special cases for one additional year.

Accordingly he proposed an additional paragraph to be included in staff regulation 4.5, as follows:

"(b) The Secretary-General shall prescribe which staff members are eligible for permanent appointments. The probationary period for granting or confirming a permanent appointment shall normally not exceed two years, provided that in individual cases the Secretary-General may extend the probationary period for not more than one additional year."

The Advisory Committee, in a memorandum (A/2592) addressed to the Secretary-General, agreed with the proposed text subject to certain observations. These were to the effect that the words "granting or confirming" were used in the

⁷⁶ See Y.U.N., 1952, p. 99.

sense that a staff member intended for the career service would normally hold a temporary appointment of a probationary nature for an initial period of two or—in exceptional cases—three years and would then either be granted a permanent appointment or his temporary appointment would be terminated and he would be separated from the service. The phrase "or confirming" it was understood, was inserted for the sole purpose of covering any exceptional cases in which a permanent appointment was granted, subject to confirmation, either on initial appointment or at any time during the probationary period. The Advisory Committee also noted that the full effect of the proposed addition to staff regulation 4.5 was intended to apply to staff appointed after 1 January 1954.

The question was considered by the Fifth Committee at its 420th meeting on 3 December, and by the General Assembly at its 471st plenary meeting on 9 December. The Fifth Committee, without discussion, unanimously approved the text proposed by the Secretary-General for staff regulation 4.5 (b), and on its recommendation (A/2613), the General Assembly, without discussion and without objection, adopted the text as resolution 781(VIII).

5. United Nations Administrative Tribunal

a. JUDGMENTS OF THE TRIBUNAL

On 21 August 1953, the Administrative Tribunal, in Geneva, rendered judgments (Judgments Nos. 18-38, AT/DEC/18-38) in the cases of 21 former United Nations staff members of United States nationality who contended that their discharge was illegal. Ten of these cases related to terminations of temporary appointments, ten to terminations of permanent appointments and one to the summary dismissal for serious misconduct of a staff member who held a permanent appointment.

The Tribunal sustained the termination action of the Secretary-General in nine cases involving temporary appointments and rejected the claims of the individual applicants.

The Tribunal decided in favour of the terminated staff members in ten cases concerning permanent appointments and in one case concerning a temporary appointment. It declared, *inter alia*, that with respect to the cases concerning permanent appointments staff regulation 9.1(a), on termina-

tion for unsatisfactory services, and regulation 10.2, on summary dismissal for serious misconduct, did not apply. Even if it were admitted that the plea of constitutional privilege invoked by the staff members in respect of acts outside their professional duties constituted a breach of staff regulation 1.4, relating to political activity, this could not be construed as "unsatisfactory services", a term used solely to designate professional behaviour within the Organization, nor could it be held to constitute serious misconduct. In the case concerning a temporary appointment, it was ruled that staff regulation 1.4 recognizes the right of staff members not to give up their political opinions and that, in this case, the termination decision on the basis of staff regulation 9.1(c) represented a misuse of power and was therefore invalid. Reinstatement was ordered in four cases and payment of compensation in lieu of reinstatement, as requested by the applicants, was ordered in seven cases.

The Tribunal decided with respect to the summary dismissal that the proceedings of the Joint Appeals Board in the case had not been valid, that consequently the submission of the case to the Administrative Tribunal was not regular and that it should be re-submitted to the Joint Appeals Board.

In the seven cases where compensation was ordered in lieu of reinstatement, the Tribunal awarded: (1) full salary up to the date of judgment (\$53,798) less the amount paid at termination in lieu of notice (\$16,640) and less also the amount of termination indemnity (\$32,460); (2) compensation in lieu of reinstatement in varying amounts totalling \$122,500; and (3) legal costs totalling \$2,100. In one case, an additional obligation estimated at \$1,600 represented an award for pension entitlement.

In the case regarding the summary dismissal, the Tribunal awarded legal costs of \$300.

Under the Statute of the Tribunal, the Secretary-General has the option of refusing reinstatement if he considers it inadvisable, in which case the Tribunal decides on the amount of compensation. In the exercise of the powers granted him by the Tribunal's Statute, the Secretary-General decided not to reinstate the applicants in the four cases (Judgments Nos. 18, 30, 32 and 38) where reinstatement was ordered by the Tribunal. By a letter of 2 September, the Secretary-General informed the President of the Tribunal that he had decided that it would be inadvisable from the points of view which it was his duty to take into consideration to reinstate the persons concerned.

Proceedings to determine the amounts of compensation in the four cases then took place before the Tribunal, and four judgments (Judgments Nos. 39-42, AT/DEC/39-42) were rendered, in London, on 13 October. The Tribunal awarded: (1) full salary up to the date of judgment (\$30,-228) less the amount paid at termination in lieu of notice (\$6,574) and less also the amount of termination indemnity (\$14,911); (2) compensation in lieu of reinstatement amounting to \$48,230; and (3) legal costs totalling \$1,200.

On 11 December, the Tribunal, at United Nations Headquarters, rendered judgments (Judgments Nos. 43-50, AT/DEC/43-50) in the cases of eight former United Nations staff members wishing reinstatement. Six of these cases concerned the termination of temporary appointments, and two concerned the non-renewal of fixed-term appointments. Rescission of the Secretary-General's decision to terminate the employment, reinstatement and compensation, in the majority of the cases, were requested by the applicants.

The Tribunal stated that the staff rules and regulations then in force provided that the Secretary-General might terminate temporary appointments if, in his opinion, such action would be in the interest of the United Nations, and that fixed-term appointments were regarded as temporary appointments. The Tribunal noted that the Secretary-General had, in all instances, accepted the recommendations of the Walters Selection Committee regarding the applicants concerned. The Tribunal explained that the function of the Walters Committee was to make recommendations to the Secretary-General as to which temporary staff should (1) be granted permanent appointment, (2) be placed on a further probationary period of one year, or (3) be terminated. The Tribunal noted that the Committee was an internal administrative body, established by, and functioning in the way approved by the Secretary-General in order to render him advice; it was not for the Tribunal to express an opinion on internal administrative practices adopted by the Secretary-General. The Tribunal rejected all the claims put forward by the applicants.

The Tribunal, also on 11 December, rendered a judgment (Judgment No. 51, AT/DEC/51) correcting a material error in Judgment Number 37 of 21 August 1953. In that Judgment the Tribunal had awarded the applicant \$10,000 damages to cover the period from the date of the judgment until the date on which she would normally have retired on pension, on 12 March 1955. The Tribunal in its Judgment of 11 De-

ember stated that it was now clear that the wrong date of birth and statement as to age was submitted to it by both parties and as it had had no opportunity of being made aware of the true facts prior to its Judgment of 21 August, it had no option but to correct that Judgment in the light of accurate facts belatedly produced. The Tribunal accordingly ordered that the amount of compensation provided in Judgment No. 37, which was specifically related to age and date of birth, be amended so that for the sum of \$10,000 there be substituted the amended sum of \$3,500. The date from which the applicant should be paid the pension referred to was amended from 12 March 1955 to 12 March 1954. The Tribunal declined to examine the request of the counsel for the applicant for a general reconsideration of the question of remedial relief.

The fifth plenary session of the Administrative Tribunal was held at United Nations Headquarters on 3 December.

b. QUESTION OF THE PAYMENT OF COMPENSATION AWARDED BY THE TRIBUNAL

In discussing at its eighth session the supplementary estimates for the financial year 1953, the General Assembly had before it a report by the Secretary-General (A/2534) which, among other things, estimated that an additional \$179,420 would be required for the awards of compensation ordered by the Administrative Tribunal in the case of some eleven staff members whose appointments had been terminated during 1953.

The Secretary-General stated in his report, *inter alia*, that, as Chief Administrative Officer of the Organization, he was himself obviously bound by the decisions of the Tribunal and it was not for him to discuss the findings of the Tribunal as concerns the facts or as concerns the interpretations given to the relevant rules. He therefore had proposed the appropriation of the necessary funds. Since the Tribunal was not set up by the Charter, but by a special decision of the Assembly, it did not have the position of an organ with constitutional origin and independence, he continued. However, the creation of the Tribunal, with the safeguards from the legal point of view that it offered to the staff in questions of implementation of the staff regulations, introduced an important element in the contractual relations between the Organization and its employees. For that reason, he stated, the decisions of the Tribunal in the cases which had been submitted to it had as their basis, not only the unilateral decision of the Assembly by which the Tribunal was set up, but

also the current contractual relationship between the Organization and its employees as established by that decision. Finally, it should be kept in mind that the administrative authority of the Secretary-General as concerns the employment of staff, according to the letter and spirit of the provisions of the Charter, was limited by regulations established by the Assembly and that, although the Assembly was entrusted with establishing the standards of employment on the basis of the Charter provisions, the compatibility of those standards with the letter of the staff regulations fell inside the competence of the Administrative Tribunal.

In its 24th report to the eighth session (A/2580), the Advisory Committee on Administrative and Budgetary Questions concurred in this proposed appropriation on the grounds that the Secretary-General's action in including this provision was in accordance with the Statute of the Administrative Tribunal.

During its discussions of the supplementary estimates, at its 420th to 423rd and 425th to 427th meetings from 3 to 5 and 7 to 8 December, the Fifth Committee gave primary consideration to the awards of compensation.

The United States representative declared that it was the considered judgment of his Government that, in ruling that the Secretary-General had acted illegally in terminating eleven members of the staff and awarding those staff members more than \$185,000 in monetary compensation, the Administrative Tribunal had made serious errors prejudicial to the interests of the United Nations.

Under the Charter, the Secretary-General was responsible for appointing and maintaining a Secretariat of the highest quality and was entitled to the Assembly's confidence in carrying out his obligations. His powers should not be infringed upon by a subordinate administrative body of the General Assembly.

The concern of the United States Government, its representative said, was all the greater owing to the circumstances of the case. The staff members involved were United States citizens who had refused to answer the questions of a duly constituted United States Senate sub-committee concerning espionage, subversive activities or United States Communist Party membership. The Tribunal had reversed the Secretary-General's findings that their conduct in refusing to answer the questions warranted dismissal and had decided that the United Nations, to whose budget the United States made such a large contribution, should pay large sums of money to those individuals.

The fact that the United States was the host country of the United Nations meant that the attention of United States citizens were focused upon their fellow nationals in the United Nations Secretariat. They could not conceive that the United Nations could be basically sound if it knowingly employed United States citizens who flouted the responsibilities of United States citizenship and were not prepared to deny under oath their involvement in subversive activities. The United States would therefore oppose the appropriation of funds to make the payments awarded by the Tribunal, for the following basic reasons: (1) the General Assembly had the legal right and responsibility to review and to refuse to give effect to decisions of the Administrative Tribunal; (2) the Tribunal had misconstrued its role and exceeded its proper powers; (3) the Tribunal had made serious errors of law in its application of the staff regulations; and (4) the Tribunal had made errors of judgment and fact in calculating the amount of the awards.

With regard to the first point, the United States representative said, among other things, that the decisions of the Administrative Tribunal were not the decisions of a court, but of an administrative body subsidiary to and created by the General Assembly. Under the Charter, the General Assembly was responsible with the Secretary-General for maintaining a Secretariat meeting the highest standards of efficiency, competence and integrity and had not intended in creating the Tribunal to evade that responsibility. The Tribunal had been established by the General Assembly to carry out certain functions assigned to it. It would be conceded readily, the United States representative said, that the General Assembly could change the Statute of the Tribunal or could abolish it. Surely, then, the General Assembly could take the lesser step of reviewing the Tribunal's decisions and could take action to correct the result of those decisions if the Tribunal went beyond the limits of the jurisdiction allotted to it.

A further basis for the right of the General Assembly to review the Tribunal's decisions under discussion, the United States representative maintained, was that the money for the awards had to be appropriated by the General Assembly as part of the United Nations budget, which had to be considered and approved by the Assembly. In order to fulfil its responsibility of considering and approving the appropriation, the Assembly not only could, but was bound to review the decisions of the Tribunal; it could not relinquish its power to make appropriations to a small group of four individuals, no matter how carefully they had been

chosen. Thus, it was not only the right, but the duty of the Assembly to review the decisions of the Tribunal and decide upon their soundness.

With regard to the second point, the United States representative stated that it was clear from the records that the General Assembly in creating the Tribunal had intended it to have authority to review decisions of the Secretary-General in disciplinary matters in order to determine whether they had been taken in accordance with procedures set forth in the staff regulations. It appeared also to have intended it to have authority to review those actions for the purpose of determining whether there was evidence compelling a conclusion that the action by the Secretary-General had been taken in bad faith or had been wholly arbitrary without any basis in fact or reason. But it had not intended the Tribunal to have authority equal or superior to that of the Secretary-General to determine what standards of conduct were to be applied to staff members or to determine whether or not staff members had failed to meet those standards; nor to try disciplinary cases *de novo*; nor to substitute its judgment concerning the facts or the assessment of the gravity of an offence for that of the Secretary-General. The Tribunal was competent to deal with cases involving alleged breach of the staff member's terms of employment, including questions relating to the observance of the terms of contracts or appointments, but was not competent to inquire into the wisdom of the Secretary-General's exercise of his discretionary powers. The Tribunal had invaded the Secretary-General's jurisdiction and had substituted its evaluation of the facts and its assessment of the gravity of the offence for those of the Secretary-General. It had made no effort to confine its consideration to the question of whether the Secretary-General had exercised his judgment arbitrarily or in bad faith. That usurpation of the Secretary-General's functions had not been intended by the General Assembly when it had established the Tribunal.

With reference to the third point, the United States representative argued, *inter alia*, that the dismissed employees had been guilty of serious misconduct as charged by the Secretary-General. By refusing to answer questions put by proper authorities of the United States Government concerning subversive activities, the dismissed employees had raised a serious question concerning their integrity. Both the United Nations Charter and the staff regulations required the highest standards of integrity for all employees and when any staff member had so placed his integrity in doubt he could not measure up to the standards

required for United Nations employment. His action in so doing should obviously be classified as serious misconduct warranting his immediate dismissal.

In regard to the fourth point, the awards, said the representative of the United States, varied from a minimum of less than one half of one year's salary to a maximum of more than three-and-a-half times one year's salary and the reasons given for the variations were conflicting, inconsistent and often merely capricious. For example, in some cases the Tribunal had considered the age factor, and in others not; in some cases it had taken into account certain favourable or adverse comments made by the United States State Department to the Secretary-General, and in others not; and in some cases it had made allowance for alleged employment expectations, and in others not.

The representatives of Argentina, Australia, China, Cuba, the Dominican Republic, Liberia and Turkey also opposed the appropriations. They expressed the view, broadly speaking, that the General Assembly had the authority to decline to accept the findings of the Administrative Tribunal or to vary the amount of compensation awarded by the latter. They argued that the Tribunal had been established not under the provisions of the Charter, but by a special decision of the General Assembly. The Tribunal was therefore not in the position of an organ with constitutional origin and independence, and could not, as a subsidiary organ, create obligations binding upon the General Assembly. The Tribunal was subject to the Assembly's control; if the Assembly considered the Tribunal had exceeded its competence, it had a duty to put the matter right, and it could, in particular, refuse to pay certain compensation awarded by the Tribunal. They stated that it would be inadmissible for decisions of the chief administrative officer of the Organization, on whom the Charter conferred considerable responsibilities, to be subject to control by a subsidiary organ. If the Tribunal's competence were to be so far extended that it could deal with any disciplinary action taken by the Secretary-General in the interests of the Organization, the Secretary-General would be obliged to submit the administration of his staff to the Tribunal's scrutiny, which was obviously not the General Assembly's intention in establishing the Tribunal.

Those representatives felt that the decisions of the Administrative Tribunal were based on errors of fact and law. Some of the awards, they argued, were manifestly excessive, and if effect were given to them serious inequality of treatment amongst

the applicants would result. The decisions, besides trespassing on the disciplinary powers of the Secretary-General, exposed the host country to serious risks and obliged it to contribute to the payment of compensation to persons lacking the impartiality and integrity required of international civil servants. The terminations to which the Tribunal's decisions related had been effected in order to protect the international civil service. The case of the staff members in question might be compared with that of those conscientious staff members who, after many years of service, retired on small pensions; such a comparison suggested that the Tribunal had placed a sort of premium on serious misconduct. Such judgments had a lamentable effect on public opinion and were harmful to the fundamental interests of the United Nations.

Other representatives, including those of Belgium, Brazil, Canada, Colombia, Czechoslovakia, Denmark, France, India, Lebanon, Mexico, the Netherlands, New Zealand, Norway, Poland, Sweden, Syria, the USSR, the United Kingdom, Uruguay and Yugoslavia, considered that the Administrative Tribunal's judgments when given in accordance with its Statute were final and without appeal and that the General Assembly was bound to pay the awards fixed by the Tribunal.

The Administrative Tribunal, they said, was an independent tribunal established by the General Assembly to ensure for staff members the security of employment and relief from political pressure which were essential if the Organization were to have international civil servants possessing the outstanding qualifications required by the Charter. By its very nature, the Tribunal was more like an independent judicial body than an ordinary organ of the General Assembly. For example, the Tribunal, *inter alia*, was the only organ which did not have to submit an annual report to the General Assembly, and its competence had been extended to the specialized agencies.

In the opinion of these representatives the Tribunal had not, in the cases in question, exceeded its competence and its judgments were in accordance with the staff regulations and rules in force at the time the judgments were given. It was true that the Assembly could amend those regulations and also the provisions of the Tribunal's Statute, but so long as the regulations and provisions remained in force they formed part of the staff member's terms of employment.

The Tribunal, they held, had not acted on false evidence, misinterpreted the staff regulations nor substituted its discretion for that of the Secretary-General. Any interference with the Tribunal's de-

isions would impair its position irretrievably, undermine the morale of the staff and affect the contractual relationship between the staff and the Organization.

There was no principle of law, it was argued, that could justify a refusal to pay compensation already awarded by the Administrative Tribunal and, for the sake of the prestige of the United Nations, the General Assembly could not but comply with the Tribunal's judgments. To refuse to do so would set a precedent dangerous to the moral authority of the United Nations, and one which might influence the future attitude of Member States or individuals when judgments of international or national judicial bodies went against them.

As regards the financial implications, no one would contest the power of the General Assembly to approve or to refuse appropriations, but the power to appropriate funds could hardly be adduced as ground for refusing to fulfil a financial obligation devolving on the United Nations by virtue of one of its statutes.

Some representatives, including those of Canada and Colombia, while supporting the principle of payment, nevertheless expressed misgivings as to the size of the awards. However, they held that the questions involved should be referred to a competent judicial body.

In view of the diversity of opinion, the representatives of Canada, Colombia and the United Kingdom proposed (A/C.5/L.263) that the Assembly should ask the International Court of Justice for an advisory opinion on the following legal questions:

"(i) Having regard to the Statute of the United Nations Administrative Tribunal and to any other relevant instruments and to the relevant records, has the General Assembly the right on any grounds to refuse to give effect to an award of compensation made by that Tribunal in favour of a staff member of the United Nations whose contract of service has been terminated without his assent?

"(ii) If the answer given by the Court to question (i) is in the affirmative, what are the principal grounds upon which the General Assembly could lawfully exercise such a right?"

The representatives of China, Turkey and the United States spoke against the draft resolution as unnecessary on the ground that there was no question of the Assembly's powers, but abstained in the vote. The representatives of Czechoslovakia and the USSR also opposed it since, in their opinion, the Statute of the Tribunal was clear on the issues involved and the Tribunal had acted in accordance with its Statute. The Argentine representative expressed the view that the Court should also consider whether a subsidiary organ

could impose final decisions upon the Assembly and whether the Assembly was empowered to deal with the form and substance of any appropriation to be included in the United Nations budget. He subsequently voted for the draft resolution on the understanding that these points would be taken into consideration.

The representative of France submitted two amendments (A/C.5/L/267) to the joint draft resolution:

(1) to delete from question (i) the words "on any grounds"; and

(2) to add as a part (b) to the second question the following: "do these grounds, whatever they may be, apply to any of the decisions which have led to the request for the appropriation?"

The representative of France further proposed (A/C.5/L/268/Rev.1) to add to resolution B contained in the draft report of the Fifth Committee on the budget estimates for the financial year 1954⁷⁷ (A.C/5/L.264) a sub-paragraph (g) which would have authorized the Secretary-General to enter into commitments to meet unforeseen and extraordinary expenses for the sums needed for payment of the compensations awarded by the Administrative Tribunal, and referred to in the request by the General Assembly for an advisory opinion from the International Court of Justice, if the Court were of the opinion that the General Assembly had not the right to refuse to give effect to the said awards.

At the Committee's 427th meeting on 8 December an oral USSR proposal that the Committee should first vote on the proposal of the Secretary-General and the Advisory Committee for the appropriation of the funds in question was rejected by a roll-call vote of 29 to 6, with 14 abstentions.

The Committee rejected the first French amendment to the joint draft resolution by a roll-call vote of 28 to 19, with 6 abstentions, and the second amendment, also by roll-call, by 22 votes to 15, with 17 abstentions. The joint draft resolution was adopted (A/2624 A) by a roll-call vote of 35 to 7, with 12 abstentions.

The French proposal concerning resolution B was voted upon in two parts by roll-call. The first part, which concerned the sums needed for the payment of the compensations awarded by the Administrative Tribunal, was adopted by 23 votes to 22, with 12 abstentions. The second part was rejected by 28 votes to 20, with 9 abstentions. The French proposal, as a whole, was then rejected by a roll-call vote of 25 to 19, with 13 abstentions.

The draft resolution recommended by the Fifth Committee (A/2624, resolution A) was adopted

by the General Assembly, at its 471st plenary meeting on 9 December 1953, by a roll-call vote of 41 to 6, with 13 abstentions, as follows:

In favour: Afghanistan, Argentina, Belgium, Bolivia, Brazil, Canada, Chile, Colombia, Cuba, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, France, Greece, Haiti, Honduras, Iceland, India, Iran, Iraq, Israel, Lebanon, Liberia, Luxembourg, Netherlands, New Zealand, Norway, Pakistan, Panama, Peru, Philippines, Saudi Arabia, Syria, Thailand, Union of South Africa, United Kingdom, Uruguay, Venezuela, Yemen.

Against: Burma, Byelorussian SSR, Czechoslovakia, Poland, Ukrainian SSR, USSR.

Abstaining: Australia, China, Costa Rica, Ethiopia, Guatemala, Indonesia, Mexico, Nicaragua, Paraguay, Sweden, Turkey, United States, Yugoslavia.

In plenary session the representatives of France and New Zealand stated that they supported the principle of recourse to the Court in the case of legal disputes and had therefore voted in favour of the resolution, despite the deficiencies they considered the resolution contained as a result of the rejection of the French amendments. The representatives of Mexico, Uruguay and Sweden explained their abstentions on the grounds that the questions submitted to the Court were too abstract and that, in their opinion, the Tribunal's findings were final.

The resolution adopted (785 A (VIII)) read:

"The General Assembly,

"Considering the request for a supplementary appropriation of \$179,420, made by the Secretary-General in his report for the purpose of covering the awards made by the United Nations Administrative Tribunal in eleven cases numbered 26, and 37 to 46 inclusive,

"Considering the concurrence in that appropriation by the Advisory Committee on Administrative and Budgetary Questions contained in its twenty-fourth report to the eighth session of the General Assembly,

"Considering, nevertheless, that important legal questions have been raised in the course of debate in the Fifth Committee with respect to that appropriation,

"Decides

"To submit the following legal questions to the International Court of Justice for an advisory opinion:

'(1) Having regard to the Statute of the United Nations Administrative Tribunal and to any other relevant instruments and to the relevant records, has the General Assembly the right on any grounds to refuse to give effect to an award of compensation made by that Tribunal in favour of a staff member of the United Nations whose contract of service has been terminated without his assent?

'(2) If the answer given by the Court to question (1) is in the affirmative, what are the principal grounds upon which the General Assembly could lawfully exercise such a right?'"

⁷⁷ See p. 98.

6. Joint Appeals Board and Joint Disciplinary Committee

During 1953, the Joint Appeals Board reported to the Secretary-General on 20 cases of appeals, most of them relating to termination of temporary indefinite appointments. The Joint Disciplinary Committee considered two cases in 1953.

These two bodies, established in accordance with General Assembly resolution 352(IV),⁷⁸ to advise the Secretary-General in cases of appeal against administrative decisions or concerning proposed disciplinary action, respectively, are each composed of three members of the Secretariat, one appointed by the Secretary-General, one elected by the Staff Committee, and a Chairman appointed by the Secretary-General after consultation with the Staff Committee.

7. United Nations Joint Staff Pension Fund

a. ANNUAL REPORT OF THE UNITED NATIONS JOINT STAFF PENSION BOARD FOR 1952

In pursuance of article XXXV of the regulations of the United Nations Joint Staff Pension Fund, the United Nations Joint Staff Pension Board (composed of representatives appointed by the Staff Pension Committees of the member organizations of the Joint Fund) presented to the eighth session of the General Assembly of the United Nations and to the governing bodies of all organizations which are members of the Joint Fund, an annual report (A/2421) on the operation of the Joint Fund for 1952. The following organizations participated in the Joint Fund during the year: the United Nations, the International Labour Organisation (ILO), the Food and Agriculture Organization of the United Nations (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Civil Aviation Organization (ICAO), the World Health Organization (WHO) and the World Meteorological Organization (WMO), the latter being admitted to the Joint Fund on 1 January 1952.

The report indicated that on 31 December 1952 the total active membership of the Joint Fund was 8,165. The number of withdrawal benefits paid in 1952 was 765 and, in addition, 25 retirement benefits, twelve widows' benefits, eighteen children's benefits and two disability benefits were authorized. The total expenditure

on benefits during the year was \$726,733, of which withdrawal benefits amounted to \$634,744.

The principal of the Fund at the end of 1952 was \$29,153,966. The investments at cost, adjusted for amortization of premiums and discounts, amounted to \$28,730,196. The income from investment in common stocks was estimated at 4.87 per cent, and the average yield on United States Government Bonds and corporate bonds taken together was 2.73 per cent. (The rate of yield assumed in the construction of the Fund was 2.50 per cent per annum.)

The annual report was considered by the Fifth Committee at its 379th meeting on 30 September. The representative of Argentina pointed out that the highest yield of the Fund's investments in bonds was on bonds of the International Bank for Reconstruction and Development, but that less than 1 per cent of the total value of its investments were in bonds of the Bank. He wished that the Fund would invest larger sums in Bank bonds, as it would obtain a higher yield with complete security. He also hoped that it might be possible to include in the next annual report additional data concerning the Fund's investments.

At the end of the discussion the Fifth Committee adopted, without objection, a draft resolution proposed by the Committee Chairman. The General Assembly at its 458th plenary meeting on 27 November adopted, without objection and without discussion, this draft (A/2564) as resolution 770(VIII), taking note of the report of the Joint Staff Pension Board for 1952.

b. AMENDMENTS TO THE REGULATIONS OF THE UNITED NATIONS JOINT STAFF PENSION FUND

Under the terms of resolution 680(VII)⁷⁹ of 21 December 1952, amendments which had been proposed by the United Nations Joint Staff Pension Board to articles XI (concerning summary dismissal for serious misconduct) and XVI (concerning contributions on account of participants on leave without pay) of the regulations of the Joint Staff Pension Fund were referred back to the Board for reconsideration at its next session, in the light of the observations presented by the Advisory Committee on Administrative and Budgetary Questions and of the views expressed in the Fifth Committee on 6 December 1952. The Board was requested to consider, at the same time, the recommendation of the Advisory Committee concerning article XXVII to the effect that expenses

⁷⁸ See Y.U.N., 1948-49, p. 919.

⁷⁹ See Y.U.N., 1952, p. 104.

incurred in administering the regulations should be charged to the United Nations Joint Staff Pension Fund, and to report to the Assembly.

These questions were considered by the Fifth Committee at its 379th meeting on 30 September. With respect to article XI, the Board, in its report to the Assembly (A/2422), stated that it had unanimously adopted a text under which a participant would be entitled to full benefits unless the Board should decide otherwise on the recommendation of the administrative head of the member organization concerned, instead of the participant being entitled only to reduced benefits unless the administrative head of the organization recommended otherwise. The Advisory Committee, however, in its observations on the Board's report (A/2489), expressed the opinion that article XI should be retained in its present form for at least two years, after which the revised proposal of the Board might be reconsidered in the light of the experience meanwhile acquired of the circumstances in which summary dismissals were ordered in the United Nations and other member organizations.

Certain representatives, including those of Argentina, Chile, the Netherlands and Uruguay, while agreeing that the situation might be reconsidered in the light of further experience, argued that the Board's revised text should be adopted since it would afford staff members a greater feeling of justice and security than that currently enjoyed and was in keeping with current legislation in many of the more socially advanced countries. While agreeing that the Board should not pass judgment on an administrative decision, they considered that it was entitled to concern itself with the effects of such a decision on the pension rights of a staff member and his family.

The representatives of, among others, Belgium, Iraq, Pakistan, the Union of South Africa, the United Kingdom and the United States, opposing the Board's revised text, argued that, under it, the Board would be obliged to deal with administrative matters outside its jurisdiction. They pointed out that the benefits under discussion were not social insurance benefits but those earned as a result of service rendered. These representatives supported the Advisory Committee's recommendation, particularly in view of the fact that the Secretary-General of the United Nations was given discretion, should he consider that the circumstances so justified, to recommend the payment to dismissed staff members of a sum equivalent to the whole or part of the amounts by which the benefits had been reduced. It would be advisable moreover, they said, to defer any far-reach-

ing amendment until such time as further experience had been gained.

At the conclusion of the discussion, the Fifth Committee decided by 41 votes to 4, with 4 abstentions, to recommend to the Assembly the retention of article XI in its present form, as recommended by the Advisory Committee.

With respect to article XVI, the principal changes in the revised version, as explained by the Chairman of the Joint Staff Pension Board, were to make explicit the rights of a participant in the Fund when on leave without pay, including leave for reasons of the performance of military service. The Advisory Committee in its observations to the Assembly had recommended acceptance of the Board's proposal. The revised text, together with consequential changes in articles V (concerning disability benefits) and VII (concerning death benefits), was approved by the Fifth Committee without objection.

The Fifth Committee also considered a new proposal put forward by the Joint Staff Pension Board for an addition to article VII under which the same benefits as those provided under that article to the widow of a male participant would be provided to an incapacitated widower of a female participant. As there were no objections, this proposal was adopted, the additional paragraph to become paragraph 7 of article VII of the regulations.

The Fifth Committee then considered article XXVII (concerning administrative expenses). In its report to the Assembly (A/2422), the Board concluded that it was premature to decide, on the basis of the actuarial valuation as at December 1951, that the Fund itself should bear the expenses incurred in the administration of the regulations of the Fund and stated that it was the Board's intention to reconsider the proposal after the report on the next actuarial valuation of the Fund had been received. In its observations (A/2489), the Advisory Committee pointed out that the valuation as at 31 December 1951 had shown a margin which was more than sufficient to cover the estimated administrative expenses and that the average interest earnings of the Fund had always been higher than the figures used in the actuarial calculations and had, furthermore, continued to increase in recent years. It therefore recommended that article XXVII should be amended to provide for the administrative expenses being charged to the Fund and that such amendment should come into force not later than 1 January 1955. It further recommended that the estimates of the administrative expenses

in question should continue thereafter to be submitted for approval to the Assembly.

The representatives of Argentina and the United Kingdom, supporting the recommendation of the Advisory Committee, maintained that it involved a principle of sound financial management, the implementation of which was fully justified, having regard to the existing margin between the computed and actual rate of contribution and to the Fund's generally satisfactory position. The representatives of Australia and the Union of South Africa, on the other hand, opposed the recommendation, holding that the margin of safety was not as great as the Advisory Committee's report suggested. Since an actuarial valuation, in their view, was of necessity only an approximation, an adequate margin of safety must be provided for.

The Advisory Committee's recommendation was approved by the Fifth Committee by 40 votes to 2, with 3 abstentions.

The draft resolution proposed by the Fifth Committee (A/2576) was considered by the General Assembly at its 458th plenary meeting on 27 November, and adopted, without discussion, by 49 votes to 1, with 2 abstentions, as resolution 772(VIII). It read:

"The General Assembly,

"Having considered the recommendations proposed by the Joint Staff Pension Board in pursuance of article XXXVII of the Regulations of the United Nations Joint Staff Pension Fund, with respect to amendments and additions to be made to articles V, VII, XI, XVI and XXVII of the Regulations,

"1. Approves the amendments and additions to articles V, VII and XVI of the Regulations of the United Nations Joint Staff Pension Fund as set forth in the annex⁸⁰ to the present resolution and decides that the articles so amended shall take effect as from 1 January 1954;

"2. Approves the amendment to article XXVII of the Regulations of the United Nations Joint Staff Pension Fund as set forth in the annex to the present resolution and decides that the article so amended shall take effect as from 1 January 1955;

"3. Decides that article XI of the Regulations of the United Nations Joint Staff Pension Fund shall be retained in its present form for the time being and requests the Joint Staff Pension Board to re-examine its provisions and to report to the General Assembly at its tenth session."

⁸⁰ For text of the revised regulations annexed to resolution 772(VIII), see General Assembly, Official Records: Eighth Session, Supplement No. 17 (A/2361), pp. 37-38.

c. ACCEPTANCE BY THE SPECIALIZED AGENCIES OF THE JURISDICTION OF THE UNITED NATIONS ADMINISTRATIVE TRIBUNAL IN MATTERS INVOLVING APPLICATIONS ALLEGING NON-OBSERVANCE OF THE REGULATIONS OF THE UNITED NATIONS JOINT STAFF PENSION FUND

By resolution 678(VII)⁸¹ of 21 December 1952, the General Assembly recommended that the appropriate governing organs of the specialized agencies which are members of the Joint Staff Pension Fund should accept the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of Pension Fund regulations, and requested the Secretary-General to report on the matter.

The Secretary-General reported (A/2463) to the eighth session that the recommendation had been accepted by WHO, but that decisions were still pending in the case of the other specialized agencies concerned. Since most of these decisions would not be taken until late in 1953, and, in the case of UNESCO not until 1954, the Secretary-General suggested that the Assembly should take note of his interim report, request a further report through the Joint Staff Pension Board, and consider that report at its ninth session.

The Secretary-General's report was considered by the Fifth Committee at its 379th meeting on 30 September. The Committee adopted, without objection, a draft resolution recommended by the Committee Chairman and orally amended by the United States.

The Committee's draft resolution (A/2565) was adopted, without objection and without discussion, by the General Assembly at its 458th plenary meeting on 27 November as resolution 771(VIII). By it, the Assembly took note of the Secretary-General's interim report and requested a further report from the Secretary-General through the Joint Staff Pension Board.

d. ADMISSION OF STAFF MEMBERS OF THE INTERIM COMMISSION FOR THE INTERNATIONAL TRADE ORGANIZATION TO MEMBERSHIP IN THE UNITED NATIONS JOINT STAFF PENSION FUND

The United Nations Joint Staff Pension Board in its report (A/2422) also brought to the Assembly's attention a communication from the Executive Secretary of the Interim Commission for the International Trade Organization (ICITO) pointing out that the members of its staff were not

⁸¹ See Y.U.N., 1952, pp. 102-103.

participants in the Joint Fund, although ICITO had always been closely associated with United Nations administrative co-ordination schemes, and asking the Board to examine the possibility of recommending a procedure which would enable ICITO to become a member organization in the Joint Fund.

The Board referred to the Assembly the desirability of admitting ICITO since the Fund's regulations provide that only specialized agencies referred to in Article 57 of the United Nations Charter might become member organizations in the Fund. It recommended that, in the event of an affirmative Assembly decision, the matter should be referred back to the Board for recommendation as to consequential changes in the regulations.

The question was considered by the Fifth Committee at its 380th and 402nd meetings on 1 October and 5 November. At the 380th meeting, the Committee decided, on the recommendation of the representative of Egypt, that, before taking a decision on the principle of extending membership in the Fund, the Advisory Committee on Administrative and Budgetary Questions should be asked to study and report on the matter.

The Advisory Committee reported (A/2524) that, in principle, it considered that membership in the Fund should be limited to specialized agencies fulfilling the conditions of the regulations. While recognizing that ICITO shared several of the characteristics of a specialized agency, the Committee was anxious lest a precedent for future, perhaps less justifiable, admissions should be created. Apart from this general consideration it was clear that no actuarial disadvantages would result from ICITO's membership. The Advisory Committee therefore recommended that, should the Fifth Committee find that special circumstances warranted the admission of ICITO, the consequential amendments to be drafted in consultation with the Joint Staff Pension Board should limit the rights of the Interim Commission to an associate membership not carrying with it representation with voting rights on the Joint Board.

The report of the Advisory Committee was considered by the Fifth Committee at its 402nd meeting. The Fifth Committee also had before it a joint draft resolution by Australia and Canada (A/C.5/L.247), which, its sponsors stated, was designed to authorize the admission of ICITO to membership in the Fund subject to the condition regarding voting rights as recommended by the Advisory Committee. They pointed out that the action recommended would present no financial

difficulties, since the staff of ICITO already belonged to a provident fund financed in the same manner as the Joint Staff Pension Fund. Moreover, if membership were not authorized, the Interim Commission would be obliged to proceed with the establishment of a pension fund of its own—a situation which should be avoided in the interests of the policy of administrative and budgetary co-ordination. Membership would also enable the Interim Commission's staff to benefit from the experience which the Joint Board had acquired.

The representatives of Brazil, Cuba, Egypt, France, Israel and the Netherlands supported the joint draft, expressing similar views.

The representatives of Argentina and the United Kingdom stated, however, that it would be setting a dangerous precedent to depart from the principle that specialized agencies alone should qualify for admission. ICITO, in their view, by virtue of its temporary character and the uncertainty as to its permanent status, clearly did not fulfil the conditions required by Article 57 of the Charter. They also expressed doubt as to whether actuarial disadvantages might not in fact arise if ICITO, after being admitted to the Fund, were to be dissolved. For these reasons, the representative of the United Kingdom orally proposed that further examination of the question should be deferred until the next Assembly session, by which time a decision would no doubt have been taken with regard to ICITO's future status.

The United Kingdom proposal was rejected by 20 votes to 16, with 11 abstentions. The joint draft resolution was then adopted by 30 votes to none, with 20 abstentions.

The representative of the Secretary-General explained that the necessary amendments to the Fund's regulations would first have to be formulated for the Assembly's approval at its ninth session. Admission would, however, be retroactive from the date of the first payment of contributions by ICITO.

The draft resolution recommended by the Fifth Committee (A/2576) was considered by the General Assembly at its 458th plenary meeting on 27 November, and adopted, without discussion, by 48 votes to none, with 10 abstentions, as resolution 773(VIII).

By it, the Assembly decided that, upon request of the competent authority, ICITO might be admitted to participation in the Joint Fund, but without voting rights. The Assembly requested that, upon the receipt of such a request on behalf

of ICITO, the Joint Staff Pension Board prepare amendments to the Fund's regulations which would give effect to this decision and that it report to the Assembly's ninth session.

8. United Nations Interne Programmes

Two United Nations interne programmes were held in 1953. The third programme, usually held during the General Assembly, was omitted for budgetary reasons.

The first programme was held from 30 March to 22 May. Twenty-five internes from 19 countries participated in the programme, the specific purpose of which was to study the working

methods and procedures of the United Nations Secretariat.

The second programme was for students, and was held in New York only; 29 students were selected from 26 countries; in addition there was one representative of a non-governmental organization, ten scholarship candidates and nine auditeurs libres, making a total of 49 students from 32 countries. The work of the group was again concentrated on the organization and procedures of the Secretariat, but they also had an opportunity to study the functioning of the General Assembly.

In the course of seven years, 642 internes from 58 countries have participated in these eight-week programmes.

I. BUDGETARY ARRANGEMENTS

1. financial Reports and Accounts and Reports of the Board of Auditors

a. UNITED NATIONS: YEAR 1952

At its eighth session, at the 451st plenary meeting on 5 October, the General Assembly, by 48 votes to 1, with 5 abstentions, adopted resolution 760(VIII), accepting the financial report and accounts of the United Nations for the financial year ended 31 December 1952 and the certificate of the Board of Auditors (A/2392). The Assembly also concurred in the observations of the Advisory Committee on Administrative and Budgetary Questions (A/2403) on the report. The resolution was adopted on the recommendation of the Fifth Committee (A/2492), which considered the question at its 378th meeting on 24 September.

The financial report and accounts stated that obligations incurred in 1952 amounted to \$50,270,153 compared with total appropriations of \$50,547,660, and were less than income credited for the year by \$298,366. The balance on surplus account at 31 December 1952 was \$1,313,853, of which \$260,797 was transferred to the Working Capital Fund in 1953, \$340,380 was credited to Members' contributions for 1953 and \$712,676 was available for credit to Members against 1954 contributions.

In its observations, the Advisory Committee stated, *inter alia*, that it took note of the view expressed by the Board of Auditors, in connexion with adjustments of accounts of Member States, that it was undesirable indefinitely to continue a situation in which the finance officers of a Member were at variance with those of the United Nations. (The Board had called attention to discrepancies resulting from different exchange rates.) Where financial matters were concerned, the Committee stated, there was no established procedure for the

settlement of such divergencies of view, and it suggested that the Assembly might wish to consider the desirability of adopting a procedure similar, perhaps, to existing arrangements for the arbitration of international disputes. The Advisory Committee also supported the Board's suggestion that a study might be made to determine the most efficient and economical means to control, finance and operate revenue-producing services.

b. UNITED NATIONS CHILDREN'S FUND (UNICEF): YEAR 1952

At the 451st plenary meeting on 5 October 1953, the General Assembly adopted, without objection, resolution 761(VIII), accepting the financial report and accounts of UNICEF for the financial year ended 31 December 1952 and the certificate of the Board of Auditors (A/2396). The Assembly also took note of the observations of the Advisory Committee on Administrative and Budgetary Questions (A/2455) on the report. The resolution was adopted on the recommendation of the Fifth Committee (A/2493), which considered the question at its 378th meeting on 24 September.

The financial report and accounts of UNICEF showed that the principal of the Fund on 1 January 1952 was \$27,199,237.25. The income from all sources during 1952 was \$10,271,793.24 and the expenditure during 1952 was \$13,526,630.52. The excess of expenditure over income, representing decrease in principal of the Fund during 1952 was \$3,254,837.28, leaving the principal of the Fund on 31 December 1952 at \$23,944,399.97.

In its observations, the Advisory Committee declared that the information submitted in UNICEF's financial report showed that the administrative costs represented 13.8 per cent of the total expenditure. Annual expenditure on assistance had shown a progressive and sharp decrease since 1949 but a proportionate reduction in

net administrative cost had not accompanied the decreased assistance. This apparent discrepancy was due in part to the change in policy directed by the Assembly in December 1950; the transition from mass-feeding to long-range health and welfare programmes had resulted in a considerable increase in the number of countries aided by the Fund as well as in the number of individual procurement contracts to be negotiated.

c. UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST (UNRWA): YEAR ENDING 30 JUNE 1953

At the 458th plenary meeting on 27 November 1953, the General Assembly adopted, without objection, resolution 766 (VIII), accepting the accounts of UNRWA for the financial year ended 30 June 1953 and the certificate of the Board of Auditors (A/2491), and taking note of the observations of the Advisory Committee on Administrative and Budgetary Questions (A/2541) thereon. The resolution was adopted on the recommendation of the Fifth Committee (A/2568), which considered the question at its 404th meeting on 11 November.

The accounts concerned showed that the total income during the year under review amounted to \$49,527,646 and the total expenditure to \$26,778,934 (\$23,400,729 being spent for the relief programme and \$3,378,205 being spent for the projects programme), thus leaving an excess of income over expenditure of \$22,748,712. With the addition of the balance of \$22,590,729 on hand at 30 June 1952, the amount of \$45,339,441 thus remained available for activities after 30 June 1953.

In its observations, the Advisory Committee stated, *inter alia*, that the new accounting system, which was introduced in July 1952, would continue in force for the financial year 1953-1954. Under this new system, expenditure was broken down into a number of categories in order to ensure, through a more accurate analysis and classification, that the cost of any function should be identified as far as possible with the programme for which it was incurred. It was expected that, with the completion of this process, the cost of common services would be reduced to a minimum, and that the amount of such services to be allocated between the two programmes (relief and projects) might approximate to the figure for general administration in the existing accounts. It followed that the accounting charges to the relief programme would be correspondingly increased, and the Advisory Committee trusted that this increase would not prove detrimental to the programme.

d. UNITED NATIONS KOREAN RECONSTRUCTION AGENCY (UNKRA): YEAR ENDING 30 JUNE 1953

At the 458th plenary meeting on 27 November, the General Assembly adopted, by 52 votes to none, with 5 abstentions, resolution 767 (VIII), accepting the financial report and accounts of UNKRA for the financial year ended 30 June 1953 and the certificate of the Board of Auditors

(A/2487). The Assembly also took note of the observations of the Advisory Committee on Administrative and Budgetary Questions (A/2542). The resolution was adopted on the recommendation of the Fifth Committee (A/2569), which considered the question at its 404th meeting on 11 November.

The accounts concerned showed that total income for the period under review amounted to \$67,795,963 while total expenditure amounted to \$52,964,159, leaving an excess of income over expenditure of \$14,831,804 available, as of 30 June 1953, for future operations.

In its observations, the Advisory Committee, *inter alia*, noted that UNKRA's ratio of administrative costs to programme expenditure had improved, amounting during 1952-1953 to 3.11 per cent. Account was taken of the exceptional circumstances that had resulted in a long delay between the date of a donation of \$100,000 received from the United Nations Educational, Scientific and Cultural Organization (UNESCO) for the purchase of a printing plant to produce textbooks in Korea and the actual undertaking of the project.

2. Supplementary Estimates for the Financial Year 1953

In a report (A/2534) to the eighth session of the General Assembly, the Secretary-General estimated that, in addition to the appropriation of \$48,327,000 authorized for the financial year 1953, an additional net amount of \$1,721,170 would be required. Of this supplementary provision \$179,420 was estimated for the awards of compensation by the Administrative Tribunal⁸² and \$1,800,000 for reimbursement of national income taxes. Other major items for which budgetary provision was requested included additional expenditures for political missions (\$80,800), meetings of Assembly and Economic and Social Council committees, commissions and conferences (\$57,100) and designations of ad hoc judges of the International Court of Justice (\$10,000). The Secretary-General noted that no provision was included for expenses which might be incurred by the United Nations in connexion with the Korean political conference.

The Advisory Committee on Administrative and Budgetary Questions in its 24th report to the eighth session of the General Assembly (A/2580) recommended the appropriation of the supplementary funds requested by the Secretary-General. The Advisory Committee noted that the Secretary-General planned further negotiations with the United States Government regarding the exemption of United States staff members from national

⁸² For this question, see under Administrative Tribunal, pp. 80-85.

taxation and recommended that he report to the next session on these negotiations, as well as on the general problem of national income taxes.

The Fifth Committee considered the Secretary-General's report and the report of the Advisory Committee at its 420th to 423rd and 425th to 427th meetings from 3 to 5 and 7 and 8 December. Discussion was concerned primarily with the payment of awards of compensation ordered by the Administrative Tribunal.

During the debate, the representatives of Czechoslovakia, Poland and the USSR referred to the supplementary request of \$1,800,000, representing the estimated total to be reimbursed to certain staff members in respect of their income tax liability on 1953 emoluments. They reiterated their strong opposition to the appropriation of funds for this purpose, and considered that the increasingly heavy charge added to the United Nations budget was entirely unwarranted. In answer to a question addressed to him by the representative of Czechoslovakia, the Secretary-General informed the Committee that no reply had yet been received to the communication he had recently addressed to the Government of the United States, calling attention to the terms of relevant resolutions of the General Assembly and urging that all possible remedial steps should be taken. The Secretary-General further stated that it was his intention to submit for the consideration of the Fifth Committee and of the General Assembly at its ninth session a definite proposal which he hoped would go far towards solving existing problems. The Committee decided that a paragraph to this effect should be inserted in the Rapporteur's Report (A/2624).

A separate vote was requested by the Egyptian representative on the proposed provision of \$1,800,000 for reimbursement of national income taxes and the Committee approved, by 27 votes to 7, with 16 abstentions, the inclusion of this sum in the 1953 supplementary estimates.

The Committee noted that the supplementary estimates under review modified a number of budget sections as compared with the appropriation for those sections adopted at the seventh session of the General Assembly. While appreciating the difficulty in estimating with precision budget estimates which had to be prepared well before the opening of the financial year to which they related, it urged the necessity of ensuring a strict control on expenditure throughout the working year so that transfer actions might be kept to a minimum.

In the light of its decision regarding the payment of compensation awarded by the Tribunal⁸³

the Committee decided, by 46 votes to 5, with 1 abstention, to recommend (A/2624 B) to the General Assembly that the amount of \$48,327,700 appropriated for the financial year 1953 by resolution 674(VII), adopted on 21 December 1952, should be increased by \$1,541,750, instead of by \$1,721,170.

The draft resolution was adopted by the General Assembly at its 471st plenary meeting on 9 December 1953, without discussion, by 52 votes to 5, as resolution 785 B (VIII). It read:

"The General Assembly

"Resolves that the amount of \$48,327,700 appropriated for the financial year 1953 by resolution 674 (VII), adopted on 21 December 1952, is increased by \$1,541,750 as follows:

(See table on pp. 93-94)

3. Budget of the United Nations for 1954⁸⁴

The Secretary-General submitted to the eighth session of the General Assembly budget estimates for 1954 and information annexes (A/2383 & Add.1) totalling \$48,123,400, with an income estimated at \$6,463,200, leaving a net estimated expenditure for the year of \$41,660,200. The gross estimate of \$48,123,400 for 1954 compared with an approved budget of \$48,327,700 for 1953 and a total expenditure of \$50,270,153 for 1952.

The total number of posts proposed amounted to 4,099, compared with 4,095 the preceding year. Thus, the Secretary-General stated, the intention of achieving stability in the regular international Secretariat and of working, together with other United Nations agencies, to complete assigned tasks without necessarily increasing staff was being carried forward progressively.

The main features of the 1954 estimates were reflected in the following table, which showed a comparison, part-by-part with the 1953 appropriations:

	1954	1953
I. Sessions of the General Assembly, the Councils, Commissions and Committees	\$ 866,500	\$ 1,014,500
II. Investigations and Inquiries	2,566,300	2,686,900
III. Headquarters, New York	30,282,500	29,990,700

(Continued on p. 95)

⁸³ See p. 85.

⁸⁴ This section covers discussions and resolutions on Unforeseen and Extraordinary Expenses and the Working Capital Fund, considered separately in previous issues of the Yearbook.

Structure and Organization of the United Nations

93

SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 1953

{See resolution 785 B (VIII) on p. 92}

	AMOUNT APPROPRIATED UNDER RESOLUTION 674(VII) AS ADJUSTED	SUPPLEMENTARY APPROPRIATION, INCREASE OR DECREASE (<i>italic figures</i>)	REVISED AMOUNTS OF APPROPRIATION
In dollars (US)			
A. UNITED NATIONS			
PART I. SESSIONS OF THE GENERAL ASSEMBLY, THE COUNCILS, COMMISSIONS AND COMMITTEES			
Section			
1. The General Assembly, Commissions and Committees	603,400	120,000	723,400
2. The Security Council, Commissions and Committees .....	.....	.....	.....
3. The Economic and Social Council, Commissions and Committees	263,200	17,000	246,200
(a) Permanent Central Opium Board and Narcotic Drugs Supervisory Body	20,000	4,000	24,000
(b) Regional Economic Commissions	96,000	.....	96,000
4. The Trusteeship Council, Commissions and Committees	59,900	.....	59,900
TOTAL, PART I	1,042,500	107,000	1,149,500
PART II. INVESTIGATIONS AND INQUIRIES			
5. Investigations and inquiries	2,140,700	25,000	2,115,700
(a) United Nations Field Service	546,200	.....	546,200
TOTAL, PART II	2,686,900	25,000	2,661,900
PART III. HEADQUARTERS, NEW YORK			
6. Executive Office of the Secretary-General	375,100	15,900	391,000
(a) Library	471,000	10,000	461,000
7. Department of Political and Security Council Affairs	753,200	20,000	733,200
8. Military Staff Committee secretariat	136,900	15,000	121,900
9. Technical Assistance Administration	386,700	.....	386,700
10. Department of Economic Affairs	2,269,100	140,000	2,129,100
11. Department of Social Affairs	1,685,900	20,000	1,665,900
12. Department for Trusteeship and Information from Non-Self-Governing Territories	936,000	36,000	900,000
13. Department of Public Information	2,734,900	50,000	2,684,900
14. Department of Legal Affairs	451,400	6,000	445,400
15. Conference and General Services	9,614,350	140,000	9,474,350
16. Administrative and Financial Services	1,564,200	29,000	1,593,200
17. Common staff costs	4,479,500	1,885,850	6,365,350
18. Common services	3,854,800	76,200	3,778,600
19. Permanent equipment	252,050	.....	252,050
TOTAL, PART III	29,965,100	1,417,550	31,382,650
PART IV. UNITED NATIONS OFFICE AT GENEVA			
20. United Nations Office at Geneva (excluding direct costs, chapter III, joint secretariat of the Permanent Central Opium Board and Narcotic Drugs Supervisory Body)	4,407,800	69,200	4,477,000
Chapter III, joint secretariat of the Permanent Central Opium Board and Narcotic Drugs Supervisory Body	47,100	.....	47,100
(a) Office of the United Nations High Commissioner for Refugees	650,000	.....	650,000
TOTAL, PART IV	5,104,900	69,200	5,174,100

	AMOUNT APPROPRIATED UNDER RESOLUTION 674(VII) AS ADJUSTED	SUPPLEMENTARY APPROPRIATION, INCREASE OR decrease (italic figures)	REVISED AMOUNTS OF APPROPRIATION
In dollars (US)			
PART V. INFORMATION CENTRES			
Section			
21. Information centres (other than information services, United Nations Office at Geneva)	862,300	.....	862,300
TOTAL, PART V	862,300	.....	862,300
PART VI. REGIONAL ECONOMIC COMMISSION (OTHER THAN THE ECONOMIC COMMISSION FOR EUROPE)			
22. Economic Commission for Asia and the Far East ..	1,030,000	115,000	1,145,000
23. Economic Commission for Latin America	866,000	47,000	819,000
TOTAL, PART VI	1,896,000	68,000	1,964,000
PART VII. HOSPITALITY			
24. Hospitality	20,000	.....	20,000
TOTAL, PART VII	20,000	.....	20,000
PART VIII. CONTRACTUAL PRINTING			
25. Official Records (excluding chapter VI, Permanent Central Opium Board and Narcotic Drugs Supervisory Body)	752,220	25,000	727,220
Chapter VI, Permanent Central Opium Board and Narcotic Drugs Supervisory Body	11,780	.....	11,780
26. Publications	812,800	50,000	762,800
TOTAL, PART VIII	1,576,800	75,000	1,501,800
PART IX. TECHNICAL PROGRAMMES			
27. Social activities	768,500	.....	768,500
28. Economic development	479,400	.....	479,400
29. Public administration	145,000	.....	.....
TOTAL, PART IX	1,392,900	.....	1,392,900
PART X. SPECIAL EXPENSES			
30. Transfer of the assets of the League of Nations to the United Nations	649,500	.....	649,500
31. Amortization of the Headquarters construction loan	1,500,000	.....	1,500,000
(a) Headquarters construction costs	1,000,000	.....	1,000,000
TOTAL, PART X	3,149,500	.....	3,149,500
B. THE INTERNATIONAL COURT OF JUSTICE			
PART XI. THE INTERNATIONAL COURT OF JUSTICE			
32. The International Court of Justice	630,800	20,000	610,800
TOTAL, PART XI	630,800	20,000	610,800
GRAND TOTAL	\$48,327,700	\$1,541,750	\$49,869,450

	1954	1953
IV. European Office of the United Nations (including Office of the High Commissioner for Refugees)	5,441,100	5,104,900
V. Information Centres (excluding information services at Geneva)..	899,800	826,300
VI. Regional Economic Commissions (excluding Economic Commission for Europe).	2,077,100	1,896,000
VII. Hospitality	20,000	20,000
VIII. Contractual Printing .	1,649,100	1,579,200
IX. Technical Programmes	1,392,900	1,392,900
X. Special Expenses . . .	2,149,500	3,149,500
XI. International Court of Justice	778,600	630,800
TOTAL	\$48,123,400	\$48,327,700

Under Part I, sessions of the General Assembly, councils, commissions and committees, the decrease of \$148,000 was mainly a reflection of the economies resulting from Economic and Social Council resolution 414(XIII) on organization and operation of the Council and its commissions, and was also due to the permanent transfer of technical staff from Headquarters to the Geneva Office, enabling a reduction in staff travel costs.

The total increase of \$291,800 under the provision for Headquarters (Part III) reflected additional staff costs, including within-grade salary increments, the filling of posts left vacant during 1953, the provision of Spanish as a working language of the Economic and Social Council, and common staff costs.

A considerable portion of the increase for the European Office of the United Nations at Geneva (Part IV) was due to the transfer of posts from Headquarters and the removal of a 5 per cent salary differential formerly applied to salaries of staff at Geneva.

While provision for the Information Centres showed an increase of \$37,500 (Part V), due almost wholly to the cost of within-grade salary increments, the Secretary-General proposed to reduce expenditures for some Centres in order to allow for the opening of two additional sub-centres, one in Greece and the other in Colombia.

Normal salary increments, a rise in local wage scales, rising prices and adverse exchange rates were the principal reasons for the increase of \$181,100 in the estimates for the two regional economic commissions (under Part VI).

Finally, the Secretary-General reported, the increase of \$147,800 in the estimates for the International Court of Justice (Part XI) was due

to the proposed establishment of a pension fund for the judges.

As in previous years, the budget estimates prepared by the Secretary-General were reviewed by the Advisory Committee on Administrative and Budgetary Questions. In its first, fourth and fifth reports to the eighth session of the General Assembly (A/2403, A/2499 and A/2501), the Advisory Committee recommended an over-all reduction of \$843,800 in the Secretary-General's gross estimates for 1954. It noted that commendable efforts had been made during the past two years toward stabilizing the budget at a level to ensure the orderly execution of essential projects without imposing on Members an unduly heavy financial burden. Any major reduction in expenses, the Committee recognized, could be achieved only in conjunction with a review of future work programmes and with a reorganization of administrative services.

The Advisory Committee called special attention to the volume of documentation produced by the Organization and, though recognizing that substantial efforts had been made to reduce this, believed that much remained to be done. It recommended a reduction of \$200,000 in the estimate for 1954 printing costs, the largest single reduction proposed by the Committee.

With respect to the number of established posts on the Secretariat in relation to work programmes, the Committee felt that a revision of the administrative structure combined with a review of programmes and projects might lead to major economies. It considered that the number of senior posts in many cases was too large in proportion to the number of subordinate posts.

The Advisory Committee suggested greater versatility among staff members to help overcome high expenditures for temporary assistance and consultants. It suggested that the Secretary-General might undertake, prior to the submission of the 1955 estimates, a critical examination of such requirements.

It concurred with the proposal of the Secretary-General to maintain the Working Capital Fund at the level of \$21,500,000 for 1954, and also with a related proposal that the provision for unforeseen and extraordinary expenses should continue to be the subject of a separate resolution.

The report of the Advisory Committee itemized, by departments, the various reductions proposed and presented detailed recommendations on each section of the estimates.

Also before the Committee were a statement of the 1953 budget expenses to 30 September (A/-

C.5/547) and revised estimates: (1) reflecting decisions taken by the Economic and Social Council at its fifteenth and sixteenth sessions (A/C.5/542); (2) for the holding of the 1954 session of the International Law Commission at Geneva (A/C.5/555); (3) for the acquisition and operation of radio transmitters at Headquarters and Geneva (A/C.5/559); (4) for the enlargement of the dining room and cafeteria facilities (A/C.5/557),⁸⁵ as well as detailed estimates for various field missions under section 5 (see below, budget as adopted) for which only a token global provision had been presented in the original budget estimates. The Committee had before it the reports of the Advisory Committee on these items (A/2522 & Corr.1; A/2549-A/2552; A/2557; A/2583-A/2585; A/2594-A/2598)—8th, 16th-19th, 22nd, 27th-29th, 31st-35th reports to the eighth session.

The Fifth Committee at its 379th to 391st, 396th to 401st, 403rd to 406th, 411th, 424th, and 426th meetings on 30 September, 1, 2, 6, 7, 9, 12 to 15 and 26 to 29 October, 2, 3, 6, 11, 16, 18, and 24 November and 5, 7 December 1953 considered the United Nations budget estimates for 1954 as submitted by the Secretary-General and reviewed by the Advisory Committee.

Preceding the general discussion on the estimates, the Committee heard statements by the Secretary-General (A/C.5/544) and by the Chairman of the Advisory Committee (A/C.5/545). The Secretary-General said that the estimates represented a conscientious and informed effort to gauge the needs of the Organization during 1954. They were based, he stated, on existing lines of administrative policy, since it was essential that major changes should rest on a sound and solid foundation and could not be safely initiated pending further careful study. He understood, he said, and sympathized with the widespread desire for early and effective action to simplify the internal structure and functioning of the Secretariat and the concrete proposals which he expected to present would, he added, point in the direction of economy as well as greater efficiency. Meanwhile, he urged the Fifth Committee to proceed with its review of the estimates on the basis of the reports before it and, without any special pleading on his part, to come to its own conclusions as to the suitable level of appropriations for 1954.

The Chairman of the Advisory Committee emphasized that none of the recommended cuts in the 1954 estimates were intended to discount whatever further economy might prove possible under the Secretary-General's subsequent plan for

re-organization. He paid a tribute to the wisdom of the Secretary-General in not contesting the figures recommended by the Advisory Committee and said that a tight budget was a healthy feature in an administrative structure such as the United Nations, and that, should the Secretary-General be confronted with any hardship in maintaining essential activities, the Advisory Committee would assist him. He drew attention to the prominence given in the Advisory Committee's report to the problem of documentation, stating that if it was that Committee's view that the documentation had long since become excessive, but it was for the Fifth Committee to judge whether this was the case.

In the Committee's general discussion of the 1954 estimates (at its 380th to 386th meetings), substantial support was expressed for the recommendations of the Advisory Committee. Many representatives considered that the reductions could be achieved without detriment to any essential activity or service and that they would contribute towards the principal aim of stabilizing the ordinary annual expenditures of the Organization.

A number of representatives, particularly those of Brazil, the Byelorussian SSR, Cuba, Czechoslovakia, the Netherlands, Poland, the Ukrainian SSR, the United Kingdom, the USSR, and Yugoslavia, stressed the need for re-examining current work programmes with a view to eliminating non-essential activities and concentrating on a programme of priorities.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR reaffirmed the view expressed previously in meetings of the Fifth Committee that the objective should be to operate within a given budget ceiling and suggested that an amount of \$35,000,000 net should be considered as an appropriate figure to cover all essential work. This target, they suggested, could be achieved by effecting economies in addition to those recommended by the Advisory Committee, particularly by reducing the excessively high staff costs and by eliminating certain activities which they deemed were incompatible with the principles and provisions of the Charter.

Other representatives, including those of Egypt, India, Iraq, Pakistan, the Philippines, Sweden and Syria, though also expressing themselves in favour of reducing the budget to the minimum necessary for effective operations, held that it was neither practicable nor desirable to impose a ceiling. They considered that the soundness of the United Nations structure, as well as the efficiency

⁸⁵ See under Headquarters of the United Nations.

of its operations, should not be impaired solely on the grounds of economy.

Most representatives expressed their concern over what they considered the unnecessarily large number of documents produced by the Organization. In their opinion, this not only caused automatic expenditures but also tended to lower the quality of the publications. However, the representatives of Canada, Egypt and Yugoslavia, among others, while agreeing that reasonable economies were possible, urged caution in reducing appropriations for what they considered a part of the essential substantive work of the Organization.

The Committee felt that it was necessary to strengthen the hands of the Secretary-General on the problem of documentation by reaffirming a previous Assembly resolution (593(VI)) on the subject. To this end, the Committee at its 404th meeting unanimously adopted a United Kingdom draft resolution, as amended by Belgium and Denmark (see resolution "D" below).

During the general discussion, several representatives, including those of Denmark, Egypt, France, Iraq, the Union of South Africa and the United Kingdom, referred to the necessity of adhering strictly to the terms of Assembly resolution 694 (VII) concerning the programme of conferences at Headquarters and Geneva. On the other hand, certain representatives, including those of Argentina, Belgium, Brazil, Israel and the Netherlands, while not denying the importance of adhering to the pattern, saw no point in requesting the Assembly to confirm a decision it had so recently taken. The Committee, however, adopted a United Kingdom draft resolution embodying the views of the Advisory Committee (see resolution "E" below).

Many representatives also commented on the matter of the reimbursement to staff members of income taxes paid in respect of payments from the United Nations, noting the heavy charge for tax reimbursement which was added to the United Nations budget each year. The representatives of the Byelorussian SSR, Czechoslovakia, Egypt, France, Pakistan, Poland, Syria, the Ukrainian SSR, the USSR and Yugoslavia, among others, expressed the view that this charge was unwarranted and hoped that all governments—and particularly the United States Government—would comply with the terms of previous Assembly resolutions (13(I) and 239 C (III)) so that such reimbursement would be avoided.

Recurrent references were made to the need for correcting existing defects in the structure of the Secretariat, bearing in mind the comments

of the Advisory Committee on the high ratio of senior to junior posts in a number of departments. In this connexion, the representatives of India, Indonesia, Iran, Iraq, Pakistan and Syria, among others, called attention to the need for a more equitable geographical distribution of staff, particularly from the under-developed areas of Asia and the Middle East, and to the desirability of extending the principle to cover posts at all levels and grades.

At its 411th meeting on 24 November 1953, the Committee considered the report of the Advisory Committee (A/2557) on the proposal by the Secretary-General (A/C.5/559) for the acquisition of radio transmitters by the United Nations and for their operation at New York and Geneva in replacement of the existing system of a rented teletype circuit. It was noted that, although the proposal would necessitate an increase in the 1954 estimates of \$43,400, against which offsetting revenue would amount to \$9,000, in subsequent years the relevant appropriations would be reduced by a total of \$17,700 by comparison with the 1953 figure, and miscellaneous income would be increased, as in 1954, by \$9,000 per annum.

The Committee approved the proposal to acquire the transmitters on the understanding: (1) that the scheme was consonant with the provisions of Section 4 of Article II of the Headquarters Agreement;⁸⁶ and (2) that a strict control would be exercised over the nature and length of cable messages accepted for transmission over the new system. The Committee approved the necessary adjustments in Sections 18, 19 and 20 of the budget estimates by 39 votes to none, with 5 abstentions.

After approving, by varying votes, the individual sections of the budget estimates, the Committee, at its 426th meeting on 10 December 1953, decided by 45 votes to 5, to recommend that the estimates be approved in the total amount of \$47,827,110. At the same time, it recommended that miscellaneous income for the financial year 1954 should be approved at an estimate of \$6,760,000, which amount, applied as an offset against estimated gross expenditure for 1954, would produce a net figure of \$41,067,110.

The net expenditure amount would be subject to adjustments in accordance with the terms of financial regulation 5.2, estimated as follows:

Increase

- | | |
|---|-------------|
| (a) Supplementary appropriation for the financial year 1953 | \$1,541,750 |
|---|-------------|

⁸⁶ This Section covers the operation of radio broadcasting facilities from the Headquarters district.

Decrease

(b) Adjustment for an estimated increase in miscellaneous income for the financial year 1953	300,000
(c) Appropriations to be surrendered under financial regulations 4.3 and 4.4 in respect of the financial year 1952	1,008,860
NET ADDITIONAL INCREASE	\$ 232,890

As a result of these adjustments, assessment of contributions from Member States for the financial year 1954, if appropriations were approved as recommended, would amount to \$41,300,000 as compared with \$44,200,000 for 1953; a decrease of \$2,900,000.

At its 426th meeting, the Committee adopted, by 48 votes to 5, with 1 abstention, a draft resolution relating to unforeseen and extraordinary expenses (see resolution "B" below). It also approved, by 50 votes to 5, a draft resolution relating to the Working Capital Fund (see resolution "C" below).

The draft resolutions recommended in the Fifth Committee's report (A/2622) on the 1954 budget estimates were considered by the General Assembly at its 471st meeting on 9 December 1953.

In explanation of his vote, the representative of the USSR said that his delegation would oppose the 1954 budget appropriations because they included provisions for an inflated staff, for United Nations bodies which, in his opinion, were established in violation of the Charter, and also for reimbursement of income taxes paid to the United States on earnings of United States nationals employed by the United Nations. The USSR delegation, he added, believed that the 1954 appropriation should not exceed \$35,000,000 net. The USSR delegation also believed that the Working Capital Fund would be perfectly adequate at a figure of \$20,000,000 rather than \$21,500,000, as proposed by the Fifth Committee.

The Assembly approved the five resolutions recommended by the Fifth Committee, as follows:

Resolution A (Budget Appropriations for 1954): Approved by 53 votes to 5, as resolution 786(VIII). It read:

"The General Assembly

"Resolves that for the financial year 1954:

"1. Appropriations totalling \$US 47,827,110 are hereby voted for the following purposes:

{See table on pp. 99-100}

"2. The appropriations voted by paragraph 1 above shall be financed by contributions from Members after adjustment as provided by the Financial Regulations, subject to the provision of paragraph 1 of the resolution relating to the Working Capital Fund. For this

purpose, miscellaneous income for the financial year 1954 is estimated at \$US 6,760,000;

"3. The Secretary-General is authorized:

"(i) To administer as a unit the following appropriations:

"(a) Provisions under section 3 (a); section 20, chapter III; and section 25, chapter V;

"(b) Provisions under section 13; section 20, chapter II; section 21; and in respect of section 26 for items relating to public information;

"(ii) With the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, to transfer credits between sections of the budget;

"4. In addition to the appropriations voted by paragraph 1 above, an amount of \$US 13,000 is hereby appropriated for the purchase of books, periodicals, maps and library equipment, from the income of the Library Endowment Fund, in accordance with the objects and provisions of the endowment."

Resolution B (Unforeseen and Extraordinary Expenses for the Financial Year 1954): Approved by 50 votes to 5, with 1 abstention, as resolution 787(VIII). It read:

"The General Assembly

"Resolves that, for the financial year 1954,

"The Secretary-General, with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions and subject to the Financial Regulations of the United Nations, is authorized to enter into commitments to meet unforeseen and extraordinary expenses; provided that the concurrence of the Advisory Committee shall not be necessary for:

"(a) Such commitments not exceeding a total of \$US 2 million if the Secretary-General certifies that they relate to the maintenance of peace and security or to urgent economic rehabilitation;

"(b) Such commitments not exceeding a total of \$50,000 as are required for the United Nations Good Offices Commission on the treatment of people of Indian origin in the Union of South Africa;

"(c) Such commitments not exceeding a total of \$50,000 as may be required for the United Nations Commission on the Racial Situation in the Union of South Africa;

"(d) Such additional commitments as are required for the Ad Hoc Commission on Prisoners of War;

"(e) Such commitments not exceeding a total of \$184,000 as are required for the purchase of Korean service medals and ribbons;

"(f) Such commitments, duly certified by the President of the International Court of Justice, relating to expenses occasioned:

"(i) By the designation of ad hoc judges (Statute, Article 31)

"(ii) By the appointment of assessors (Statute, Article 30), or by the calling of witnesses and the appointment of experts (Statute, Article 50),

"(iii) By the holding of sessions of the Court away from The Hague (Statute, Article 22),

and not exceeding \$24,000, \$25,000 and \$75,000 respectively, under each of the above three headings;

"The Secretary-General shall report to the Advisory Committee and to the General Assembly at its next regular session all commitments made under the provisions of the present resolution, together with the

Structure and Organization of the United Nations

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BUDGET APPROPRIATIONS FOR THE FINANCIAL YEAR 1954

{See resolution 786(VIII) on p. 98}

A. UNITED NATIONS

PART I. SESSIONS OF THE GENERAL ASSEMBLY, THE COUNCILS, COMMISSIONS AND COMMITTEES

Section	Dollars (US)	
1. The General Assembly, Commissions and Committees	541,750	
2. The Security Council, Commissions and Committees .....	.....
3. The Economic and Social Council, Commissions and Committees	164,180	
(a) Permanent Central Opium Board and Narcotic Drugs Supervisory Body	21,400	
(b) Regional Economic Commissions	<u>72,000</u>	257,580
4. The Trusteeship Council, Commissions and Committees	<u>50,000</u>	
TOTAL, PART I		849,330

PART II. INVESTIGATIONS AND INQUIRIES

5. Investigations and inquiries	2,061,000	
(a) United Nations Field Service	<u>566,300</u>	
TOTAL, PART II		2,627,300

PART III. HEADQUARTERS, NEW YORK

6. Executive Office of the Secretary-General	394,000	
(a) Library	<u>479,130</u>	873,130
7. Department of Political and Security Council Affairs	758,500	
8. Military Staff Committee secretariat	136,900	
9. Technical Assistance Administration	386,700	
10. Department of Economic Affairs	2,263,700	
11. Department of Social Affairs	1,704,000	
12. Department for Trusteeship and Information from Non-Self-Governing Territories	938,400	
13. Department of Public Information	2,713,400	
14. Legal Department	460,300	
15. Conference and General Services	9,399,700	
(a) United Nations Postal Administration	143,400	
16. Administrative and Financial Services	1,590,000	
17. Common staff costs	4,478,000	
18. Common services	3,786,800	
19. Permanent equipment	176,400	
(a) Improvements to premises	<u>565,000</u>	29,501,200
TOTAL, PART III		30,374,330

PART IV. EUROPEAN OFFICE OF THE UNITED NATIONS

20. European Office of the United Nations (excluding direct costs, chapter III, joint secretariat of the Permanent Central Opium Board and Narcotic Drugs Supervisory Body)	4,627,200	
Chapter III, joint secretariat of the Permanent Central Opium Board and Narcotic Drugs Super- visory Body	<u>53,800</u>	4,681,000
(a) Office of the United Nations High Commis- sioner for Refugees	<u>685,000</u>	
TOTAL, PART IV		5,366,000

PART V. INFORMATION CENTRES		
Section	Dollars (US)	
21. Information centres (other than information services, European Office of the United Nations)	877,400	
TOTAL, PART V		877,400
PART VI. REGIONAL ECONOMIC COMMISSIONS (OTHER THAN THE ECONOMIC COMMISSION FOR EUROPE)		
22. Economic Commission for Asia and the Far East	1,123,900	
23. Economic Commission for Latin America	958,700	
TOTAL, PART VI		2,082,600
PART VII. HOSPITALITY		
24. Hospitality	20,000	
TOTAL, PART VII		20,000
PART VIII. CONTRACTUAL PRINTING		
25. Official Records (excluding chapter V, Permanent Central Opium Board and Narcotic Drugs Supervisory Body)	718,300	
Chapter V, Permanent Central Opium Board and Narcotic Drugs Supervisory Body	12,500	730,800
26. Publications		734,970
TOTAL, PART VIII		1,465,770
PART IX. TECHNICAL PROGRAMMES		
27. Social activities	768,500	
28. Economic development	479,400	
29. Public administration	145,000	
TOTAL, PART IX		1,392,900
PART X. SPECIAL EXPENSES		
30. Transfer of the assets of the League of Nations to the United Nations	649,500	
31. Amortization of the Headquarters construction loan	1,500,000	
TOTAL, PART X		2,149,500
B. THE INTERNATIONAL COURT OF JUSTICE		
PART XI. THE INTERNATIONAL COURT OF JUSTICE		
32. The International Court of Justice	621,980	
TOTAL, PART XI		621,980
GRAND TOTAL	<u>47,827,110</u>	

circumstances relating thereto, and shall submit supplementary estimates to the General Assembly in respect of such commitments."

Resolution C (Working Capital Fund): Approved by 52 votes to 5, as resolution 788(VIII).
It read:

"The General Assembly

"Resolves that:

"1. The Working Capital Fund shall be maintained to 31 December 1954 at the amount of \$US 21,500,000, to be derived:

"(a) As to \$20,000,000 from cash advances by Members in accordance with the provisions of paragraphs 2 and 3 of the present resolution:

"(b) As to \$1,500,000 by previous transfer from surplus account as follows:

"(i) \$1,239,203 being the balance of surplus account as at 31 December 1950 not already applied against Members' assessments for 1951, in accordance with the General Assembly resolution 585A (VI) of 21 December 1951;

"(ii) \$260,797 as part of the balance of surplus account as at 31 December 1951 not already applied against Members' assessments for 1952, in accordance with General Assembly resolution 676(VII) of 21 December 1952;

"2. Members shall make cash advances to the Working Capital Fund as required under paragraph 1(a) above in accordance with the scale adopted by the General Assembly for contributions of Members to the ninth annual budget;

"3. There shall be set off against this new allocation of advances the amounts paid by Members to the Working Capital Fund for the financial year 1953 under paragraph 2 of General Assembly resolution 674 (VII) of 21 December 1952, provided that, should the advance paid by any Member to the Working Capital Fund for the financial year 1953 exceed the amount of that Member's advance under the provision of paragraph 2 hereof, the excess shall be set off against the amount of contributions payable by the Member in respect of the ninth annual budget, or any previous budget;

"4. The Secretary-General is authorized to advance from the Working Capital Fund:

"(a) Such sums as may be necessary to finance budgetary appropriations pending receipt of contributions; sums so advanced shall be reimbursed as soon as receipts from contributions are available for the purpose;

"(b) Such sums as may be necessary to finance commitments which may be duly authorized under the provisions of the resolution relating to unforeseen and extraordinary expenses. The Secretary-General shall make provision in the budget estimates for reimbursing the Working Capital Fund;

"(c) Such sums as, together with net sums outstanding for the same purposes, do not exceed \$125,000 to continue the revolving fund to finance miscellaneous self-liquidating purchases and activities. Advances in excess of the total of \$125,000 may be made with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions. The Secretary-General shall submit, with the annual accounts, an explanation of the outstanding balance of the revolving fund at the end of each year;

"(d) Loans to specialized agencies and preparatory commissions of agencies to be established by inter-governmental agreement under the auspices of the United Nations to finance their work, pending receipt by the agencies concerned of sufficient contributions under their own budgets. In making such loans, which shall normally be repayable within two years, the Secretary-General shall have regard to the proposed financial resources of the agency concerned, and shall obtain the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions for any cash issues which would increase the aggregate balance outstanding (including amounts previously advanced and outstanding) at any one time to an amount in excess of \$3,000,000 and for any issue which would increase the balance outstanding (including amounts previously advanced and outstanding) in respect of any one agency to an amount in excess of \$1,000,000, provided that, notwithstanding the above provisions, the Interim Commission of the International Trade Organization shall be authorized to postpone until 31 December 1954 repayment of the outstanding balance of the loans made to the Interim Commission;

"(e) Such sums not exceeding \$45,000 as may be required to finance payments of advance insurance premiums where the period of insurance extends beyond the end of the financial year in which payment is made. This amount may be increased with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions. The Secretary-General shall make provision in the budget estimates of each year, during the life of the related policies, to cover the charges applicable to each such year."

Resolution D (Control and Limitation of Documentation): Approved unanimously as resolution 789(VIII). It read:

"The General Assembly:

"Recalling its resolution 593(VI) of 4 February 1952 on the control and limitation of documentation,

"Noting the observations and suggestions of the Advisory Committee on Administrative and Budgetary Questions in its first report to the eighth session of the General Assembly, and the action taken by the Secretary-General, inter alia, by his instruction of 20 August 1953, to ensure a more effective control of documentation,

"Noting further the steps initiated by the Economic and Social Council, in its resolution 497 D (XVI) of 29 July 1953, to reduce the number and volume of certain categories of documents required by it,

"Considering that this reduction can be carried out in full only with the cooperation of Member States,

"Expressing the wish that Member States should cooperate in giving effect to the present resolution,

"1. Invites the Economic and Social Council to pursue and intensify its efforts to reduce further the documentation required by it, and also by its functional and regional commissions;

"2. Invites organs of the United Nations likewise to scrutinize their existing documentation and effect such reduction therein as may be feasible, and to cooperate with the Secretary-General in his efforts to reduce the volume and at the same time to improve the quality of the documentation of the United Nations."

Resolution E (Programme of Conferences at Headquarters and Geneva): Approved unanimously, as resolution 790(VIII) It read:

"The General Assembly:

"Having noted the recommendations of the Administrative Committee on Co-ordination in its thirteenth report to the Economic and Social Council to the effect that the regular four-year pattern of conferences approved by the General Assembly at its seventh session can only fulfil its purpose if it is strictly adhered to by all the organs concerned,

"Noting also the opinion of the Advisory Committee on Administrative and Budgetary Questions in its fifth report to the eighth session of the General Assembly to the effect that the Advisory Committee regards the programme as firmly fixed for the period 1954 to 1957 and that any variations will presumably be authorized only by a special decision of the General Assembly,

"1. Endorses the opinion of the Advisory Committee on Administrative and Budgetary Questions;

"2. Reaffirms its recommendation that all organs of the United Nations arrange their meetings in accordance with the dates and places set forth in the

pattern presented by the Secretary-General and that the specialized agencies concerned be invited to give due consideration to this pattern in drawing up their own programmes of meetings."

4. Scale of Assessments for the Apportionment of the Expenses of the United Nations

The scale of assessments for the apportionment of the expenses of the United Nations for the financial year 1954 was considered at the eighth session of the General Assembly, at the 393rd to 396th meetings of the Fifth Committee from 20 to 26 October and at the 458th plenary meeting on 27 November 1953.

Before the Fifth Committee was the report of the Committee on Contributions (A/2461) recommending the following changes in the scale of assessments of 22 Member States:

Member State	Percentage of total contributions payable by Member States		Change
	Official Scale for 1953	Recommended Scale for 1954	
Argentina	1.45	1.40	-0.05
Belgium	1.37	1.38	+0.01
Brazil	1.45	1.40	-0.05
Byelorussian SSR	0.43	0.50	+0.07
Colombia	0.35	0.41	+0.06
Egypt	0.50	0.47	-0.03
El Salvador	0.05	0.06	+0.01
Greece	0.19	0.21	+0.02
Guatemala	0.06	0.07	+0.01
India	3.45	3.40	-0.05
Iran	0.33	0.28	-0.05
Luxembourg	0.05	0.06	+0.01
Mexico	0.70	0.75	+0.05
Pakistan	0.79	0.75	-0.04
Philippines	0.39	0.45	+0.06
Poland	1.58	1.73	+0.15
Ukrainian SSR	1.63	1.88	+0.25
Union of South Africa	0.83	0.78	-0.05
USSR	12.28	14.15	+ 1.87
United Kingdom	10.30	9.80	-0.50
United States	35.12	33.33	-1.79
Venezuela	0.35	0.39	+0.04

In framing its recommendations, the Committee applied previous decisions of the Assembly that the assessment of the largest contributor (the United States) should not exceed one third of the total assessment and that continued recognition should be given to the position of countries with low per capita incomes. In line with Assembly recommendations that application of the per capita ceiling principle⁸⁷ be deferred until new Members were admitted or substantial improvements occurred in the economic capacity of existing Members, it decided to retain the 1953 assess-

ments for those countries to which this ceiling would apply.

In view of the dollar stringency, the Committee recommended that arrangements for payments in currencies other than United States dollars should be extended as far as possible.

It considered that a decision to adopt a three-year scale, as envisaged by the Assembly's rules of procedure, should be deferred and that a further review of the scale should be undertaken in 1954.

The Committee had also reviewed the assessments of Switzerland and Liechtenstein for contributions to the International Court of Justice and of non-member States signatories of international instruments relating to the control of narcotic drugs.

During the discussions in the Fifth Committee, widespread agreement was expressed with the recommendation that the scale of assessments should apply for one year only, since it was not currently possible to remove all divergencies. It was hoped that it would be possible to submit proposals to the next Assembly session for a scale to be valid for at least three years, and many representatives welcomed the Committee's decision that for such a scale it would base its calculations on relative capacity to pay on a three-yearly average of national income estimates, while also having regard to economic trends manifested in individual countries during the current year.

A number of representatives, and, in particular, those of Canada, New Zealand and Sweden, three countries affected by the per capita ceiling principle, stressed the importance which they attached to this principle. It was pointed out that the deferment of the application of this principle would result in an increasing discrepancy between the per capita contribution of certain countries and that of the United States, the country with the largest assessment. The fear was also expressed by, among others, the representatives of Belgium and the Netherlands, that the middle income group of contributors might be called upon to pay a disproportionate share of the budget in view of the reduction of the assessment of the highest contributor and the special relief given to countries with low per capita incomes.

The representative of the USSR opposed the recommended scale on the grounds that the Committee on Contributions, in proposing increases for the Byelorussian SSR, Poland, the Ukrainian

⁸⁷ The per capita ceiling principle is to the effect that the per capita contribution of any Member shall not exceed the per capita of the Member with the highest contribution, i.e., the United States.

SSR and the USSR, had not given due attention to the basic criteria for arriving at an equitable scale, namely, the comparative per capita income, the temporary dislocation of national economies arising out of the Second World War and the ability of Member States to secure foreign currency. Since 1951, he maintained, there appeared to be a systematic policy of increasing the assessment of the above group of countries and reducing those of another group, particularly the United States, the United Kingdom and the Union of South Africa. The United States, in particular, he said, had not suffered from war damage, benefited from the fact that the greater part of United Nations expenditure was made in the United States and had no difficulty in obtaining dollar currency. The views of the Soviet representative were supported by the representatives of the Byelorussian SSR, Czechoslovakia, Poland and the Ukrainian SSR.

On the other hand, several representatives maintained the view that the substantial economic progress admittedly achieved by the USSR and the East European countries since the end of World War II made it imperative for the contributions of those States to be brought more closely into line with their increased capacity to pay.

Some representatives, including those of Egypt, Greece, India, Iran and Iraq, stressed the importance of continuing to give special consideration to those countries with low per capita incomes. The representatives of Afghanistan, Bolivia, Chile, Cuba and the Philippines, among others, felt that the Committee on Contributions had not given sufficient allowance to this factor of low per capita income.

The representative of Greece sought relief from any increase also because of the damage suffered in the Ionian Islands as a result of the earthquakes during 1953, and the Fifth Committee agreed that the Committee on Contributions should consider Greece's difficulties when considering the 1955 scale, together with the possibility of adopting a "unit system" of assessment rather than the current percentage system, so as to give greater flexibility in applying unforeseen changes in the scale.

Other representatives, including those of China, Colombia, Pakistan and the Philippines, also felt that the Committee on Contributions had been over-optimistic in its assessment of their countries' capacity to pay.

The representative of the Philippines proposed a draft resolution (A/C.5/L.245), which would have the Assembly call upon the Committee on Contributions to consult with Member Govern-

ments, particularly those whose contributions were likely to be increased, before a new scale of assessments was submitted to the Assembly. However, he withdrew this proposal on the assurance of the Chairman of the Committee on Contributions that all delegations would be informed of that Committee's next meeting so that they could transmit to it any relevant information which they might wish it to consider in preparing its recommendations. In this connexion, the opinion was expressed by several representatives that the Committee should not be transformed into a negotiating body.

A draft resolution (A/C.5/L.244), embodying the recommendations of the Committee on Contributions, was adopted, paragraph by paragraph, in votes ranging from a unanimous vote to 39 votes to 7, with 2 abstentions. It was adopted, as a whole, by 39 votes to 6, with 3 abstentions, at the Fifth Committee's 396th meeting (A/2577) and by the General Assembly, at its 458th plenary meeting on 27 November 1953, by 50 votes to 6, with 2 abstentions.

In explaining their votes in the plenary meeting in opposition to the proposed scale of contributions, the representatives of Poland and the USSR reiterated arguments adduced in the Fifth Committee. The representative of the United States expressed his country's gratitude for the proposed reduction of the United States assessment to 33.33 per cent, and pointed to various factors relating to the Soviet Union's relative capacity to pay more toward the support of the Organization.

The resolution adopted by the General Assembly (365(VIII)) read:

"The General Assembly,

"Resolves

"1. That the scale of assessment for the 1954 budget shall be as follows:

Member State	Per cent
Afghanistan	0.08
Argentina	1.40
Australia	1.75
Belgium	1.38
Bolivia	0.06
Brazil	1.40
Burma	0.13
Byelorussian Soviet Socialist Republic	0.50
Canada	3.30
Chile	0.33
China	5.62
Colombia	0.41
Costa Rica	0.04
Cuba	0.34
Czechoslovakia	1.05
Denmark	0.78
Dominican Republic	0.05
Ecuador	0.04
Egypt	0.47

Member State	Per cent
El Salvador	0.06
Ethiopia	0.10
France	5.75
Greece	0.21
Guatemala	0.07
Haiti	0.04
Honduras	0.04
Iceland	0.04
India	3.40
Indonesia	0.60
Iran	0.28
Iraq	0.12
Israel	0.17
Lebanon	0.05
Liberia	0.04
Luxembourg	0.06
Mexico	0.75
Netherlands	1.25
New Zealand	0.48
Nicaragua	0.04
Norway	0.50
Pakistan	0.75
Panama	0.05
Paraguay	0.04
Peru	0.18
Philippines	0.45
Poland	1.73
Saudi Arabia	0.07
Sweden	1.65
Syria	0.08
Thailand	0.18
Turkey	0.65
Ukrainian Soviet Socialist Republic	1.88
Union of South Africa	0.78
Union of Soviet Socialist Republics	14.15
United Kingdom of Great Britain and Northern Ireland	9.80
United States of America	33.33
Uruguay	0.18
Venezuela	0.39
Yemen	0.04
Yugoslavia	0.44
TOTAL	100.00

"2. That, notwithstanding the provision of rule 159 of the rules of procedure of the General Assembly, the scale of assessment for the apportionment of the expenses of the United Nations shall be reviewed by the Committee on Contributions in 1954 and a report submitted for the consideration of the General Assembly at its next regular session;

"3. That, notwithstanding the terms of financial regulation 5.5, the Secretary-General shall be empowered to accept, at his discretion and after consultation with the Chairman of the Committee on Contributions, a portion of the contributions of Member States for the financial year 1954 in currencies other than United States dollars;

"4. That Switzerland shall contribute 1.50 per cent and the Principality of Liechtenstein 0.04 per cent of the expenses of the International Court of Justice for the year 1954, these assessments having been established after consultation with the respective Governments, in accordance with the terms of General Assembly resolutions 91(I) of 11 December 1946 and 363 (IV) of 1 December 1949;

"5. That non-member States which are signatories of international instruments relating to the control of

narcotic drugs shall be called upon to make contributions towards the annual expenses, commencing with the year 1953, resulting from obligations placed on the United Nations by those instruments, in accordance with the following rates:

Country	Per cent
Albania	0.04
Austria	0.34
Bulgaria	0.19
Cambodia	0.04
Ceylon	0.13
Federal Republic of Germany	4.30
Finland	0.42
Hashemite Kingdom of the Jordan	0.04
Hungary	0.48
Ireland	0.30
Italy	2.20
Japan	1.95
Laos	0.04
Liechtenstein	0.04
Monaco	0.04
Portugal	0.30
Romania	0.60
San Marino	0.04
Switzerland	1.26
Viet-Nam	0.17

"6. That, if any non-member States should become Parties to the Convention on the Declaration of Death of Missing Persons during 1953, they should be assessed retroactively in respect of the 1953 expenses of the International Bureau for Declarations of Death in accordance with the terms of General Assembly resolutions 493(V) of 16 November 1950."

5. Appointment of a Negotiating Committee for Extra-Budgetary funds

The General Assembly, at its seventh session, decided (resolution 693 (VII))⁸⁸ to establish again a Negotiating Committee for Extra-Budgetary Funds, on the same lines as in the previous year, to assist in obtaining funds for the Expanded Programme of Technical Assistance, for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), for the United Nations Korean Reconstruction Agency (UNKRA), for the United Nations International Children's Emergency Fund (UNICEF), and for such other special programmes not provided for in the regular budget of the United Nations as might be designated by the Assembly.

The Committee, composed of nine members,⁸⁹ began its work on 14 November 1952, and summarized its activities between that date and 1 September 1953 in a report to the Assembly's eighth session (A/2478).

⁸⁸ See Y.U.N., 1952, p. 126.

⁸⁹ For membership, see Appendix I.

With respect to the Expanded Programme of Technical Assistance, it announced that pledges for the calendar year 1953 amounting to \$22,393,313 had been received from 69 countries against a target of \$25 million. As regards UNRWA and UNICEF, the Committee stated that it had invited those governments which had not yet contributed to either or both of these programmes to meet with it. For UNRWA, pledges for the fiscal year 1952-1953 had been made by 39 governments, amounting to an actual total of \$67,086,830, and a total sum of approximately \$147 million had been pledged against the three-year target figure of \$250 million set by the Assembly (resolution 513(VI)). Pledges for the fiscal year 1953-1954 totalling \$388,758 from six governments had also been received by September, 1953. For UNICEF, pledges for the current fiscal year totalling \$14,206,020 from 47 governments had been made against a target of \$20 million established by the UNICEF Executive Board. With respect to UNKRA, the Negotiating Committee had called to the attention of governments which had not yet contributed to the Agency the fact that approximately \$44 million still remained to be pledged to meet the \$250 million budget for three years. As a result, by 1 September 1953, pledges in cash and kind had been made by 33 governments in the amount of \$207,518,517.

The Committee considered that it would be of value to continue similar negotiations both formally and informally during the Assembly's eighth session and stressed again the importance of universal support of extra-budgetary programmes. It recommended that the Assembly should consider making early provision for the continuation of its work by a Committee of Member Governments.

The report of the Negotiating Committee was considered by the General Assembly at the 378th meeting of its Fifth Committee on 24 September and at the 451st plenary meeting on 5 October 1953. Following a brief discussion, in which several representatives expressed appreciation of the work of the Negotiating Committee, the Fifth Committee unanimously adopted a joint draft resolution by Australia, Canada, Colombia, France, Haiti, Lebanon and the United States (A/C.5/L.235) providing for the appointment of a further Negotiating Committee with the same terms of reference as the previous one. The draft resolution, as recommended by the Fifth Committee (A/2491), was adopted by the General Assembly without objection as resolution 759 (VIII).

The President on the same day accordingly appointed the following Member States to constitute the Committee: Australia, Canada, Chile, Colombia, France, Lebanon, Pakistan, the United Kingdom and the United States.

J. HEADQUARTERS OF THE UNITED NATIONS

1. Report of the Secretary-General

The General Assembly in resolution 663 (VII)⁹⁰ of 25 November 1952 asked the Secretary-General to submit to its eighth session a final report on the construction of the Headquarters. The Secretary-General reported (A/2544) to the eighth session that it would not be possible, during that session, to present a final report due to unforeseen delays in the completion both of the work on the United Nations site itself and of the additional work which the City of New York was carrying out on the approaches to it.

Work remaining to be completed on the Headquarters site, the Secretary-General reported, consisted for the most part of some minor phases of the construction programme; certain adjustments in interior and exterior layouts required for the better operation, maintenance and security of the buildings; portions of the landscaping pro-

gramme; and the installation of artistic objects of a decorative nature donated by Member States.

All the principal structures, the Secretary-General reported, had been substantially completed and both the buildings and the garage areas were fully occupied. The remaining construction items included, among others: completion of the guard houses on First Avenue at 43rd and 47th Streets; the installation of numerous illuminated and non-illuminated directional signs and bulletin boards; the installation of a complete security alarm system providing proper coverage of the entire group of buildings; interior painting; construction and installation of revolving doors at the north end of, and at the delegates' entrance to, the General Assembly building; and completion of the podium in the General Assembly hall. These items, he said, would not be completed until the spring of 1954.

⁹⁰ See Y.U.N., 1952, p. 128

Work within the general area of Headquarters, for which the City of New York had assumed responsibility, the Secretary-General stated, had been proceeding simultaneously with the construction of the Headquarters itself. The First Avenue tunnel had been opened in the spring of 1953, 42nd Street and 47th Street had been widened and beautified and similar improvements had been carried out in the two park areas north and south of 42nd Street at the west side of First Avenue. The reconstruction of First Avenue as well as the erection of the fence on the boundaries of the site were approaching completion. The City of New York had renamed First Avenue between 42nd and 47th Streets "United Nations Plaza". The Franklin D. Roosevelt Drive, including the overpasses from the Drive to First Avenue at 42nd and 48th Streets, had been realigned and rebuilt from 37th to 52nd Streets. The completion of certain adjacent work on the Headquarters site was delayed as a result of the delay in work which the City had undertaken, it was reported.

The landscaping of the north area, consisting of the rose gardens (containing some 1,500 roses), flowering cherry trees (185), hawthorns, sweet gum and honey locust trees, together with ground cover, would, the report stated, be substantially completed in late 1953. The balance of the landscape work, namely, the area west of the Library at 42nd Street and west of the ventilator at 43rd Street and First Avenue had been contracted for. The property line curbs and fence work, which tied in with the landscape programme, were progressing and should be completed by the City of New York by the early spring of 1954.

The sinking of a cargo ship in the Spring of 1953 just off the 46th Street Pier had delayed the construction work connected with the removal of that Pier. The Secretary-General stated that he had been advised that the United States Army Engineers was preparing another contract for the removal of the wreck and that it was expected to complete this operation by the beginning of 1954. The removal of the wreck would permit the United Nations to proceed, early in the Spring of 1954, with the work it was obligated to undertake with respect to the pier and bulkhead.

The Secretary-General stated that as of 30 September 1953, approximately \$67,000,000 had been expended, obligated or budgeted for the completion of the Headquarters construction programme. It was anticipated that after the remaining work had been completed, an amount of not less than \$1,000,000 out of the total of \$68,000,000 budgeted for the construction of

Headquarters would be available for surrender in 1954. These savings, he said, were the result of determined efforts on the part of officials responsible for the construction of the Headquarters in effecting all possible economies in the expenditure of the funds available and in securing advantageous settlement of contractors' claims against the United Nations.

The non-interest-bearing loan of \$65,000,000, made available by the United States Government for the construction of the Headquarters, the report stated, had been withdrawn in its entirety by requisition and expended. A total of \$3,500,000 had been repaid by the United Nations to the United States Government. Withdrawals against the supplementary request of \$3,000,000 to complete the construction of the Headquarters had been made in the amount of \$1,500,000.

The procedure of clearing with the Board of Art Advisers all matters relating to the selection of art objects, decorative materials and gift offers remained in effect. A complete list of gifts together with the names of the donors, would be submitted in the final report to the Assembly.

The Secretary-General's report (A/2544) was considered by the Assembly's Fifth Committee at its 405th meeting on 16 November 1953. Discussion in the Committee was concerned for the most part with the problem of providing more adequate amenities and facilities for delegates, particularly during Assembly sessions. The representative of the Netherlands called attention to the fact that there was no place in the Headquarters buildings where delegates could quietly write, read or hold private consultations without serious disturbance and interruption. The delegates' lounge, it was stated, had become, to all intents and purposes, a public area and was therefore wholly unsuited to the working needs of delegations. Other representatives, in particular those of Chile and the United Kingdom, joined the representative of the Netherlands in expressing the hope that urgent consideration would be given to ways and means of remedying the existing unsatisfactory situation without undue expense. Attention was also called to the overcrowded conditions prevailing in the delegates' dining room and to the difficulty of access to it. The representative of the Secretary-General assured the Fifth Committee that the views expressed and the suggestions made would be taken fully into account.

The representative of Belgium, supported by, among others, the representatives of Australia, Iran and the Union of South Africa, suggested that the practice, which appeared to have been discontinued, of holding regular meetings between rep-

representatives of the Secretary-General and the Secretaries-General of permanent delegations might usefully be revived. The Fifth Committee was assured by the Secretary-General that arrangements would be made to reconvene meetings between appropriate officials of the Secretariat and the Secretaries-General of the delegations.

The Committee, by 37 votes to none, with 5 abstentions, adopted the draft resolution proposed by the Secretary-General in his report. The USSR representative explained his abstention as a protest against the fact that the expenditure originally provided for had been exceeded.

The draft resolution recommended by the Fifth Committee (A/2614) was adopted by the General Assembly at its 471st plenary meeting on 9 December, without discussion, by 55 votes to none, with 5 abstentions, as resolution 780(VIII). Under the resolution, the Assembly, after reviewing progress to date, called for a final report to be submitted for its consideration at the ninth session.

2. Question of the Enlargement of the Dining Room and Cafeteria

As a supplementary budgetary item (19(a)), the Secretary-General on 11 November 1953 submitted a request (A/C.5/577) for an appropriation in 1954 of \$565,000 for the enlargement of the dining room and cafeteria and the installation of additional means of access to them.

The need for increasing the capacity of the dining room and cafeteria, the Secretary-General explained, had been apparent for some time, and had been particularly evident during the Assembly's eighth session. In the dining room the demand from various delegations for reservations had been in excess of the seating capacities, and

in the cafeteria the serving and seating capacities had been found to be insufficient on many occasions especially on inclement days. The Secretary-General's proposals provided for an increase in seating capacity from 752 to 1,176 to be distributed as follows: dining room, from 278 to 402; private dining rooms, from 64 to 166; and cafeteria, from 410 to 608.

The Advisory Committee on Administrative and Budgetary Questions in its 31st report to the eighth session of the General Assembly (A/2594) suggested possible alternatives to the Secretary-General's proposal, whereby the projected expenditures might either be reduced in amount or be spread over a longer period.

Both reports were considered by the Fifth Committee at its 424th meeting on 5 December. Most representatives recognized there was a need to improve both the seating capacity in the existing dining room and cafeteria and the means of access to them. Certain representatives, in particular those of Belgium, Chile and Cuba, favoured postponing consideration of the plan until a more thorough study had been undertaken. The Secretary-General explained that his proposals had been formulated with the intention of covering needs up to the limits imposed by the structure of the part of the building involved. The carrying out of the construction work proposed would not affect a more radical approach to the problem at a later date.

The estimate for the appropriation of \$565,000 under section 19(a), requested by the Secretary-General, was approved by the Fifth Committee by 31 votes to 8, with 8 abstentions.

The General Assembly in approving the 1954 budget at its 471st plenary meeting on 9 December⁹¹ accepted the figure of \$565,000 recommended by the Fifth Committee.

K. UNITED NATIONS POSTAL ADMINISTRATION

The United Nations Postal Administration, established as of 1 January 1951 by General Assembly resolution 454(V)⁹² of 16 November 1950, continued its operations throughout 1953. The working of the postal agreement entered into by the United Nations and the United States continued to function smoothly and relationships with the Universal Postal Union were in line with the resolution adopted at its Congress on 8 July 1953.⁹³

The total gross revenue⁹⁴ of the United Nations Postal Administration for 1953 was \$392,537.23.

The sales counter in the General Assembly Building at United Nations Headquarters during 1953—its first full year of activity—handled approximately 800,000 pieces of mail, and oper-

⁹¹ See pp. 93, 99.

⁹² See Y.U.N., 1950, pp. 172-73.

⁹³ See Y.U.N., 1952, p. 129.

⁹⁴ In accordance with the agreement between the United Nations and the United States this revenue is derived solely from the sale of stamps for philatelic purposes, revenue from stamps used for postage from United Nations Headquarters being retained by the United States Post Office.

ated on a seven-day week basis to accommodate visitors to Headquarters.

On 26 May 1953 a branch office of the United Nations Postal Administration was established at Russell Square House, Russell Square, London, W.C.1, England, for philatelic sale to countries in the sterling area. The sale of United Nations stamps for philatelic purposes at the European Office of the United Nations at Geneva was continued.

During 1953, four new commemorative stamps and a 3¢ embossed envelope were issued.

The envelope was issued on 15 September in two sizes—standard and legal. Its design shows the emblem of the United Nations surrounded by the lettering "United Nations Unies Postes—3 cent-Postage," the background being blue, and the emblem and lettering white.

On 24 April, a stamp was issued to serve as a reminder of the continuing need for the protection and care of refugees. The design depicts a typical refugee family, with the lettering "Protection for Refugees—Protection des Réfugiés". The stamp was issued in the 3¢ (maroon) and 5¢ (blue) denominations.

On 12 June, a stamp was issued in the 3¢ (sepia) and 5¢ (blue) denominations in honour of the Universal Postal Union. The theme of this stamp was an envelope superimposed on a map of the world, the emblem of the United Nations being used as a seal on the envelope.

On 24 October—United Nations Day—a commemorative stamp drawing attention to the activities of the United Nations in the field of technical assistance to under-developed areas, was issued in the 3¢ (grey) and 5¢ (jade green) denominations. The stamp's design shows three cogwheels enmeshed, with the central wheel encircling the emblem of the United Nations, and the words "Technical Assistance Technique" curved above the wheels.

On 10 December—Human Rights Day—a commemorative stamp was issued in the 3¢ (blue) and the 5¢ (crimson) denominations. The design shows two hands reaching towards a flame which is encircled by the words "Human Rights" in the five official languages of the United Nations—English, French, Spanish, Russian and Chinese. The dates "10.XII 48-53" are shown inside the circle made by the wording to mark the anniversary of the adoption of the Universal Declaration of Human Rights by the General Assembly on 10 December 1948.

First day covers for these issues were serviced as follows:

Refugee stamp—24 April	234,082
UPU stamp—12 June	231,627
3¢ embossed envelope—15 September	102,278
United Nations Day stamp—24 October	229,211
Human Rights Day stamp—10 December ..	265,186

In order to identify the cancellation of stamps affixed to pieces of registered mail deposited at the United Nations Post Office Station, agreement was reached with the United States Post Office Department during 1953 for the use of the identifying letters "U.N." and "N.Y." between the loops of the cancellation stamp used on registered pieces of mail. The first day of use of this cancellation was 1 July.

The stamp programme for 1954 calls for the following issues:

11 February... 3¢ and 8¢ stamp in honour of the activities of the Food and Agriculture Organization of the United Nations.
10 May..... 3¢ and 8¢ stamp in honour of the work of the International Labour Organisation.
25 October.... stamps in two denominations in honour of United Nations Day.
10 December.. stamps in two denominations in honour of Human Rights Day.

II. Political and Security Questions

A. THE QUESTION OF KOREA

1. United Nations Command Reports¹

Reports of the United Nations Command operations in Korea were submitted by the representative of the United States to the Security Council, in accordance with the Security Council resolution (S/1588) of 7 July 1950. The following information on the progress of truce negotiations and of operations is taken from reports Nos. 61 to 76 and from a special report of the Unified Command to the Security Council (S/3079)² dated 7 August 1953.

a. TRUCE NEGOTIATIONS³

By the end of 1952, agreement had been reached on all major questions relating to the conclusion of an armistice and a tentative draft armistice agreement⁴ had been worked out covering all agreed points. The differences between the United Nations Command and the Chinese-North Korean side which had prevented the conclusion of an armistice had been narrowed, by the end of April 1952, to the question of the disposal of prisoners of war. The United Nations Command had insisted that force should not be used to repatriate any prisoner of war. The Chinese-North Korean side had insisted on the unconditional repatriation of all prisoners of war. Armistice negotiations were recessed on 8 October 1952, following the rejection by the Chinese-North Korean side of United Nations Command proposals on the question of repatriation of prisoners of war. They were resumed on 26 April 1953.

Following a resolution adopted by the Executive Committee of the League of Red Cross Societies on 13 December 1952, which appealed to the parties, as a gesture of good will, to implement the humanitarian principles of the Geneva Convention by repatriating sick and wounded prisoners of war, the Commander-in-Chief of the United Nations Command, on 22 February, addressed a letter to the Chinese-North Korean Commanders, stating that the United Nations Command still remained ready to implement, immediately, the repatriation of sick and wounded prisoners of war

and asking if the other side was prepared to proceed with such repatriation.

On 28 March, the Chinese-North Korean Command agreed to the principle of the exchange of the sick and wounded, which, they stated, "should be made to lead to the smooth settlement of the entire question of prisoners of war". Arrangements for the exchange were initiated through the respective liaison officers on 6 April.

The agreement was followed on 30 March by a statement by Chou En-lai,⁵ Foreign Minister of the People's Republic of China, subsequently endorsed by the Prime Minister of the North Korean regime, indicating a desire to resume negotiations on the entire prisoner-of-war question.

On 11 April 1953, agreement was formally reached on the repatriation of sick and wounded prisoners of war. The initial Chinese-North Korean figure for prisoners of war to be repatriated was 600, including 450 Koreans and 150 non-Koreans. The United Nations Command initially agreed to repatriate 5,800 prisoners, including 5,100 Koreans and 700 Chinese. Pur-

¹ Reports Nos. 61 to 76 of the United Nations Command operations in Korea: S/2991, S/2999, S/3017, S/3037, S/3038, S/3070, S/3084, S/3090, S/3091, S/3096, S/3117, S/3132, S/3133, S/3143, S/3148 and S/3185. The report (S/3148) for the period of 1 to 15 August stated that in view of the reduced activities of the United Nations Command after the signing of the Armistice Agreement no further regular fortnightly reports would be issued. However, reports would be submitted from time to time on the implementation of the Armistice Agreement.

² The special report was also circulated to the General Assembly (A/2431).

³ For progress of truce negotiations in 1952, see Y.U.N., 1952, pp. 155-59.

⁴ For the text of the draft armistice agreement, see Y.U.N. 1952, pp. 166-74.

⁵ In his statement (A/2378), the Foreign Minister of the People's Republic of China stated, *inter alia*, that the two Governments concerned proposed that "both parties to the negotiations should undertake to repatriate immediately after the cessation of hostilities all those prisoners of war in their custody who insist upon repatriation and to hand over the remaining prisoners of war to a neutral State so as to ensure a just solution to the question of their repatriation." See also p. 270.

suant to the agreement, sick and wounded prisoners of war were exchanged between 20 April and 3 May.

Total deliveries of both sides including those recently wounded, are summarized in the following table:

Delivery of United Nations Command Personnel	
United States	149
United Kingdom	32
Canada	2
Colombia	6
Greece	11
Australia	5
Turkey	15
South Africa	1
Philippines	1
Netherlands	1
Republic of Korea	471
Total	684
Delivery of Chinese-North Korean Personnel	
North Korea	5,194
China	1,030
Civilian Internees	446
Total	6,670

On 17 April (S/3090), in response to the Chinese-North Korean suggestion for a resumption of the armistice negotiations for settling the entire prisoner-of-war question, the Commander-in-Chief of the United Nations Forces proposed that prisoners of war not directly repatriated should be released in Korea to the custody of a neutral State, such as Switzerland, and that after allowing a reasonable time, such as 60 days, for determining the attitudes of individuals in its custody with respect to their status, the neutral State should make arrangements for the peaceable disposition of those remaining in its custody.

The armistice negotiations, which had been in recess since 8 October 1952, were resumed on 26 April 1953 when the Senior Delegate of the Chinese-North Korean Command presented a six-point proposal under which all prisoners desiring repatriation would be returned within two months after an armistice. Within one month after completion of direct repatriation, the remainder would be sent to a neutral State, where, for six months, representatives of their home countries would be enabled to explain to them matters regarding their repatriation. Prisoners requesting repatriation would be afforded a speedy return. If at the end of six months any prisoners were unrepatriated, the question of their disposition would be submitted to the political conference which, in accordance with the draft armistice agreement, was to take place after the armistice.

In reply, the United Nations Command stated that the period of detention proposed by the Chinese-North Korean Command would result in the indefinite detention of those prisoners who were opposed to repatriation. On 29 April, the Chinese-North Korean Command indicated that the neutral State proposed should be an unnamed Asian country.

On 2 May, the Chinese-North Korean side asked whether it could be said that India, Burma, Indonesia and Pakistan were not suitable as neutral nations. It also asked if the United Nations Command would agree to sending to Switzerland, Sweden, Poland and Czechoslovakia all the prisoners not directly repatriated.

The United Nations Command pointed out that it had suggested that the neutral State agreed upon should keep custody of the prisoners in Korea and that it could not agree to the prisoners being transported to another country.

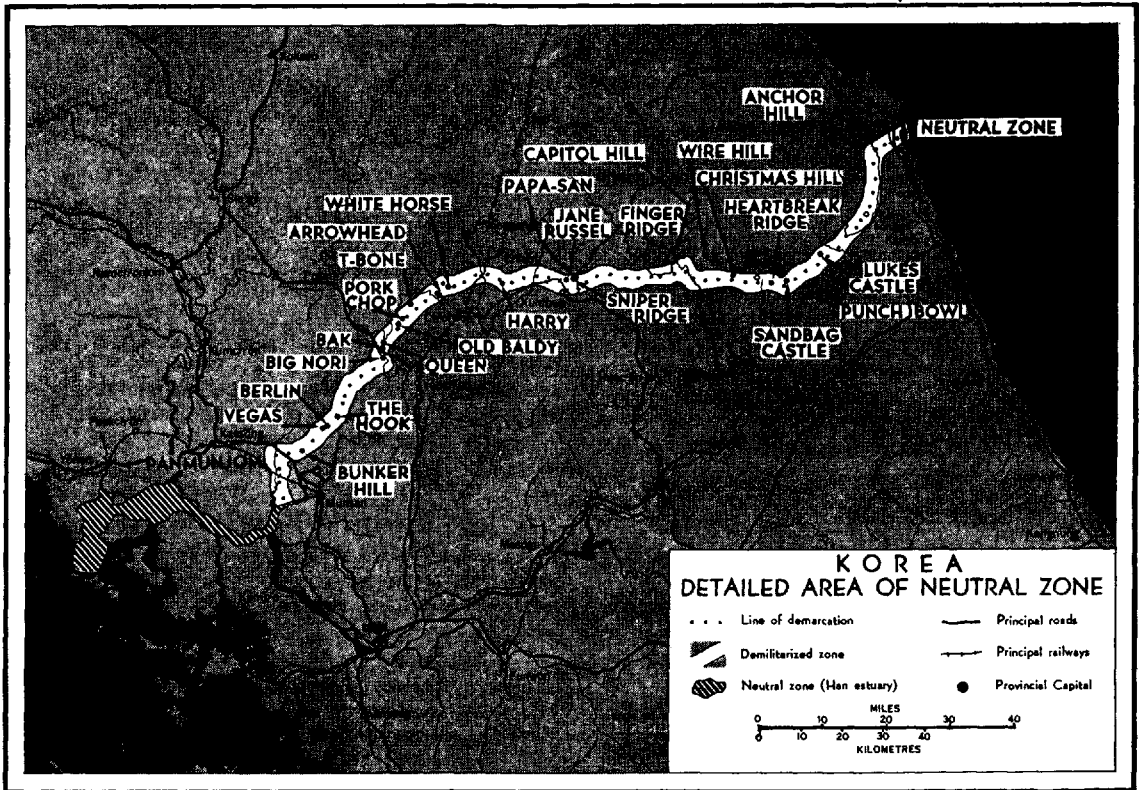
On 4 May, the United Nations Command nominated Pakistan as the neutral nation to assume custody of the prisoners.

On 7 May, the Chinese-North Korean side put forward a new proposal, providing for the establishment of a Neutral Nations Repatriation Commission to be composed of the four States already nominated for membership of the Neutral Nations Supervisory Commission (namely, Czechoslovakia, Poland, Sweden and Switzerland) and India, as agreed upon by both sides.⁶ This Commission, it was proposed, was to take custody of the prisoners in Korea.

On 13 May the United Nations Command presented a counter-proposal shortening the period of time in which the non-repatriates would remain in neutral custody, providing for the release of Korean non-repatriates immediately after the armistice, and proposing that only Indian forces take actual custody of the non-repatriates. The Chinese-North Korean side rejected these proposals.

On 25 May, the United Nations Command made a new proposal, providing for the transfer of both Korean and Chinese non-repatriates to neutral custody and for consideration of the disposition of any remaining non-repatriates by the political conference for a limited period, after which they might either be released to civilian

⁶ In April 1952 agreement was reached on the establishment of a Neutral Nations Supervisory Commission with inspection teams for supervising the implementation of the armistice agreement. The Commission was to consist of Sweden and Switzerland, nominated by the United Nations Command, and Poland and Czechoslovakia, nominated by the Chinese-North Korean side. See Y.U.N., 1952, p. 158.



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status or the question of their disposition referred to the General Assembly.

On 4 June, the United Nations Command stated (S/3079), the Chinese-North Korean Command offered a counter-proposal in effect based on "the mechanics of General Assembly resolution 610 (VII),⁷ also closely paralleling the United Nations Command proposals of 25 May (see above), but vague on the basic principle of "non-forcible repatriation". The United Nations Command reported that it succeeded in reaching agreement with the other side on the elaboration of the Neutral Nations Repatriation Commission's terms of reference to ensure that the principle approved by the General Assembly that force should not be used to compel or to prevent repatriation of any prisoners of war would be fully observed.

On 8 June, it was stated, the Senior Delegates for the United Nations Command and for the Communists signed the Prisoner of War Agreement, which was incorporated by reference in the Armistice Agreement.⁸ The delegations then proceeded to the final arrangements toward an early conclusion of the armistice.

The United Nations Command further reported that on 18 June "officials of the Republic of Korea brought about a break-out from prisoner-of-war camps of some 27,000 Korean prisoners of war who had previously indicated that they would resist repatriation to North Korea". This action by the Republic of Korea, it was stated, was inconsistent with the Agreement of 8 June on prisoners of war and the United Nations Command at once protested to the Republic of Korea Government. It also informed the Chinese-North Korean Command of the event and told them that, while efforts would be made to recover as many of the escapees as possible, there was not much hope that many of these could be recaptured since they had melted into the South Korean

⁷ On 3 December 1952, the General Assembly adopted resolution 610(VII), by which it recommended a procedure for the repatriation of prisoners of war. The Assembly recommended, inter alia, that the repatriation of prisoners of war should be in accordance with the Geneva Convention of 1949 and that force should not be used to prevent or effect their return. For the text of the resolution see Y.U.N., 1952, pp. 201-202.

⁸ The text of the Armistice Agreement is annexed to this chapter.

population. This incident, it was reported, led to immediate conversations with the Republic of Korea by the representatives of the Unified Command. After prolonged discussions, it was stated, the Republic of Korea gave assurances that it would not obstruct the implementation of the terms of the Armistice Agreement.

The conclusion of an armistice was, however, further delayed, the United Nations Command stated, since the Chinese-North Korean side demanded assurances that the United Nations Command would "live up" to the terms of the Armistice Agreement. While giving these assurances, the United Nations Command made it clear that it would not use force against the Republic of Korea forces to ensure compliance with the armistice by the Republic of Korea.

The Armistice Agreement was finally signed on 27 July 1953, at 10 a.m. Korean time.

In its special report to the Security Council (S/3079), the Unified Command stated that it had agreed to waive certain safeguards, e.g., in regard to the construction and rehabilitation of military airfields in North Korea, but had asked that governments with forces under the Command should make it clear in a declaration to be issued after the signing of an armistice that "if there was an unprovoked renewal of the armed attack by the Communists the sixteen governments would again be united and prompt to resist". The Declaration, which was signed by representatives of the sixteen participating nations in Washington on 27 July 1953, was as follows:

"We the United Nations Members whose military forces are participating in the Korean action support the decision of the Commander-in-Chief of the United Nations Command to conclude an armistice agreement. We hereby affirm our determination fully and faithfully to carry out the terms of that armistice. We expect that the other parties to the agreement will likewise scrupulously observe its terms.

"The task ahead is not an easy one. We will support the efforts of the United Nations to bring about an equitable settlement in Korea based on the principles which have long been established by the United Nations, and which call for a united, independent and democratic Korea. We will support the United Nations in its efforts to assist the people of Korea in repairing the ravages of war.

"We declare again our faith in the principles and purposes of the United Nations, our consciousness of our continuing responsibilities in Korea, and our determination in good faith to seek a settlement of the Korean problem. We affirm, in the interests of world peace, that if there is a renewal of the armed attack, challenging again the principles of the United Nations, we should again be united and prompt to resist. The consequences of such a breach of the armistice would be so grave that, in all probability, it would not be possible to confine hostilities within the frontiers of Korea.

"Finally, we are of the opinion that the armistice must not result in jeopardizing the restoration or the safeguarding of peace in any other part of Asia."

The report of the United Nations Command (S/3148) covering the period 1 to 15 August stated that the period had marked the beginning of the implementation of the Armistice Agreement. During this period, it was stated, agreement was reached on the method of operation of joint observer teams, which were dispatched to their assigned areas. Marking of boundaries, clearing of hazards and construction of the various installations were begun within the demilitarized zone. Agreement was also reached on the civil police and the type of arms they might carry within the demilitarized zone. Neutral nations inspection teams were dispatched to the ports of entry of both sides.

The report stated that, during the first week of August, an advance party representing the Indian contingent of the Neutral Nations Repatriation Commission and the Custodial Forces of India arrived in Tokyo. A "Memorandum of Understanding" between the Indian group and the group representing the Senior Member of the United Nations Command Military Armistice Commission and his staff was drafted. It related to facilities and support to be furnished by the United Nations Command to the Neutral Nations Repatriation Commission installation within the demilitarized zone on the United Nations Command side of the demarcation line.

Dealing with the repatriation of Chinese-North Korean prisoners, the report of the United Nations Command for 1 to 15 August stated that the United Nations Command had provided adequate food, clothes and medical care for all the prisoners of war in its custody but that, for propaganda purposes, Communist prisoners had torn newly issued clothing and cast aside comfort items. At the same time, the report mentioned that United Nations Command repatriates bore evidence of brutal treatment. In their individual stories, these prisoners stated that the Communists had taken every possible measure for their indoctrination. The idea had been instilled into their minds that the United Nations and, in particular, the United States had started the war.

The United Nations Command report (A/3185) for the period 15 to 31 August stated that by the end of that period a total of 61,415 prisoners had been returned by the United Nations Command to Communist control. By the same date, the following numbers of United Nations Command personnel had been released from Communist captivity:

United States	2,827
Other United Nations	1,208
Republic of Korea	6,979
Total	11,014

The United Nations Command reported that Communist members of the joint Red Cross teams had not acted in conformity with the Armistice Agreement since they had not been interested in providing humanitarian service to the prisoners, but in propaganda.

On 19 August, it was reported, the Communist side delivered a roster of deceased United Nations Command military personnel. The total number reported was 1,078. Agreement was reached later on the recovery of bodies of deceased personnel from the demilitarized zone under the control of both sides, the reports said.

b. MILITARY ACTION

(1) Ground Operations

The United Nations Command reported that after the opening of armistice negotiations neither the United Nations forces nor the Chinese-North Korean side undertook sustained offensive action. However, it was stated, there was consistent and often heavy military contact, resulting in serious personnel casualties. During the last stages of negotiations, the Chinese-North Korean forces, on the night of 13 and 14 July, launched their heaviest offensive in over two years, resulting in limited advances by the enemy and heavy casualties to the United Nations forces, as well as "appalling" losses for the Chinese-North Korean attackers.

Giving particulars of the attack, The United Nations Command report (S/3143) for the period 16 to 31 July stated that, on 13 July, Chinese forces with five armies massed between Kumhwa and Pukhan River "launched wave upon wave of assault infantry against United Nations Command positions along the Kumsong salient". Initially, the enemy employed elements of five divisions in the assault and at the close of the battle eight divisions from the five Chinese armies were identified. The United Nations Command stated that this attack resulted in the loss of the Kumsong salient and required a major adjustment of United Nations Command front line defences.

Giving an estimate of the casualties incurred during the entire Korean conflict, the United Nations Command reported (S/3079) that on the United Nations side the number of killed, wounded and missing from the armed forces of the Republic of Korea exceeded 300,000; the total casualties of the United States armed forces were approximately 141,000; and of the armed forces

of other fifteen Members, approximately 14,000. At the same time, the report continued, the United Nations forces inflicted on the enemy a far greater number of casualties, estimated at between one and a half to two million.

(2) Air Operations

During the period up to the cessation of hostilities, United Nations Command naval aircraft, operating from fast carriers in the Sea of Japan, continued their attacks on pre-selected targets and targets of opportunity from the main line of resistance to the Manchurian border, the reports said. Heavy strikes were carried out against the enemy's transportation system, supply storage and billeting areas, factories, bunkers, gun and mortar positions and other targets of military significance. Other United Nations aircraft provided front-line units with close air-support and flew combat, reconnaissance and escort sorties deep into enemy territory.

In the latter half of March, it was reported (S/3070), the United Nations Command carried out a major air-strike on the Pongha-dong supply troop and factory complex, destroying it completely. This, it was stated, was the first attack of the Korean war against this particular military concentration.

On 13 July, in order to counter an apparent effort by the Chinese-North Korean forces to gain ground along the front line prior to an armistice, maximum support was directed along the battle-line. In furtherance of this effort, four carriers carried out operations on a round-the-clock basis until 27 July at 2201 hours, the time when fighting ceased.

A large portion of air effort was concentrated on enemy air-fields, most of which were rendered unserviceable.

(3) Naval Operations

United Nations Command surface units, operating along the Korean East Coast, continued their blockade from the front lines north of Chongjin. In addition, they fired daily at transportation facilities and supply and industrial areas close to the coast. These units made rail and road cuts, and destroyed rail and road bridges, rolling stock, tunnels, industrial areas and supply dumps.

On the west coast of Korea surface units continued to carry out patrols and blockade of the coast. These ships successfully defended the islands off the coast by maintaining constant watch and by harassing enemy troop concentrations and gun positions on the mainland opposite the islands. In addition, the approaches to these islands were

illuminated almost nightly to detect any aggression by the enemy forces.

United Nations Command minesweepers continued their daily sweeps and check sweeps of the channels, coastal areas and anchorages in order to keep them free of mines; patrol planes continued their support of the United Nations Command's effort in Korea by daily anti-submarine, reconnaissance and weather data missions over the waters adjoining Korea; and United Nations Command auxiliary vessels and transports provided personnel lifts and logistic support for the United Nations Command forces in Korea.

The United Nations Command report (S/3148) for the period 1 to 15 August stated that, in accordance with the Armistice Agreement, all hostilities ceased and the United Nations naval blockade of the Korean coast was terminated.

The reports (S/3148 & S/3185) for the period 1 to 31 August stated that the "basic concept" of all United Nations naval operations in the first fortnight of the armistice had been to maintain forces in position to counter renewed aggression and to conduct training exercises. Similar activity was reported in the case of the ground forces and the air force.

c. ECONOMIC AND RELIEF ASSISTANCE

The United Nations Command report (S/3017) for the period 1 to 15 February stated that although the United Nations Command was able to assist the Government of the Republic of Korea in meeting the basic minimum needs of the Korean people for food from United States appropriated funds and contributions made by Member States, such aid was necessarily adapted to meet the general needs and usually involved bulk foods, such as grain.

However, there was an ever present need for specialized and supplementary foods not adaptable to normal programming in large quantities. These special needs, it was reported, related to hospitals, welfare institutions, convalescent centres and, particularly, to feeding stations. Forty-five feeding stations, the report stated, were providing 44,000 meals a day to persons with certificates from medical authorities, all requiring special or supplementary foods, the principal recipients being the sick, pregnant mothers and children. The United Nations Command asked for voluntary contributions of powdered eggs, fats, yeast, sugar, cereals, cod liver oils, dry foods and canned meats which, it said, it could transport to Korea at no expense to the donors.

On 25 February, the United States agreed to pay \$85,800,000 to the Republic of Korea for full and final settlement of all unpaid Korean currency provided to the United States forces prior to 7 February 1953. This payment brought to \$163,490,444.99 the total which the United States Government had paid for Korean currency provided by the Republic of Korea.

The United Nations Command stressed the shortage of trained medical personnel in Korea and acknowledged the valuable work of the Italian Red Cross and of a Swedish group in this field. It also acknowledged the aid provided by the American-Korean Foundation to help disabled persons. This group, the United Nations Command said, in conjunction with the Republic of Korea, the United Nations Korean Reconstruction Agency (UNKRA) and the United Nations Command, had initiated a programme of voluntary assistance from the people of the United States in the rehabilitation of Korean disabled civilian and military personnel—including medical, prostheses and training aspects.

In June the United Nations Command reported (S/3132) that the United Nations Civil Assistance Command (UNCACK) was reorganized and redesignated as the Korea Civil Assistance Command (KCAC), so as to operate under the direct supervision of the Commander-in-Chief, United Nations Command. The purpose of the change was to assure a more efficient administration of the economic assistance being extended to the Republic of Korea by Member States through the Unified Command. Under the new arrangement, the Korean Civil Assistance Command would administer all phases of civil assistance rendered by the United Nations Command to the Republic of Korea, including the formulation of programmes for the relief and support of the civilian population, the distribution of relief supplies and the carrying out of projects of reconstruction and rehabilitation other than those undertaken by the United Nations Korean Reconstruction Agency.

2. Consideration of the Korean Question by the General Assembly at its Resumed Seventh Session, between 24 February and 23 April 1953⁹

On 3 December 1952, the General Assembly adopted resolution 610 (VII)¹⁰ setting forth pro-

⁹ For discussions relating to Korea which took place under the agenda item "Measures to avert the threat of a new world war and to strengthen peace and friendship among nations", see pp. 269-72.

¹⁰ For text, see Y.U.N., 1952, pp. 201-202.

posals for the repatriation of prisoners of war to be transmitted by the President of the Assembly to the Central People's Government of the People's Republic of China and the North Korean authorities. On 20 December the President reported (A/2354)¹¹ to the General Assembly on the implementation of that resolution stating, inter alia, that the Central People's Government of the People's Republic of China and the North Korean authorities had rejected the Assembly's proposals.

a. DISCUSSIONS IN **THE FIRST COMMITTEE**

The President's report came up for discussion at the resumed seventh session of the General Assembly in February 1953 and was considered by the First Committee during its consideration of the following other Korean items:

(1) the report of the United Nations Commission for the Unification and Rehabilitation of Korea (UNCURK) (A/1881)¹² to the Assembly's sixth session, consideration of which had been deferred at that session in view of the armistice negotiations then proceeding in Korea;

(2) the Commission's report (A/2187)¹³ to the seventh session of the Assembly, the discussion of which was begun at the first part of the seventh session;

(3) a report of the Agent General of the United Nations Korean Reconstruction Agency (UNKRA) (A/2222)¹⁴ to the Assembly's seventh session;

(4) two supplementary reports of the Agent General of UNKRA (A/2222/Add.1; Add.2);¹⁵ and

(5) an interim report from UNCURK (A/2298) containing the Commission's comments on the report and the first supplementary report of the Agent General.

At its 557th meeting on 25 February 1953, the First Committee decided to consider these items together. It discussed them at its 557th to 569th meetings, between 25 February and 9 March.

(1) Question of Inviting Representatives of North Korea

At the 557th meeting, the representative of the USSR submitted a draft resolution (A/C.1/L.19), providing that representatives of the Democratic People's Republic of Korea be invited to participate in the Committee's discussion of the Korean question.

The proposal was opposed by the representatives of Australia, Greece, Peru, Turkey, the United Kingdom and the United States, who shared the view that North Korea had been named an aggressor by the United Nations and had therefore no status in the Organization. Moreover, they held, the Committee had before it all the facts it needed for the consideration of the question, including the reply of the North Korean regime to the conciliatory proposal transmitted to it by the President regarding the repatriation of prisoners

of war. Furthermore, it was stated, that regime had its spokesmen in the Committee who could place any new facts before it if they so desired.

In support of the USSR draft resolution, the representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR, and the USSR said that the Korean question could not be discussed in the absence of the representatives of the Democratic People's Republic of Korea. They denied that it had been proved that North Korea was the aggressor in the Korean conflict, stating that the United States refusal to invite North Korean representatives stemmed from the fear of disclosure of the true facts regarding the war in Korea.

The representative of Indonesia considered, first, that by carrying on armistice negotiations with North Korea the United Nations had formally recognized North Korea as a party to the conflict and, secondly, that by inviting the North Koreans, a better climate might be created for a solution of the problem of an armistice.

The Committee rejected the USSR draft resolution by 35 votes to 16, with 6 abstentions.

At the following meeting, the representative of Pakistan, explaining his vote in favour of the USSR draft resolution, recalled that, when a similar proposal had been submitted at the 511th meeting, his delegation had stated that the presence of North Korean representatives in the Committee would have only one of two results: either, if they persisted in their rather unreasonable attitude, the position of the United Nations would be strengthened; or, if they contributed new elements, that might help the United Nations to attain its objectives more quickly.

(2) Discussion of the President's Report

Most of the discussion in the Committee centred in the report (A/2354) of the President on the implementation of the Assembly's proposals regarding the repatriation of the prisoners of war which had been transmitted to the Central People's Government of the People's Republic of China and to the North Korean authorities and which the latter had rejected in their replies¹⁶ (A/2354,—Annexes II & III) dated 14 and 17 December 1952.

¹¹ For a summary of the report, see Y.U.N., 1952, pp. 203-204.

¹² For a summary of the report, see Y.U.N., 1951, pp. 230-31.

¹³ For a summary of the report, see Y.U.N., 1952, pp. 175-78.

¹⁴ See Y.U.N., 1952, pp. 208-12.

¹⁵ See Y.U.N., 1952, pp. 208-12.

¹⁶ See Y.U.N., 1952, pp. 203-204.

During the debate, the representative of the United States said that the American people desired a lasting peace through the United Nations and that no important group could be found in the country which did not believe in peace. The United States had therefore voted for the resolution of 3 December 1952, which spared no effort to meet the issues involved. The Chinese and North Korean regimes, however, had rejected that resolution and had virtually told the world that they would continue the struggle in Korea and that the Korean problem could be solved only on their terms. He charged the USSR with active support of the Chinese Communists and the North Korean authorities in the Korean war, and, in that connexion, submitted ten facts to show that the USSR had supplied them with equipment, including planes, tanks and heavy weapons, that the Chinese Communists who had entered Korea in 1950 had been almost completely equipped with weapons manufactured in the USSR and that the flow of USSR equipment had been constant and steady and on such a scale that it had made possible the aggression, which had originated from the North, and had determined its scope. He challenged the USSR representative to disprove those facts. The USSR, he said, could stop the war at will and its representative knew it. There was therefore little point in reformulating now the principles on which the resolution adopted by the General Assembly on 3 December 1952 was based. When the aggressors for any reason had a change of heart, it would not be difficult for them to show it. Failure to end the fighting in Korea was due to the frankly announced desire of the Communists to continue the war.

Endorsing the replies from the Ministers for Foreign Affairs of the People's Republic of China and the Democratic People's Republic of Korea regarding the General Assembly resolution of 3 December 1952, the USSR representative stated that it was the United States which had thwarted the conclusion of an armistice in Korea, although agreement on almost all the articles of the draft armistice agreement had been reached. At the same time, the United States had intensified its air raids over Korea and China and had undertaken a number of measures to expand the warfare in the Far East. The statement of the representative of the United States that love of peace applied to all Americans, without distinction as to party adherence, had been repudiated by his colleagues in both the Republican and Democratic parties. Republican members, for example, had introduced a resolution in the House of Representatives which, with a view to bringing the Korean war

to a rapid conclusion, called for the use of the atomic weapon. This and other facts, the USSR representative said, fully repudiated false speeches that were made about the desire of the ruling circles of the United States for peace.

The representative of the USSR then adduced a number of facts which he said had never been refuted and which he believed disproved all claims about the aggression having originated from North Korea. In this connexion, he cited the professed intention, as early as 1949, of President Syngman Rhee to attack North Korea, the assistance allegedly provided by the United States to the "Syngman Rhee clique" for the contemplated attack and the strategic map allegedly found in the archives of the Syngman Rhee Government when those archives fell into the hands of North Korean forces. For the American ruling circles, he said, the Korean war was merely a phase in the preparation of a world war. To that end, the industry of the United States was being militarized and the programme of military preparation was being intensified. Aggressive blocs were being forged and those already in existence were being strengthened. The more the ruling circles of the United States prepared for war, the more they attempted to throw on to the peace-loving countries the responsibility for the growing threat to peace and security and to disguise their true aggressive purposes. That was the explanation of the supposed facts adduced by the representative of the United States, the USSR representative said. The USSR had never concealed the fact that it had sold and continued to sell armaments to its Chinese ally, while China sold the USSR various types of raw materials, including strategic materials, in line with the treaties of friendship and alliance between the two countries. The USSR had no treaty for mutual assistance with Korea and, consequently, did not sell armaments to Korea. However, as had been stated previously, the USSR, when it had withdrawn its troops from Korea in 1948, had sold to that country the surplus of USSR armaments on the spot. The representative of the Soviet Union said that the fact of USSR neutrality in the Korean campaign had been admitted even by the United States Press. The statement that the USSR could end the war in Korea at will was meaningless. It was the USSR which had taken the initiative for the armistice negotiations in Korea and had made proposals for the cessation of hostilities in Korea in August and October 1950, at the sixth session of the General Assembly in 1951, and during the earlier meetings of the seventh session—proposals which had all been rejected by the

United States and its allies. In the light of those facts, the statement of the representative of the United States was unfounded and false and was designed to cover up the refusal of the United States to accept the USSR proposals.

The representative of the United States replied that the USSR representative had admitted that his country had been assisting the Chinese Communist forces, which the United Nations had branded as aggressors. The report of the United Nations Commission on Korea in 1950 had cleared up the question of who had been the aggressor, a question decided by the United Nations on several occasions. The USSR representative had accused the United States of wanting to continue the Korean action and of rejecting his so-called peace proposals. The proposal (A/AC.1/729/Rev.1/Corr.1 & Rev.1/Corr.1/Add.1)¹⁷ submitted by the USSR earlier in the session had called for a commission of eleven States to consider the prisoner-of-war question and other political questions, and included the provision that there should be a two-thirds vote in that commission to reach a decision. Since four of the proposed eleven members would be Communists, it was obvious that the USSR "camp" would in effect have a veto. The USSR representative called for a cease-fire now, leaving the question of the prisoners of war to be decided later, but that would mean a cease-fire on condition that thousands of United Nations and Republic of Korea soldiers would be left in Communist hands as hostages.

The representatives of Australia, Belgium, Bolivia, Brazil, Canada, China, Colombia, Cuba, the Dominican Republic, Ecuador, Ethiopia, France, Greece, Mexico, the Netherlands, New Zealand, Paraguay, Peru, the Philippines, the Union of South Africa, the United Kingdom, Uruguay and Yugoslavia voiced their support of the views expressed by the representative of the United States.

The representative of Indonesia regretted the rejection of resolution 610 (VII) by North Korea and the People's Republic of China. While recognizing that the prospects for a cease-fire and armistice were dim, his delegation was anxious for an opportunity of bringing the parties closer together. It considered that there was a possibility of an approach through procedures for lessening world tensions and that a United Nations recommendation urging a meeting between the two principal Powers might open an avenue.

The representative of India recalled that, when submitting the draft resolution which had formed the basis of resolution 610(VII), his delegation

had never said that its proposals were the last word on the subject. They had been designed to open the way to negotiations and not to act as a barrier against them. Negotiations could still go on either with the help of that resolution or of any proposals submitted previously. His delegation had no new proposal to put forward. It merely sought to promote agreement on the basis of international law and the Committee must continue patiently to speak with the voice of peace, reason and moderation and to work towards the restoration of peace in Korea.

The representative of Egypt, stressing that conciliation was essential, pointed to the statements of the representatives of Indonesia and of India as being directed towards that aim.

At the 569th meeting of the Committee, the Chairman stated that three draft resolutions concerning proposals for the repatriation of prisoners of war—which had been presented to the Committee at the first part of the seventh session and on which no decision had been taken in view of the adoption of the Indian draft resolution—had been withdrawn by their sponsors. These draft resolutions were: a 21-Power draft resolution (A/C.1/725), a Mexican draft resolution (A/C.1/730) and a Peruvian draft resolution (A/C.1/732).¹⁸ Since no draft resolution was submitted on the President's report, the Committee took no formal action on the question.

(3) Consideration of the Reports of the Agent General of UNKRA

The Committee then turned to the consideration of the reports of the Agent General of UNKRA (A/2222 & Add.1 & 2). In this connexion, it also had before it an interim report of UNCURK (A/2298) containing comments on the report of the Agent General and his first supplementary report. The interim report noted that, while UNCURK did not have any comments on the details of the \$70 million programme¹⁹ proposed by UNKRA, it wished to emphasize the necessity of the Agency's beginning a programme on a significant scale immediately aiming at an early increase in Korean domestic production and providing for sustaining imports to help combat inflation.

The debate on the report of the Agent General centred on a joint draft resolution by Canada, Denmark, France, the Philippines, Thailand, the

¹⁷ For summary of the proposal see Y.U.N., 1952, p. 183.

¹⁸ For summaries of these draft resolutions and the discussion on them, see Y.U.N., 1952, pp. 183-84.

¹⁹ See Y.U.N., 1952, pp. 211-12.

United Kingdom and the United States (A/C.1/L.21), under which the General Assembly would, *inter alia*:

(1) take note of the reports of the Agent General on the work of UNKRA for the period February 1951 to 15 February 1953;

(2) note with approval that the Agent General had undertaken a programme of relief and rehabilitation projects for the period ending June 1953; and

(3) request all governments, specialized agencies and non-governmental organizations to assist in meeting the great and continuing need of the Korean people for relief and rehabilitation assistance.

An Egyptian amendment (A/C.1/L.22) to the draft resolution was accepted by the sponsors.

It provided that the assistance of governments, specialized agencies and non-governmental organizations referred to should be "within the limits of their financial possibilities and in accordance with the provisions of their constitutions and statutes".

The representatives of Canada, Ecuador, Ethiopia, Greece, India, Mexico and Uruguay spoke in favour of the draft resolution and commended the Agent General for the manner in which he had performed the task of providing for relief and rehabilitation needs of Korea. In this connexion, the representatives of Canada and Uruguay felt that the reconstruction of Korea must continue to be one of the great objectives of the United Nations. The representatives of Cuba and the Netherlands said that, although the stabilization of the military front had made substantial reconstruction feasible, the continuation of the war had caused further economic deterioration leading to inflation and plunging the inhabitants into frightful misery. The needs of the Korean people were so great, they felt, that only a well-planned effort in collective assistance could meet the difficulties.

The representative of the United Kingdom noted that, at the time the resolution establishing UNKRA was passed, it had been hoped that the fighting would soon come to an end and that UNKRA would start its work without delay. Unfortunately that hope had been still-born and relief work had to remain under the direct supervision of the United Nations military authorities. In those circumstances, the long-term plans of the Agency had to be laid aside, and the Agent General had worked out a more modest programme for the current year. The United Kingdom had contributed a sum of £2,800,000, and would do its utmost to make the programme a success. In summarizing his country's contribution to Korean relief, the representative of Australia stated that Australia had pledged itself in March 1951 to give the equivalent of nearly four and a half million dollars, including the

amount of \$400,000 already made available to the emergency programme. His Government felt that contributing governments should continue to make available amounts required as the programme expanded and as the actual need of the Agency for further funds arose when specific projects were put into operation in Korea, rather than handing over the full amount pledged in one payment. The Australian paid contribution was therefore one third of its total pledge.

In an appeal for economic assistance for his country, the representative of Korea stressed that the war reduced the Korean people to a disturbing state of misery. A recent report to the United Nations showed that the per capita consumption in South Korea was 25 per cent below of 1949, when the standard of living in Korea had already been far below normal. The Korean Minister for Trade and Industry had stated that 60 per cent of the textile industry had been put out of action, the coal mines and electric power stations had been drastically crippled, 65 per cent of the livestock had disappeared and total production had been reduced by at least a third compared with the pre-war level. The representative of the Republic of Korea emphasized certain points which, his Government felt, should underlie any programme of reconstruction, in particular that the main need was to rebuild towns, factories, mines and productive undertakings.

In conclusion, the representative of the Republic of Korea reviewed the work which had been accomplished in his country both under the emergency programme and by UNKRA. In supporting the draft resolution, he expressed the gratitude of the people and the Government of the Republic of Korea to all who were aiding them in their task of reconstruction; nevertheless, he stated their need continued to grow and was assuming alarming proportions. If immediate steps were not taken to remedy the economic devastation caused by the war the United Nations effort to fight aggression in Korea would have been in vain. That task, he concluded, could not be postponed until hostilities had ended.

The representatives of the Byelorussian SSR, Poland, the Ukrainian SSR and the USSR could not agree with the favourable assessment of the activities of the Agent General. UNKRA, it was stated, had done its utmost, not to perform the tasks assigned to it, but to assist the United Nations armed forces in their military operations. The prerequisites for the rehabilitation of Korea were, in fact, an immediate cessation of hostilities, the conclusion of an armistice and the evacuation of foreign troops. It was noted that more

than ten times as much was spent on the continuation of the war as was spent on the reconstruction of Korea. These representatives indicated that they would vote against the seven-Power draft resolution.

The representative of the United States, speaking at the close of the debate, assessed the aid which governments had given for the relief and rehabilitation of the Republic of Korea. He said that under the emergency programme set up under Security Council resolution of 31 July 1950 (S/1657), governments of 30 Members and non-members of the United Nations had, by the end of 1952, made contributions totalling \$358 million, of which \$321,688,000, exclusive of services, had been contributed by the United States, \$17,389,000 by other governments, and \$20 million by United Nations specialized agencies and private voluntary organizations. This emergency programme had saved the population from starvation and epidemics under extremely difficult conditions. In addition, the United Nations Command had made substantial repairs to railroads, bridges and highways, to water systems and to power-generating and distributing systems.

UNKRA, he continued, was symbolic of the collective responsibility to supply means by which the Korean people could begin to rebuild their unhappy land. In recent months it had been possible to undertake an expansion in UNKRA's activities and, in co-operation with the Unified Command, a programme of \$70 million had been approved, some of which was now under way. Under it, grain and consumer goods were being imported to combat inflation. The reorganization of the Taegu Medical College and Hospital was in progress. Supplies were being purchased for the production of vaccines at the National Veterinary Laboratory and preparations for restoring the harbour of Kunsan were under way. Engineers were surveying the possibilities of increased coal production and work had been started in housing, education, vocational training, school repair and health clinics. The free world could not allow free Koreans to suffer destruction without aid in the reconstruction of their economy any more than it could allow them to be overrun without coming to their assistance.

At its 569th meeting on 9 March, the Committee adopted the seven-Power draft resolution (A/C.1/L.21), as amended by Egypt, by 54 votes to 5.

(4) Report of UNCURK

With reference to the report of UNCURK (A/2187)²⁰, the First Committee had before it

a draft resolution by the USSR (A/C.1/L.24), providing for the termination of the Commission as being incapable of fulfilling the tasks assigned to it. In support of the draft resolution, the representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR expressed the view that the Commission had become a subsidiary organ of the United States Command in Korea and had done nothing for the unification and rehabilitation of Korea.

At its 569th meeting, the Committee rejected the USSR draft resolution (A/C.1/L.24) by 54 votes to 5.

b. RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

The report of the First Committee (A/2368) was considered by the General Assembly at its 414th plenary meeting on 11 March 1953. The majority of the representatives made brief statements concerning the possibility of an early cessation of hostilities and the need for Korean reconstruction. The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR spoke in favour of a USSR draft resolution (A/L.144) requesting the termination of UNCURK as being incapable of discharging the tasks assigned to it. This draft resolution was rejected by 54 votes to 5 and the draft resolution submitted by the First Committee (A/2368) was adopted by 55 votes to 5, as resolution 701(VII). It read:

"The General Assembly

"1. Reaffirms the objective of the United Nations, adopted in General Assembly resolution 410 (V) of 1 December 1950, to provide relief and rehabilitation in assisting the Korean people to relieve their sufferings and to repair the great devastation and destruction in their country;

"2. Recognizes that the need of such relief and rehabilitation continues to be most urgent;

"3. Takes note of the reports of the Agent General on the work of the United Nations Korean Reconstruction Agency for the period February 1951 to 15 February 1953;

"4. Notes with approval that the Agent General has now undertaken, in co-operation with the Government of the Republic of Korea and the United Nations Command, and in consultation with the United Nations Commission for the Unification and Rehabilitation of Korea, a programme of relief and rehabilitation projects for the period ending June 1953, which has received the approval of the United Nations Advisory Committee to the Agent General, and looks forward to its successful execution;

"5. Expresses its appreciation of the contributions which have been made by governments, specialized agencies and non-governmental organizations;

²⁰ For summary of the report and discussion on it see Y.U.N., 1952, pp. 180-83.

"6. Requests those governments which have made pledges to the United Nations Korean Reconstruction Agency to make prompt payment of such pledges;

"7. Further requests all governments, specialized agencies and non-governmental organizations to assist, within the limits of their financial possibilities and in accordance with the provisions of their constitutions and statutes, in meeting the great and continuing need of the Korean people for relief and rehabilitation assistance."

3. Consideration by the General Assembly at its Resumed Seventh Session, between 17 and 28 August 1953

On 18 April 1953, during the consideration of the item entitled: "Measures to avert the threat of a new world war and to strengthen peace and friendship among nations",²¹ the General Assembly adopted resolution 705(VII) to reconvene the Assembly session in order to resume consideration of the Korean question upon notification by the United Nations Command to the Security Council, of the signing of an armistice agreement, or when, in the view of a majority of Members, other developments in Korea required it.

In a letter (A/2425) dated 26 July 1953, the permanent representative of the United States informed the Secretary-General that, on 27 July, an Armistice Agreement had been entered into between the United Nations Command and the Commanders of the Korean People's Army and the Chinese People's Volunteers.²²

In a cable of the same date, the President of the General Assembly informed the Governments of all Member States, that, in accordance with resolution 705(VII), the seventh session of the Assembly would reconvene on 17 August to resume consideration of the Korean question.

By a letter (A/2431; S/3079) dated 7 August, addressed to the Secretary-General, the acting permanent representative of the United States transmitted, for the information of the Security Council and the General Assembly, a special report of the Unified Command on the armistice in Korea, together with the official text of the Armistice Agreement entered into on 27 July.

At the 429th plenary meeting of the General Assembly, on 17 August, it was agreed that the First Committee should resume its consideration of the Korean question.

a. DISCUSSIONS IN THE FIRST COMMITTEE

The First Committee considered the question at its 613th to 625th meetings, between 18 and 27 August.

At the opening of the debate, a draft resolution was submitted by the representative of the USSR (A/C.1/L.49), providing, *inter alia*, that the Committee should invite representatives of the Democratic People's Republic of Korea and of the Chinese People's Republic to participate in the discussion of the Korean question. The Committee decided, by 34 votes to 18, with 7 abstentions, not to reconsider the question of inviting representatives of the Democratic People's Republic of Korea, and, thereafter, rejected, by 34 votes to 14, with 9 abstentions, the proposal to invite representatives of the Chinese People's Republic.

The Committee had before it the following draft resolutions and amendments:

(1) A joint draft resolution (originally submitted in the plenary meeting of the Assembly) entitled "Implementation of paragraph 60 of the Korean Armistice Agreement" submitted by fifteen of the sixteen nations having armed forces under the Unified Command: Australia, Belgium, Canada, Colombia, Ethiopia, France, Greece, Luxembourg, the Netherlands, New Zealand, the Philippines, Thailand, Turkey, the United Kingdom and the United States (A/L.151/Rev.1).

Under this draft resolution, the General Assembly would recommend:

(a) that the side contributing armed forces under the Unified Command should have as participants in the political conference to be held under paragraph 60 of the Armistice Agreement²³ those among the Member States contributing armed forces which desired to be represented, together with the Republic of Korea, and the participating governments should act independently at the conference with full freedom of action and should be bound only by decisions or agreements to which they adhered;

(b) that the United States Government, after consultation with the other participating countries on that side, should arrange with the other side for the political conference to be held as soon as possible, but not later than 28 October 1953, at a place and on a date satisfactory to both sides;

(c) that the Secretary-General should, if this was agreeable to both sides, provide the conference with services and facilities; and

(d) that the Member States participating should inform the United Nations when agreement was reached at the conference and keep the United Nations informed at other appropriate times. Finally, under the draft resolution, the General Assembly would reaffirm its intention to carry out its programme for relief and rehabilitation in Korea and appeal to all Member Governments to contribute to that task.

(2) As an alternative to the above draft resolution, the USSR submitted a draft resolution (A/C.1/L.48)

²¹ See pp. 269-72.

²² See under Section I, United Nations Command Reports. The text of the Agreement is annexed to his chapter.

²³ For paragraph 60 of the Armistice Agreement, relating to the holding of a political conference, see p. 144.

by which the Assembly, "deeming it necessary to ensure the most favourable conditions for the successful work of the political conference", would recommend as participants the United States, the United Kingdom, France, the USSR, the Chinese People's Republic, India, Poland, Sweden, Burma, the People's Democratic Republic of Korea and South Korea. A later revision of the draft (A/C.1/L.48/Rev.1) added Czechoslovakia, Egypt, Indonesia, Mexico and Syria to the list of participants and omitted Sweden, which had expressed a wish not to participate. The revised draft resolution also provided that "the decisions of the conference will be deemed to have been adopted if they have the unanimous consent of both parties which have signed the Armistice Agreement."

The USSR also submitted the same proposals in the form of an amendment (A/C.1/L.52) to the fifteen-Power draft resolution on the composition of the conference. The amendment would delete the provision for participation of the Powers contributing armed forces under the Unified Command and further delete the provision asking the United States to arrange for the conference. It would then substitute the USSR proposals regarding the composition of the conference (see above).

(3) A joint draft resolution, originally submitted in plenary meeting, by Australia and New Zealand (A/L.152) later co-sponsored by Denmark (A/L.152/Rev.1) and by Norway (A/L.152/Rev.2) providing that the General Assembly, having adopted the resolution entitled "Implementation of paragraph 60 of the Korean Armistice Agreement" (see above), recommend that the USSR participate in the political conference provided the other side desired it.

To this draft resolution, the USSR submitted an amendment (A/C.1/L.53) to delete the reference to the adoption of the resolution on the implementation of paragraph 60 of the Armistice Agreement and the words "provided the other side desires it" in the operative part.

(4) A joint draft resolution, originally submitted in plenary meeting, by Australia, Canada, New Zealand and the United Kingdom (A/L.153), providing that the General Assembly, having regard to the resolution entitled "Implementation of paragraph 60 of the Korean Armistice Agreement" recommend that India participate in the political conference.

To this draft resolution the USSR submitted an amendment (A/C.1/L.53) to delete the reference in the preamble to the adoption of the fifteen-Power draft resolution.

(5) A joint draft resolution originally submitted in the plenary session, by the same fifteen Powers which had submitted the draft resolution regarding the composition of the conference (A/L.154/Rev.1). Under this draft resolution, the General Assembly would pay tribute to the soldiers who had fought under the United Nations Command in Korea.

The First Committee agreed that this draft resolution should be dealt with in a plenary meeting of the Assembly itself rather than in the Committee²⁴

(6) A joint draft resolution by Burma, India, Indonesia and Liberia (A/C.1/L.50), requesting the Secretary-General to communicate the proposals on the Korean question submitted to the third part of the seventh session and those recommended by it, together with the records of the relevant proceedings of the General Assembly, to the Central People's Government

of the People's Republic of China and to the Government of the Democratic People's Republic of Korea, and to report to the General Assembly as appropriate.

To this draft resolution an amendment was submitted by Peru (A/C.1/L.51), which would delete the words "report to the General Assembly as appropriate" and substitute the words "inform the Members of the United Nations of any communication received". On a statement by the representative of India that he would delete the words "to the General Assembly" if the representative of Peru would withdraw the amendment, the Peruvian amendment was withdrawn.

Most of the discussion in the Committee was concerned with the three draft resolutions on the composition of the conference: one submitted by the fifteen of the sixteen Member States having armed forces under the Unified Command in Korea, the second the alternative draft by the Soviet Union, and the third that concerning the participation of India submitted by Australia, Canada, New Zealand and the United Kingdom.

Introducing the fifteen-Power draft resolution, the representative of the United States stressed that paragraph 60 of the Armistice Agreement should be the basis of all decisions concerning the political conference. The United States, he said, adhered to that paragraph with its concept of two sides because it was one of the few things that seemed definite in the whole picture. If there was a desire for agreement, a conference of both sides could do as well as any other type of conference. The fifteen-Power draft resolution (A/L.151/Rev.1) provided that each government would be bound only by its own vote. That meant that, if two nations agreed, their agreement would apply as far as they were concerned. That seemed to be the best way to get results, the United States representative said. No results would be reached in a large conference where unanimity on all decisions was required. The fifteen-Power draft resolution further recommended that on the one side, in addition to the Republic of Korea, any nation which had contributed forces to the United Nations in Korea might attend the conference if it desired, since those nations had earned that right. The draft resolution did not deal with participants on the other side. If that side wished to have another country, such as the Soviet Union, participate on its side, the United States would have no objection. However, the Soviet Union could not take part as a neutral, since paragraph 60 did not contemplate the inclusion of any neutral. Moreover, the Soviet Union could certainly not qualify as a neutral nation in the conflict, the representative of the United States said. The matter of

²⁴ See below, under section b, Resolutions Adopted by the General Assembly.

who would participate on the other side was basically one for the other side to determine. The United States, he said, was willing to have the Soviet Union participate in the conference if for no other reason than to bear its share of the responsibility and accountability for peace.

The draft resolution, he stressed, made no provision for participation by other Members of the United Nations which did not properly belong on either side, under paragraph 60. There were several States which had a general interest in the area, and all Members of the United Nations had an interest in peace. None of them, however, had any greater interest in Korea than several others. If any other nations were to be invited, there was no logical reason for not inviting neighbours of Korea with direct interest in the area, and the question would be where the process would end.

Regarding the questions to be considered at the conference, the United States representative said that paragraph 60 again should be followed, and the details should be worked out at the conference itself. The United States favoured its concentrating on Korea and believed that the objective should be a unified, independent and democratic Korea. If the discussion developed in such a way as to suggest that consideration of other subjects in the Far East or elsewhere would be useful, the United States would be pleased, but it believed that such developments would call for another conference with different participants.

With regard to the USSR draft resolution, he considered that it was not a very democratic one, since it established two classes of nations. According to that resolution, he said, the Chinese People's Volunteers would have a final say as to whether agreements went into effect, whereas the Government of the Republic of Korea would be bound by the decisions of the conference without its consent being required. Moreover, the USSR draft resolution would exclude the majority of the countries whose young men gave their lives to repel aggression in Korea. Furthermore, that draft discriminated not only between members of the Neutral Nations Repatriation Commission, but even between the Soviet satellites. Some were chosen, while others were dropped.

The representative of France considered that the political conference should take place in a neutral country removed from the combat theatre and suggested that Geneva offered particular advantages.

With regard to participants, he believed that the terms of paragraph 60 should not be inter-

preted too literally. The conference should attain, in the best possible conditions, the re-establishment of peace in the Far East. All those who could usefully participate should be invited, and it was desirable that the conference should not consist of two opposing camps confronting one another.

The conference itself should decide upon its own competence; but the Korean question should be considered first, for until that was settled it would be useless to go further. The question, however, was not an isolated one. It was hard to see how there could be a valid peace in the Far East when war continued elsewhere in Asia.

The representative of the United Kingdom stated that his Government did not wish to perpetuate the concept of two sides and was gratified that the provision of the first fifteen-Power draft resolution (A/L.151/Rev.1), according to which the participating governments would act independently, would make it possible for many voices to be heard at the proposed conference.

He also considered that successful progress on Korean questions at the political conference should lead to discussions or negotiations on wider issues affecting the Far East.

Besides its sponsors, the fifteen-Power draft resolution was also supported by, among others, the representatives of Brazil, Chile, China, Cuba, Haiti, Israel, Liberia, Norway and South Africa. These representatives considered that the criterion applied in selecting the participants was a fair one. Under the draft resolution, it was pointed out, the participating governments would only be bound by decisions and agreements to which they adhered. That provision was sensible and realistic and avoided the concept of the conference consisting of two negotiating teams facing each other. Also, since Members whose participation on the United Nations side was proposed under the draft resolution would represent the United Nations as a whole, there was no question of excluding any one.

The sponsors of the joint draft resolution and other representatives supporting it expressed opposition to the USSR draft resolution concerning the composition of the conference. They considered that it was impossible to accept the proposition that from among those who fought on the United Nations side, only the United States, the United Kingdom, France and South Korea should be present. Australia, for example, its representative said, had an unassailable claim to participation, due to its contribution to the United Nations action in Korea and its geographical position. A similar claim to representation

was put forward by the representative of New Zealand.

It was stated that the last sentence of the USSR draft resolution, that "decisions of the conference will be deemed to have been adopted if they have the unanimous consent of parties which have signed the Agreement", provided in effect that the parties which had signed the Armistice Agreement were to have a veto. The United Nations side however, did not agree with the idea of vetoes. It agreed that any government which was to have any part in implementing any particular decision had to agree with that decision, which would otherwise have no effect. But it did not like the idea that every government represented at the conference had to agree to every word that was said. The only sensible basis for such a conference, it was emphasized, was contained in the joint draft resolution, which provided that the participating governments would be bound only by decisions or agreements to which they adhered.

The representative of the USSR considered that the views of the representative of the United States and the other sponsors of the first fifteen-Power draft resolution (A/L.151/Rev.1) concerning the composition of the political conference were based on a fallacious interpretation of paragraph 60 of the Armistice Agreement. This, he considered, was made clear by the fact that a proper functioning of the conference was of interest not only to the sides mentioned in paragraph 60, but also to all peace-loving peoples and particularly to the peoples neighbouring Korea. The text of paragraph 60, he said, did not state that the representatives of the two sides could be only the countries which had actually taken part in the hostilities. In paragraph 60 it was recommended to the Governments of the countries concerned on both sides that a conference of a higher level of both sides should be held between representatives appointed respectively. It was clear that the question of participation as understood by the expression "countries concerned" was one thing, whereas the question of who should represent those countries at the conference was another matter altogether. Thus, participation by Members of the United Nations who had not taken part in the hostilities was not excluded by the wording of paragraph 60, which could not be construed as limiting participation in the conference to nationals of the two sides. In the opinion of his delegation the political conference was likely to succeed only if it was based on the principle of the round table at which not only

the representatives of both sides would participate, but also representatives of other countries which were truly interested in the peaceful settlement of the Korean question.

The USSR draft resolution (A/C.1/L.48), he said, would limit the conference to a small number, for it was true that a large group would multiply the difficulties. While limiting the number, the Soviet Union held that it was necessary to have as participants some States which had not been engaged in hostilities and especially the neighbouring States. It considered that a neighbour had a greater interest in obtaining peace next door than a more distant State and that it was inadmissible to try to include the latter and exclude the neighbours on the basis of contribution of troops. From the political and practical point of view there should be included not only the Soviet Union but also such States as India, which had made a considerable contribution to the cessation of hostilities, and Poland, Czechoslovakia and Burma, which had made every effort in the United Nations to bring the war to a conclusion. The Soviet Union did not suggest that South Korea should be ruled out in the making of decisions. One of the basic principles of the USSR draft resolution was that North Korea and South Korea should be the principal parties whose consent would be required, since it was the view of the Soviet Union that the Korean people must settle their internal affairs by and between themselves.

The position that decisions would be adopted if they had the consent of the two parties which had signed the Armistice Agreement was, the representative of the USSR stated, also supported by the Foreign Minister of the Chinese People's Republic. The People's Republic of China, he said, wished that the conference should take the form of a round table conference, rather than the form of negotiations only between the parties which had signed the Agreement. Its views were that the decisions of the conference would be accepted only if they commanded the unanimous agreement of the parties which had signed the Agreement. Secondly, the scope of action and terms of reference should be in keeping with paragraph 60. There should first be settled by negotiation the question of the withdrawal of all foreign troops. Then a peaceful settlement in Korea should be negotiated and, thereafter, other questions should be discussed. Thirdly, the People's Republic of China supported the Soviet Union draft resolution regarding the membership of the conference and considered that all the countries whose troops participated on the side of the

United Nations might be regarded as one of the sides that signed the Armistice Agreement. Fourthly, the General Assembly had acted unreasonably in not inviting representatives of the People's Republic of China and of the Democratic People's Republic of Korea to take part in the consideration of the organization of the conference. Accordingly, to facilitate convening the conference, the General Assembly had the responsibility of keeping those Governments informed concerning all proposals and recommendations relating to the conference. Finally, any recommendations of the General Assembly in keeping with the foregoing principles would be considered by the Central People's Government as a possible basis for the carrying out of the political conference.

The representative of the USSR charged that the Mutual Security Treaty between the Republic of Korea and the United States was a link in a chain of measures taken with a view to ensuring military bases for United States forces for possible future use in aggressive military actions in the Pacific area, and that the sixteen-Power Declaration (A/2431; S/3079)²⁵ was tantamount to a threat to start a third world war if a new local incident were to arise in Korea. The representative of the United States declared that no secret agreement had been concluded between the United States and the Republic of Korea.

In reply to the assertion that the USSR draft resolution would oblige South Korea to accept any decisions reached between the two sides without its consent, the representative of the USSR said that that was a misinterpretation of his text. Politically and factually, he said, such a position would be utterly senseless. Without South Korea's consent no decision could be taken by the conference.

He stated further that four of the participants in the hostilities, proposed in his revised draft resolution, had been suggested to represent the side described as that of the United Nations. The other side would be represented by North Korea and the Chinese People's Volunteers, that was to say, two representatives. Therefore, there would be four countries on one side and two countries on the other along with nine neutrals of which six were Arab or Asian countries. That composition was based on the principle of a multi-lateral conference and the elimination of the notion of having only two sides opposing each other.

Supporting the USSR position, the representatives of the Byelorussian SSR, Czechoslovakia, Poland and the Ukrainian SSR expressed the view

that the USSR draft resolution was correctly based on the principle of a round table conference thereby breaking with the concept of two opposite parties. The composition of the conference as proposed under that draft resolution stemmed from the fundamental position of the primary responsibility of the five Great Powers for the issues of world peace and international security.

The representative of the Republic of Korea expressed his Government's opposition to a round table conference. He stated that, in dealing with Communists, past experience had shown that it was dangerous to have more than two sides, because the intermediate side or sides seldom failed to serve the Communist ends. His delegation also wished that the membership of the conference should be limited to the parties to the war in Korea. The conference, he said, would finally decide whether Korea would go to the Communist empire or remain in the free world, and his Government felt that it should have at its side in the fateful conference only those who had sent military aid.

He also stated the Mutual Security Treaty between the Republic of Korea and the United States, as well as the sixteen-Power Declaration (A/2431, part I) were defence arrangements designed to counterbalance the military pacts between the North Korean regime and Communist China and between the latter and the USSR.

There was general support in the Committee for the five-Power draft resolution (A/L.152) concerning the participation of the USSR, most representatives expressing the view that for the success of the conference USSR participation was essential.

The United Kingdom representative stated that he considered that the USSR should be represented at the conference because it was a great Far Eastern Power having a land frontier with Korea and because its presence would be necessary for the success of the conference. The representatives of China, the Philippines and the United States, however, emphasized that, while it would be unrealistic to plan a political conference without the participation of the USSR, the invitation should come not from the United Nations but from the Chinese-North Korean side. They held that the USSR, on account of its sympathy with the aggressors and the assistance it had rendered to them, had lost the right to be invited by the United Nations to participate in the Conference.

²⁵ See p. 113.

While a majority of the Committee supported the participation of India, its participation was opposed by the representatives of Bolivia, Brazil, China, Colombia, Cuba, the Dominican Republic, El Salvador, Greece, Haiti, Israel, the Philippines, Peru and the United States, among others.

The United States representative stated that his delegation would not support the participation of India, because it believed that the conference was most likely to succeed if it was limited to the belligerents on both sides. It was not India that it opposed; it did not favour the inclusion of any non-belligerent. Secondly, a principal participant on the United Nations side was the Republic of Korea, and its consent was indispensable to any result at the conference. In view of the known attitude of the Republic of Korea, his delegation believed that the participation of India would jeopardize the success of the conference. Thirdly, there were other countries more directly concerned in Korean affairs than India, namely, Japan and Nationalist China. Thus, the inclusion of India or of any other non-belligerent would make the claim of the Governments of those countries to participate virtually undeniable.

On the other hand, the United Kingdom representative considered that India should be a participant because, as a major Asian Power, it could make an important contribution to the success of the conference. It had already contributed significantly towards the solution of the Korean problem and had provided the Chairman of the Neutral Nations Repatriation Commission.

Some representatives based their opposition on the interpretation of paragraph 60 of the Armistice Agreement, according to which the conference should be restricted to the belligerents, with the exception of the USSR which, it was said, occupied a special position as a great Power and a neighbour of Korea. Others, including the representatives of Brazil, China, Colombia, the Dominican Republic and Haiti, expressed the view that India's participation might endanger the conference in view of the uncompromising opposition to its participation expressed by the Republic of Korea. The representative of the Republic of Korea strongly opposed participation of India in the conference, arguing that India had followed a policy of appeasement towards the Communists.

The representative of India stressed that his country had no desire to seek a place in the conference unless it was clear that it could perform some useful function in the interests of peace and that the major parties concerned desired its assistance in the matter.

At its 625th meeting, the Committee voted on the draft resolutions and amendments before it (see above).

The two parts of the USSR amendment to the fifteen-Power draft (A/C.1/L.52) were rejected by roll-call votes; the first, to delete the provisions regarding participation in the conference and the provision that the United States arrange for the conference was rejected by 41 votes to 5, with 13 abstentions; and the second, to substitute the USSR proposals, by 40 votes to 5, with 14 abstentions.

The fifteen-Power draft resolution (A/L.151/Rev.1), on the implementation of paragraph 60 of the Armistice Agreement, was voted on in parts, some of them by roll call. They were adopted in votes ranging from 59 to none to 42 to 5, with 12 abstentions. The draft resolution, as a whole, was adopted by 42 votes to 5, with 12 abstentions (A/2450, resolution A).

The USSR draft resolution (A/C.1/L.48/Rev.1) concerning participation in the conference was rejected by 41 votes to 5, with 13 abstentions.

The USSR amendment (A/C.1/L.53) to the draft resolution by Australia, Denmark, New Zealand and Norway (A/L.152/Rev.2) on USSR participation was rejected; the first part, to delete the reference to the adoption of the resolution entitled "Implementation of paragraph 60 of the Korean Armistice Agreement", was rejected by 39 votes to 5, with 15 abstentions; and the second part, to delete the phrase "provided the other side desires it", by 36 votes to 15, with 8 abstentions. The draft resolution (A/L.152/Rev.2) was voted upon by paragraphs; the first paragraph was adopted by 43 votes to 6, with 10 abstentions, and the second by 54 votes to 2, with 3 abstentions. The resolution was adopted, as a whole, by 55 votes to 2, with 2 abstentions (A/2450, resolution B).

The USSR amendment (A/C.1/L.53) to the draft resolution (A/L.153) on India's participation, to delete the reference to the adoption of the resolution entitled "Implementation of paragraph 60 of the Korean Armistice Agreement", was rejected by 38 votes to 5, with 15 abstentions. The two paragraphs of the draft resolution were voted upon separately and adopted, the first by 37 votes to 7, with 11 abstentions, and the second by a roll-call vote of 27 to 21, with 11 abstentions. The draft resolution, as a whole, was adopted by a roll-call vote of 27 to 21, with 11 abstentions (A/2450, resolution C).

The draft resolution by Burma, India, Indonesia and Liberia (A/C.1/L.50), concerning the

communication of documentation to the People's Republic of China and the Democratic People's Republic of Korea, after inclusion of a drafting change by the sponsors, was adopted by 54 votes to 4, with 2 abstentions (A/2450, resolution D).

b. RESOLUTIONS ADOPTED BY
THE GENERAL ASSEMBLY

The First Committee's report (A/2450) was considered by the General Assembly at its 430th plenary meeting on 28 August.

In a statement regarding the draft resolution concerning Indian participation, the representative of India explained that his delegation had not participated in any of the voting of the First Committee, except on the part of the fifteen-Power draft resolution stating that the General Assembly welcomed the holding of a political conference, because his Government considered that the Korean question had now emerged into a post-armistice period and that further negotiations should not rule out any possibility, provided all those possibilities moved in the one direction of peace. Taking everything into consideration, he thought that the purposes of peace were best reached by not forcing the draft resolution regarding India's participation in the political conference to a decision in the Assembly.

At the request of the representative of New Zealand, who spoke on behalf of the original sponsors of the draft resolution in question, the President suggested that the draft resolution be withdrawn, and the Assembly so decided.

The USSR submitted (A/L.157) a draft resolution on the composition of the political conference, identical to that (A/C.1/L.48/Rev.1) which had been rejected in the First Committee. It was rejected by the Assembly by 42 votes to 5, with 12 abstentions.

The USSR also reintroduced (A/L.155) the amendments (previously rejected in the Committee—A/C.1/L.52) to the draft resolution "A" recommended by the Committee on the implementation of paragraph 60 of the Armistice Agreement. These were rejected, respectively, by 40 votes to 5, with 11 abstentions, and 43 votes to 5, with 10 abstentions.

An amendment to this draft resolution was also submitted by Bolivia, Chile, Ecuador, El Salvador, Honduras, Paraguay and Peru (A/L.158). It provided that the words "Member States contributing armed forces" in the first operative paragraph, should be followed by the additional phrase "pursuant to the call of the United Nations". The amendment was adopted by 43 votes to 5, with 10 abstentions.

The four paragraphs of the preamble of draft resolution "A", were adopted, respectively, by 59, 59, 55 and 56 votes to none. The first operative paragraphs, as amended by the seven Powers, was adopted by 43 votes to 5, with 11 abstentions, and the second by 56 votes to none, with 1 abstention. The resolution as a whole, as amended, was adopted by 43 votes to 5, with 10 abstentions, as resolution 711 A (VII).

The USSR also submitted an amendment (A/L.156) to draft resolution "B" dealing with the participation of the USSR in the political conference. It would have deleted reference to the adoption of the above resolution and also the condition that the USSR should attend if the Chinese-North Korean side so desired. These amendments were rejected, respectively, by 39 votes to 5, with 15 abstentions, and 34 votes to 14, with 8 abstentions. Draft resolution "B" was adopted by 55 votes to 1, with 1 abstention, as resolution 711 B (VII).

The USSR submitted an amendment (A/L.156) to draft resolution "C" concerning India's participation. The amendment would have deleted reference to the adoption of resolution 711 A (VII). Since the draft resolution was withdrawn no vote was taken on the amendment.

Draft resolution "D" concerning the communication of the documentation to Peiping and Pyongyang was adopted by 54 votes to 3, with 1 abstention, as resolution 711 C (VII).

Resolution 711(VII) read:

A

IMPLEMENTATION OF PARAGRAPH 60 OF THE
KOREAN ARMISTICE AGREEMENT

"The General Assembly:

"1. Notes with approval the Armistice Agreement concluded in Korea on 27 July 1953, the fact that the fighting has ceased, and that a major step has thus been taken towards the full restoration of international peace and security in the area;

"2. Reaffirms that the objectives of the United Nations remain the achievement by peaceful means of a unified, independent and democratic Korea under a representative form of government and the full restoration of international peace and security in the area;

"3. Notes the recommendation contained in the Armistice Agreement that "In order to ensure the peaceful settlement of the Korean question, the military Commanders of both sides hereby recommend to the governments of the countries concerned on both sides that, within three (3) months after the Armistice Agreement is signed and becomes effective, a political conference of a higher level of both sides be held by representatives appointed respectively to settle through negotiation the questions of the withdrawal of all foreign forces from Korea, the peaceful settlement of the Korean question, etc.";

"4. Welcomes the holding of such a conference;

"5. Recommends that:

"(a) The side contributing armed forces under the Unified Command in Korea shall have as participants in the conference those among the Member States contributing armed forces pursuant to the call of the United Nations which desire to be represented, together with the Republic of Korea. The participating governments shall act independently at the conference with full freedom of action and shall be bound only by decisions or agreements to which they adhere;

"(b) The United States Government, after consultation with the other participating countries referred to in sub-paragraph (a) above, shall arrange with the other side for the political conference to be held as soon as possible, but not later than 28 October 1953, at a place and on a date satisfactory to both sides;

"(c) The Secretary-General of the United Nations shall, if this is agreeable to both sides, provide the political conference with such services and facilities as may be feasible;

"(d) The Member States participating pursuant to sub-paragraph (a) above shall inform the United Nations when agreement is reached at the conference and keep the United Nations informed at other appropriate times;

"6. Reaffirms its intention to carry out its programme for relief and rehabilitation in Korea, and appeals to the governments of all Member States to contribute to this task."

B

"The General Assembly,

"Having adopted the resolution entitled "Implementation of paragraph 60 of the Korean Armistice Agreement",

"Recommends that the Union of Soviet Socialist Republics participate in the Korean political conference provided the other side desires it."

C

"The General Assembly,

"Requests the Secretary-General to communicate the proposals on the Korean question submitted to the resumed meetings of the seventh session and recommended by the Assembly, together with the records of the relevant proceedings of the General Assembly, to the Central People's Government of the People's Republic of China and to the Government of the People's Democratic Republic of Korea and to report as appropriate."

At the 431st plenary meeting on 28 August, the General Assembly considered the second fifteen-Power draft resolution (A/L.154/Rev.1), submitted by Australia, Belgium, Canada, Colombia, Ethiopia, France, Greece, Luxembourg, the Netherlands, New Zealand, the Philippines, Thailand, Turkey, the United Kingdom and the United States.

This draft resolution was adopted with one amendment (see below).

An amendment to this draft resolution was submitted by Chile, Ecuador, El Salvador, Honduras and Mexico (A/L.160) to replace the words "under the auspices of" in the last paragraph, by the words "pursuant to the call". This amendment was adopted by 54 votes to 5. The draft resolution, as amended, was adopted by 53 votes to 5, as resolution 712(VII).

Resolution 712 (VII) read:

"The General Assembly,

"Recalling the resolutions of the Security Council of 25 June, 27 June and 7 July 1950 and the resolutions of the General Assembly of 7 October 1950, 1 December 1950, 1 February 1951, 18 May 1951 and 3 December 1952,

"Having received the report of the Unified Command dated 7 August 1953,

"Noting with profound satisfaction that fighting has now ceased in Korea on the basis of an honourable armistice,

"1. Salutes the heroic soldiers of the Republic of Korea and of all those countries which sent armed forces to its assistance;

"2. Pays tribute to all those who died in resisting aggression and thus in upholding the cause of freedom and peace;

"3. Expresses its satisfaction that the first efforts pursuant to the call of the United Nations to repel armed aggression by collective military measures have been successful, and expresses its firm conviction that this proof of the effectiveness of collective security under the United Nations Charter will contribute to the maintenance of international peace and security."

4. Report of UNCURK to the Eighth Session of the General Assembly

a. THE COMMISSION'S REPORT

The United Nations Commission for the Unification and Rehabilitation of Korea submitted a report (A/2441) to the eighth session of the General Assembly, covering the period from 28 August 1952 to 14 August 1953.

Outlining the attitude of the Government of the Republic of Korea towards the Armistice Agreement, signed in Korea on 27 July, the report stated that during the period preceding the signing, the President and the Government had expressed basically the view that an armistice that left Korea divided and Chinese Communist armies in North Korea would constitute a death sentence to the Republic of Korea. In an endeavour

to win the support of the Government of the Republic of Korea to an armistice, the President of the United States had sent a special envoy to Korea for conversations with President Rhee. At the conclusion of the discussions, which had lasted from 26 June to 11 July, the President of the Republic of Korea had given assurances that, although he did not agree with the proposed armistice terms, he would not take any action to obstruct the conclusion of an armistice or its implementation. Immediately following the signing of the Armistice Agreement, he had stated, *inter alia*, that his Government would not disturb an armistice while a political conference, provided for in the Agreement, undertook within a limited time to solve peacefully the problems of the liberation and re-unification of Korea. The Government's opposition to an armistice without unification had been fully supported by the National Assembly. After the signing of the armistice, the National Assembly, on 3 August, had unanimously adopted a resolution in which it had, *inter alia*, expressed its opposition to any plan for the unification of Korea which would contravene the sovereignty of the Republic. All political and social organizations which had expressed views had also joined in opposing an armistice without unification.

In a chapter dealing with the development of representative government in the Republic of Korea, the Commission expressed the view that the basic constitutional structure of the Republic of Korea remained representative and democratic, although much remained to be accomplished in establishing a satisfactory relationship between the executive and legislative branches of the government, and in resolving the difficulties which were inherent in an effort to combine the presidential and parliamentary systems in a single constitution.

As the main industrial resources were north of the 38th parallel, the continued division of the country imposed the need to develop power, transport and coal mining as a basis for further industrialization in the South, the report said. Although the conclusion of an armistice should provide greater opportunities, the problem of reconstruction was so immense that a period of stability and security was essential. As long as the Republic was obliged to maintain between sixteen and 20 divisions under arms, budgetary problems and inflationary pressures would continue. It would appear most unlikely that the Republic could develop a self-supporting economy, even given the high level of economic assistance currently

expected, if it must bear the present burden for its security in a divided peninsula.

Unification of Korea was, therefore, not only an important political objective, but also a highly desirable goal as a means of re-uniting the complementary economies of the South and the North, and as a means of promoting security and stability. In the meantime, while unification was being sought and conditions of peace established, the burden of security must be collectively borne, if the Republic was to have a real opportunity to develop towards a self-sustaining economy.

In conclusion, the Commission stressed that the signing of the armistice had successfully concluded the military phase of the first effort to enforce the principle of collective security through a world-wide international organization. The Republic of Korea had gradually increased the strength of its armed forces until, at the time of the armistice, they were holding the greater portion of the battle field; consideration of its contribution to collective security should help to create a better understanding of the Republic. Close co-operation and mutual understanding between the United Nations and the Republic of Korea must be maintained. There was now the opportunity of seeking to achieve by peaceful means the common objective of the Republic of Korea and of the United Nations—a unified, independent and democratic Korea in accordance with the free expression of the will of the Korean people.

The Commission remained agreed on the analysis and general conclusions set out in its previous reports (A/1881 & A/2187). In particular, it believed that the cessation of hostilities in no way reduced the need for representation of the United Nations in Korea.

b. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS EIGHTH SESSION

The report of UNCURK was considered at the Assembly's eighth session at the 680th to 682nd meetings of the First Committee, from 5 to 7 December 1953.

The Committee had before it two draft resolutions, one by India (A/C.1/L.94/Rev.1) and one by Brazil (A/C.1/L.95).

The Indian draft resolution as revised (A/C.1/L.94/Rev.1), provided that the General Assembly should resolve to stand recessed on or after 8 December 1953 to 9 February 1954, it being provided that the President might, for good and sound reasons, convene the Assembly on an earlier or later date for the further consideration of the Korean question.

The representative of India, stressing the responsibility of his Government, in view of the presence of the Indian custodial forces in Korea and Indian chairmanship of the Neutral Nations Repatriation Commission, explained that his draft resolution was a substantive proposal recommending to the Assembly that at the normal time for the termination of its proceedings, it should take into account the importance of the Korean problem and the necessity for its further consideration and fix a date for such consideration in the coming year. His Government wished to be able to present to the Assembly the problems which might arise with regard to India's responsibilities.

The Brazilian draft resolution (A/C.1/L.95), provided, *inter alia*, that the General Assembly should: (1) decide to defer consideration of the Korean question; and (2) request the President of the Assembly to reconvene the session whenever, in the opinion of a majority of Members, developments with regard to any aspect of this question required consideration.

The representative of Brazil considered that, by not undertaking a consideration of the Korean question at the present juncture, the Committee would facilitate the negotiations for the convening of a political conference. By not prescribing a date for the reconsideration of the Korean question, his draft resolution would afford an opportunity to the negotiators to agree on the preliminary issues regarding the conference.

On 7 December, Brazil and India replaced their separate draft resolutions by a joint draft resolution (A/C.1/L.96), providing that the General Assembly should:

- (1) resolve that the eighth session stand recessed; and
- (2) request the President of the Assembly to reconvene that session, with the concurrence of the majority of Member States, if (a) in her opinion developments in respect of the Korean question warranted such reconvening, or, (b) one or more Member States made a request to the President for such reconvening by reason of developments in respect of the Korean question.

In a statement outlining the situation with regard to the repatriation agreement and its relations to the Armistice Agreement, the representative of India stated that he had agreed to co-sponsor the joint draft resolution, which did not mention any date for reconvening the Assembly, because he felt that it was more important to obtain an agreement that the Assembly should adjourn and reconvene later.

To the joint draft, Poland submitted an amendment (A/C.1/L.97) to delete the words "with

the concurrence of the majority of Member States".

The representative of the USSR disagreed with the view that discussion in the Committee might hamper the success of the negotiations for a political conference. Speaking in favour of the Polish amendment, he considered that the mandatory nature of the clause of the joint draft resolution requiring the concurrence of the majority would complicate a reconvening of the session because the majority might not endorse the views of the President.

The representative of the United States said that the principle of majority rule was found throughout the United Nations. He considered it a basic principle which could not be abandoned.

Statements in support of the joint draft resolution (A/C.1/L.96) were made by the representatives of Colombia, El Salvador, France, Iran, Peru, the United Kingdom and the United States who expressed the view that the Assembly should postpone discussion of the question pending the outcome of the negotiations for a political conference.

The representative of Poland considered that those who wished to discuss the Korean question at their own convenience opposed his amendment because the joint draft resolution would facilitate their tactics of postponement.

At the 682nd meeting on 7 December, the Polish amendment was rejected by 50 votes to 5, with 5 abstentions.

The draft resolution of Brazil and India was adopted by 55 votes to none, with 5 abstentions.

At its 470th plenary meeting, on 8 December, the General Assembly voted without discussion on the draft resolution recommended by the Committee (A/2621) and on an amendment (A/L.173) submitted by Poland, identical with the amendment (A/C.1/L.97) submitted in the Committee.

The Polish amendment (A/L.173) was rejected by 48 votes to 5, with 5 abstentions. The draft resolution recommended by the First Committee was adopted by 55 votes to none, with 5 abstentions, as resolution 716(VIII). It read:

"The General Assembly,

"1. Resolves that the eighth session of the General Assembly stand recessed;

"2. Requests the President of the General Assembly to reconvene the eighth session, with the concurrence of the majority of Member States, if (a) in the President's opinion developments in respect of the Korean

question warrant such reconvening, or (b) one or more Member States make a request to the President for such reconvening by reason of developments in respect of the Korean question."

5. Negotiations Relating to the Convening of a Political Conference Under Paragraph 60 of the Armistice Agreement

Following exchanges of communications between the United States, on the one hand, and the People's Republic of China and the People's Republic of Korea, on the other, representatives of both sides, on 26 October 1953 at Panmunjom, entered into negotiations relating to the convening of a political conference under paragraph 60 of the Armistice Agreement. On 13 December, these negotiations were interrupted by the representative of the United States, following allegations by the Chinese-North Korean side that the United Nations Command had acted in connivance with the Government of the Republic of Korea in the release of approximately 27,000 prisoners of war from United Nations prisoners-of-war compounds during the month of June.²⁶ The representative of the United States declared that he was ready to resume the negotiations if and when the allegations were withdrawn. At that stage, the negotiators had before them differing proposals regarding the convening, composition and functioning of the conference, submitted, respectively, by the Chinese-North Korean side, on 30 November (A/2616, annex I), and by the representative of the United States on 8 December (A/2628). With regard to the composition and place of the conference, the main points of the two proposals were as follows.

The Chinese-North Korean proposal stated:

(1) that the nations concerned on the two sides participating in the conference would be the Democratic People's Republic of Korea and the People's Republic of China, on the one hand, and the seventeen nations contributing armed forces to the United Nations Command, on the other;

(2) all decisions would be made by unanimous agreement among the nations concerned from both sides to the Armistice Agreement and would be binding upon each signatory nation;

(3) the conference would invite five neutral nations concerned, the USSR, India, Indonesia, Pakistan and Burma, to participate so as to facilitate agreement but not on either of the two sides, and without the right to vote.

The United States proposal stated:

(1) that the conference should have as voting participants the Democratic People's Republic of Korea,

the People's Republic of China, the seventeen nations contributing armed forces to the United Nations Command, and the USSR;

(2) all decisions would be deemed to have been reached by agreement among the voting participants on the two sides referred to in the Armistice Agreement and the USSR only if a decision had received the affirmative vote of both sides and the USSR;

(3) all decisions would be binding upon each signatory Government;

(4) each side would determine its own procedure as to the manner in which it would signify concurrence or non-concurrence in decisions;

(5) each voting participant would be bound only by the specific agreements to which it had adhered;

(6) in consideration of their responsibilities in connexion with the stabilization of the armistice and consequent concern in a peaceful settlement in Korea, some or all of the governments whose nationals were then actually working there or who had current experience in Korea and were currently familiar with its problems should be invited by both sides to attend and to take part in the conference without vote on either of the two sides.

The Chinese-North Korean side proposed that the conference be held at New Delhi on 28 December 1953, while the United States proposal called for a conference at Geneva, Switzerland.

6. Relief and Rehabilitation of Korea²⁷

a. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL

At its fifteenth session, the Council, when considering its provisional agenda at its 673rd plenary meeting on 31 March 1953, decided to postpone the question of relief and rehabilitation of Korea until its sixteenth session.

This question was again before the Council at its sixteenth session and was discussed at the 750th plenary meeting on 5 August 1953. The Council had before it the reports of the Agent General of the United Nations Korean Reconstruction Agency (A/2222 & Add.1 & 2 and E/2334 & Add.1-3). In view of the circumstances created by the signature of the Armistice Agreement in Korea in July 1953, the Council agreed to defer the consideration of the question of the relief and rehabilitation of Korea to a subsequent session.

²⁶ See pp. 112-13.

²⁷ For General Assembly resolution 701 (VII) on this subject, see above under Consideration of the Korean Question by the General Assembly at its Resumed Seventh Session, between 24 February and 23 April 1953.

b. REPORT OF THE AGENT GENERAL
TO THE EIGHTH SESSION OF
THE GENERAL ASSEMBLY

The Agent General of UNKRA submitted an annual report (A/2543) to the eighth session of the General Assembly, covering the period from 15 September 1952 to 30 September 1953. He stated that, following the armistice in Korea, an expanded programme for the year 1954 had been launched with the participation of the Government of the Republic of Korea, the Unified Command and UNKRA. To co-ordinate UNKRA's programme with the programmes of the United States Government channelled through the United Nations Command, a civilian Economic Co-ordinator was appointed to the staff of the United Nations Commander-in-Chief. Also, a subordinate military organization of the United Nations Command, the Korea Civil Assistance Command (KCAC) replacing the United Nations Civil Assistance Command, was designated the operating organization in Korea for the total aid to be received from the United States Government.

The report stated that areas of responsibility for relief and rehabilitation work were reserved to UNKRA and the KCAC. UNKRA was charged primarily with long-range rehabilitation, e.g., power rehabilitation, mining and manufacturing reconstruction, irrigation, flood control and land reclamation as well as forestries, fisheries, housing and education. KCAC was assigned responsibility for health, welfare, public works, transportation, communication, the stimulation of agricultural production and the provision of food and other essential civilian requirements. UNKRA was also to co-operate with KCAC in reconstruction in the health, sanitation and welfare fields.

On 26 August, the Advisory Committee to the Agent General approved a plan of expenditure totalling \$130 million for UNKRA's part of the programme for the financial year 1954. This figure, however, had to be cut by the Agent General to \$85 million, due to lack of funds. The programme, it was stated, was basically to continue and expand many of the projects begun under the \$70 million programme approved for the year ending June 1953, the implementation of which was still in progress. With the addition to the \$85 million of the carry-over from the financial year 1953, \$100 million would be available for obligation during 1954, the report said.

The report noted that substantial assistance had been provided in the field of food and agriculture. Imports of grain to the value of \$11 million and fertilizers to the value of \$9 million had helped

in the increase of food production. Projects were undertaken to aid the Republic of Korea's programme of expanding irrigation facilities, to import materials for the rehabilitation of the farm tool industry, to vaccinate hogs against cholera, and to increase the knowledge of modern farming techniques. In addition, UNKRA developed some 155 community development projects in rural areas and assisted in building up cottage and village handicraft industries. Projects were also developed to assist in reafforestation and in the rehabilitation of fisheries.

A major portion of UNKRA's programme, the report stated, concerned industrial rehabilitation. Under the 1953 programme, UNKRA did the groundwork for the restoration and expansion of the mining, textile, cement, briquetting flat glass, wire and paper industries. A dollar loan fund and a fund of hwan was established to aid small, privately-owned businesses.

Rehabilitation and expansion of power generating facilities and transmission and distribution lines were undertaken by UNKRA jointly with the United Nations Command. UNKRA made available \$3,600,000, with which some 550 miles of transmission and distribution lines, as well as boilers, turbines and generators for existing power plants, were to be repaired and installed. Included in this category were plans to expand the power system on Cheju-do. To improve transportation facilities—a major bottleneck in Korea—trucks and cross and bridge ties for the railroads were imported. A harbour dredge was shipped to Korea to aid in improving the port facilities of a west coast city. The procurement of marine aids to navigation was begun.

Programmes were carried out for developing natural resources and for housing and education. Exploitation of the coal mines, drilling surveys for gold and silver placer deposits and the provision of an assay and ore-dressing laboratory were among the projects designed to develop natural resources. UNKRA also helped to improve mining techniques and provided training facilities for mine workers. In the field of housing UNKRA imported earth block machines for the construction of some 5,500 additional houses and worked with officials of the Government of the Republic of Korea on a housing programme. Educational projects were designed to emphasize the restoration of instructional materials and educational facilities damaged or destroyed during the war. To improve medical education facilities, UNKRA aided in the rehabilitation of the Taegu Medical College and Hospital, provided mobile clinics, helped to establish a centre for rehabilitating am-

putees and provided translations of textbooks for nursing education.

During 1953, UNKRA gave assistance to the voluntary agencies in the form of ocean freight to the value of \$360,000 for the shipment of supplies worth \$2,650,000 for voluntary agencies with installations in Korea. In addition, UNKRA gave these organizations direct programme grants totalling \$240,000.

Under the programme of emergency aid, it was reported that, by 30 September, nineteen requests for assistance had been made by the Unified Command and transmitted by the Agency to governmental and non-governmental and specialized agencies. By the same date, a total of 31 Member States and seven non-member States had responded to these appeals. Responses from governments, other than the United States Government, together with contributions from non-governmental and specialized agencies, totalled \$48,765,178. In addition, \$395,792,783 was provided for relief assistance by the United States through KCAC.

The Agent General gave an account of the work of the teams from the World Health Organization (WHO), the Food and Agriculture Organization of the United Nations (FAO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) in developing recommendations on the scope of long-range programmes in their respective fields. He stated that the final report of the joint UNESCO/UNKRA Educational Planning Mission was received in February 1953 and of the joint WHO/UNKRA Health Planning Mission on 26 November 1952. The preliminary report of the FAO/UNKRA Agricultural Planning Mission, dated March 1953, while not yet released for public distribution, had set forth valuable plans for agricultural rehabilitation and technical assistance. UNESCO, in co-operation with UNKRA, had extended its gift coupon programme, enabling individuals and voluntary agencies to aid Korean schools through purchase of books and periodicals and the financing of grants to selected Korean educators and specialists abroad. In connexion with the implementation of health projects under the \$70 million programme, WHO had prepared specifications, jointly with the Swedish Red Cross and a panel of medical experts, and had recommended sources of supply for equipment, supplies and textbooks for the Taegu Medical College and Teaching Hospital.

Dealing with non-governmental organizations and international and national voluntary agencies, the report stated that by 30 September, the total value of contributions amounted to \$26,115,219.

In addition to these contributions to the Unified Command, relief supplies to the value of approximately \$8 million had been shipped to Korea since November 1952 by voluntary agencies in support of their own programmes and in conformity with regulations of the Unified Command and the Government of the Republic of Korea.

The Agent General reported continuing general improvement in economic conditions since early 1953. However, he noted, despite this recovery, rates of production and consumption at mid-1953 were for the most part still below the 1949-50 levels.

He proposed that for the period from 1 July 1954 to 30 June 1955 UNKRA would make further commitments in the amount of \$110 million, making the total commitment, from the inception of UNKRA to 30 June 1955, \$266 million. He submitted a tentative plan of expenditure covering this amount.

The initial target figure established by the Negotiating Committee set up under General Assembly resolution 410 B (V) of 1 December 1950, the Agent-General pointed out, amounted to \$250 million for the first year of UNKRA's full-scale operations. In order to authorize the total expenditure of \$266 million by June 1955, he therefore requested the General Assembly to endorse at its eighth session an additional budgetary target of \$16 million. He also asked the Assembly to urge governments to contribute to the programme in order that the proposed plan of expenditure might be executed, and to invite the Negotiating Committee for Extra-Budgetary Funds to initiate negotiations with Member and non-member States with a view to obtaining pledges and contributions toward the revised target.

The report noted that, at the expiration of the term of office of the Agent General, J. Donald Kingsley, the Secretary-General, in consultation with UNCURK and the UNKRA Advisory Committee, appointed Lt. General John B. Coulter, USA (Ret.), as Agent General effective 16 May 1953.

c. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS EIGHTH SESSION

The Agent General's report was considered by the Second Committee at its 283rd and 284th meetings on 2 December 1953.

In addition to this report, the Committee had before it the comments of UNCURK (A/2586) on the report. The Commission emphasized that the Republic of Korea was a long way from

establishing a viable economy even at a per capita level of consumption approximately equal to that of 1949-50. It noted the need for external assistance to combat inflation in order to promote financial stability. It reiterated its recommendation that UNKRA's programme should aim in particular at an early increase in Korean domestic production. The Commission noted that, in order to ensure continuity in planning and programme, the Agent General had prepared a proposed programme for the financial year 1955.

The Committee also had before it a joint draft resolution by Argentina, Canada, France, the Philippines, the United Kingdom and the United States (A/C.2/L.218), according to which the General Assembly would:

- (1) commend the Agent General for his work;
- (2) approve, subject to consultation between the Agent General and the Advisory Committee, the programmes for 1 July 1953 to 1 July 1954 and 1 July 1954 to 1 July 1955 set forth in the Agent General's report to the eighth session;
- (3) note with concern that sufficient funds were not available to implement such programmes, urge all governments to give immediate consideration to the prompt payment of pledges already made or to the making of contributions within their financial possibilities if they had not already taken such action, and recommend that specialized agencies and non-governmental organizations should furnish all possible assistance to UNKRA; and
- (4) request the Negotiating Committee for Extra-Budgetary Funds, appointed pursuant to the resolution adopted by the General Assembly on 5 October 1953,²⁸ to undertake, in addition to assigned tasks, negotiations with governments regarding their pledges to UNKRA.

In a statement outlining UNKRA's plans for the financial year 1953-54, the Agent General explained that, unfortunately, the outlay for the prospective programme had to be reduced from \$130 million to \$85 million so that many of the very important projects under way could not be implemented during the year.

He stated that UNKRA was seeking governmental contributions of \$250 million, against estimates of Korea's needs which amounted to about \$1,000 million. In his report, he had requested that the authorization be increased to \$266 million to June 1955. Of the \$207 million pledged to UNKRA, the Agency had received only \$88,600,000, and unfulfilled pledges of \$119 million must be collected. The total of uncollected and additional pledges required was \$177 million; of the total, the collection of \$67 million was required to meet 1954 plans and \$110 million to meet 1955 plans.

He urged the Committee to adopt the proposals in his report and appealed to Member States to translate their pledges into funds.

Opening the debate, the representative of Canada, as Chairman of the Advisory Committee to the Agent General, introduced the joint draft resolution, expressing the hope that it would receive unanimous support and thus reaffirm the intention stated by the General Assembly in resolution 410(V). He urged governments and agencies to contribute to the programme. While Canada had pledged and paid \$7,250,000 Canadian dollars towards the original target of \$250 million set by the Negotiating Committee in 1950, his Government must consider what new financial commitments it could make to meet UNKRA's new requirements. He agreed with that part of the Agent General's report in which it was noted that it would be inadvisable to present in detail any plan covering the coming four or five years.

The representative of the United States urged widespread support for the draft resolution. The cease-fire, he said, offered Member States a new opportunity to demonstrate by deeds their belief in co-operative action. The United States was definitely committed to this concept, as demonstrated by its contributions to Korean relief and reconstruction. His Government believed that substantial aid should be given by as many United Nations countries as possible. The new phase in the efforts of UNKRA after the cease-fire had been closely followed by his Government. The progress registered had been impressive and the sponsors of the joint draft resolution had on that account congratulated UNKRA on its substantial achievements. A co-ordinated programme for 1953-54 had emerged, in which duplication of effort had been reduced to a minimum. As its contribution to UNKRA, the United States, to date, had given \$65,750,000 out of the total received to implement the programme; this amounted to about 75 per cent of the funds advanced. The United States representative added that the rate at which his country's future contributions would actually be made available depended on the rate of payments of other countries.

He emphasized the need for substantial external assistance to enable Korea to produce sufficient goods and services to meet minimum consumption requirements and stated his belief that in time the Republic of Korea could achieve economic stability. The trend in industrial production was upward, the United States representative concluded, and improvements had been noted in the fishing industry, in power production and in the country's financial situation.

²⁸ See p. 105.

The representatives of Argentina, Australia, France, India and Mexico supported the joint draft resolution and the work of UNKRA, but stated that this support should not be taken as an indication that their Governments were prepared to make a contribution additional to that already pledged. The representative of the United Kingdom commended the Agent General and his staff for having dealt very successfully with a difficult problem. He suggested that, because of the political uncertainty in Korea, it might perhaps be wise for the Agency to concentrate now on programmes that could be completed by 30 June 1955, and, at the same time, to consider the advisability of transferring responsibility for the long-term projects to the Unified Command or to the Republic of Korea. He proposed that the General Assembly might then, under the terms of the programme proposed in the report, examine the situation at its ninth session. He urged governments to contribute to the UNKRA programme, and stated that the United Kingdom would have paid by April 1955 the equivalent of \$20 million for Korean rehabilitation.

The representative of the USSR, opposing the draft resolution and its approval of the work of the Agent General, contended that UNKRA was under the control of the United States military authorities. The Agent General, he said, had directed his efforts towards co-operating with the United Nations Command in its strategic concerns, and had used funds to build bridges and roads, rather than for industrial and agricultural reconstruction.

He drew attention to the assistance to North Korea granted by the Soviet Union and the People's Republic of China. Under an agreement with the Democratic People's Republic of North Korea, he said, his Government had opened a credit of 10 thousand million rubles to be used for the construction of electric power stations and factories to replace destroyed plants. With that money, North Korea would be able to rehabilitate the indispensable branches of the economy and supply the population with essential consumer goods. It would be able to undertake the construction of iron and cement works, restore communications, develop fisheries and stock-raising and build hospitals and schools. Gratifying results had already been obtained in the reconditioning of hydro-electric plants, in the working of non-ferrous ores, in the textile industry and in the production of preserved foods. In addition, under an agreement concluded at Peking between the Central People's Government of the People's Republic of China and North Korea, the Central

People's Government had renounced the right to repayment of the sums due to it in respect of the economic aid already furnished to North Korea. The People's Republic of China had also undertaken to provide Korea with cotton, cereals, capital goods, ships, railway rolling stock and the raw materials needed for industrial reconstruction.

The representative of Czechoslovakia supported the view expressed by the USSR representative that UNKRA was under the control of the United States authorities.

The representative of China stated that any aid, in money or kind, granted by the People's Republic of China to North Korea could only come from the forced labour of those imprisoned in concentration camps and from an exorbitant demand upon the very limited resources of the agricultural population. The Chinese delegation would vote for the draft resolution and would inform the Negotiating Committee for Extra-Budgetary Funds of the Chinese Government's position with regard to the further contributions requested.

The Agent General stated that the Agency was not subordinate to any other body in Korea but operated in accordance with the provisions of General Assembly resolution 410(V). Its activities were supervised by an Advisory Committee of five nations: Canada, India, the United Kingdom, the United States and Uruguay.

The representative of the United States recalled that the Agent General had specifically advised the Economic Co-ordinator that UNKRA's participation in a co-ordinated programme must be fully consistent with UNKRA's responsibilities to the United Nations.

At the request of the representative of the Byelorussian SSR, the draft resolution (A/C.2/L.218) was voted upon in parts and adopted in votes ranging from 33 to 5 to 32 to none, with 6 abstentions. It was adopted, as a whole, by 33 votes to none, with 5 abstentions.

At its 468th plenary meeting on 7 December 1953, the General Assembly adopted, without discussion, the draft resolution recommended by the Second Committee (A/2603), by 52 votes to none, with 5 abstentions, as resolution 725 (VIII). It read:

"The General Assembly,

"Recalling General Assembly resolution 410(V) of 1 December 1950,

"Taking note of the report of the Agent General on the work of the United Nations Korean Reconstruction Agency for the period 15 September 1952 to 30 September 1953,

"Noting that the work undertaken by the United Nations Korean Reconstruction Agency is bringing substantial benefits to the distressed people of Korea,

"Noting with satisfaction that the programmes of the Agency are implemented in close co-operation with the Government of the Republic of Korea and the United Nations Command and in consultation with the United Nations Commission for the Unification and Rehabilitation of Korea,

"1. Commends the Agent General of the United Nations Korean Reconstruction Agency for his work;

"2. Approves, subject to consultation between the Agent General and the Advisory Committee, the programmes for the periods 1 July 1953 to 1 July 1954 and 1 July 1954 to 1 July 1955 set forth in paragraphs 122, 123 and 124 of the Agent General's report

to the General Assembly at its eighth session;

"3. Notes with concern that sufficient funds are not available to implement such programmes, urges all governments to give immediate consideration to the prompt payment of pledges already made or to the making of contributions within their financial possibilities if they have not already taken such action; and recommends that specialized agencies and non-governmental organizations furnish all possible assistance to the United Nations Korean Reconstruction Agency;

"4. Requests the Negotiating Committee for Extra-Budgetary Funds, appointed pursuant to General Assembly resolution 759(VIII) of 5 October 1953, to undertake, in addition to already assigned tasks, negotiations with governments regarding their pledges to the United Nations Korean Reconstruction Agency."

ANNEX I. ARMISTICE AGREEMENT OF 27 JULY 1953

Agreement between the Commander-in-Chief, United Nations Command, on the one hand, and the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers, on the other hand, concerning a military armistice in Korea.

PREAMBLE

The undersigned, the Commander-in-Chief, United Nations Command, on the one hand, and the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers, on the other hand, in the interest of stopping the Korean conflict, with its great toll of suffering and bloodshed on both sides, and with the objective of establishing an armistice which will insure a complete cessation of hostilities and of all acts of armed force in Korea until a final peaceful settlement is achieved, do individually, collectively, and mutually agree to accept and to be bound and governed by the conditions and terms of armistice set forth in the following Articles and Paragraphs, which said conditions and terms are intended to be purely military in character and to pertain solely to the belligerents in Korea.

ARTICLE I

MILITARY DEMARCATION LINE AND DEMILITARIZED ZONE

1. A Military Demarcation Line shall be fixed and both sides shall withdraw two (2) kilometers from this line so as to establish a Demilitarized Zone between the opposing forces. A Demilitarized Zone shall be established as a buffer zone to prevent the occurrence of incidents which might lead to a resumption of hostilities.

2. The Military Demarcation Line is located as indicated on the attached map (Map 1).²⁹

3. The Demilitarized Zone is defined by a northern and a southern boundary as indicated on the attached map (Map 1).

4. The Military Demarcation Line shall be plainly marked as directed by the Military Armistice Commission hereinafter established. The Commanders of the opposing sides shall have suitable markers erected along the boundary between the Demilitarized Zone and their respective areas. The Military Armistice Commission shall supervise the erection of all markers

placed along the Military Demarcation Line and along the boundaries of the Demilitarized Zone.

5. The waters of the Han River Estuary shall be open to civil shipping of both sides wherever one bank is controlled by one side and the other bank is controlled by the other side. The Military Armistice Commission shall prescribe rules for the shipping in that part of the Han River Estuary indicated on the attached map (Map 2). Civil shipping of each side shall have unrestricted access to the land under the military control of that side.

6. Neither side shall execute any hostile act within, from, or against the Demilitarized Zone.

7. No person, military or civilian, shall be permitted to cross the Military Demarcation Line unless specifically authorized to do so by the Military Armistice Commission.

8. No person, military or civilian, in the Demilitarized Zone shall be permitted to enter the territory under the military control of either side unless specifically authorized to do so by the Commander into whose territory entry is sought.

9. No person, military or civilian, shall be permitted to enter the Demilitarized Zone except persons concerned with the conduct of civil administration and relief and persons specifically authorized to enter by the Military Armistice Commission.

10. Civil administration and relief in that part of the Demilitarized Zone which is south of the Military Demarcation Line shall be the responsibility of the Commander-in-Chief, United Nations Command; and civil administration and relief in that part of the Demilitarized Zone which is north of the Military Demarcation Line shall be the joint responsibility of the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers. The number of persons, military and civilian, from each side who are permitted to enter the Demilitarized Zone for the conduct of civil administration and relief shall be as determined by the respective Commanders, but in no case shall the total number authorized by either side exceed one thousand (1,000) persons at any one time. The number of civil police and the arms to be carried by them shall be as pre-

²⁹ The maps referred to in the text are not included in this volume.

scribed by the Military Armistice Commission. Other personnel shall not carry arms unless specifically authorized to do so by the Military Armistice Commission.

11. Nothing contained in this Article shall be construed to prevent the complete freedom of movement to, from, and within the Demilitarized Zone by the Military Armistice Commission, its assistants, its Joint Observer Teams with their assistants, the Neutral Nations Supervisory Commission hereinafter established, its assistants, its Neutral Nations Inspection Teams with their assistants, and of any other persons, materials, and equipment specifically authorized to enter the Demilitarized Zone by the Military Armistice Commission. Convenience of movement shall be permitted through the territory under the military control of either side over any route necessary to move between points within the Demilitarized Zone where such points are not connected by roads lying completely within the Demilitarized Zone.

ARTICLE II

CONCRETE ARRANGEMENTS FOR CEASE-FIRE AND ARMISTICE

A. General

12. The Commanders of the opposing sides shall order and enforce a complete cessation of all hostilities in Korea by all armed forces under their control, including all units and personnel of the ground, naval, and air forces, effective twelve (12) hours after this Armistice Agreement is signed. (See Paragraph 63 hereof for effective date and hour of the remaining provisions of this Armistice Agreement.)

13. In order to insure the stability of the Military Armistice so as to facilitate the attainment of a peaceful settlement through the holding by both sides of a political conference of a higher level, the Commanders of the opposing sides shall:

(a) Within seventy-two (72) hours after this Armistice Agreement becomes effective, withdraw all of their military forces, supplies, and equipment from the Demilitarized Zone except as otherwise provided herein. All demolitions, minefields, wire entanglements, and other hazards to the safe movement of personnel of the Military Armistice Commission or its Joint Observer Teams, known to exist within the Demilitarized Zone after the withdrawal of military forces therefrom, together with lanes known to be free of all such hazards, shall be reported to the Military Armistice Commission by the Commander of the side whose forces emplaced such hazards. Subsequently, additional safe lanes shall be cleared; and eventually, within forty-five (45) days after the termination of the seventy-two (72) hour period, all such hazards shall be removed from the Demilitarized Zone as directed by and under the supervision of the Military Armistice Commission. At the termination of the seventy-two (72) hour period, except for unarmed troops authorized a forty-five (45) day period to complete salvage operations under Military Armistice Commission supervision, such units of a police nature as may be specifically requested by the Military Armistice Commission and agreed to by the Commanders of the opposing sides, and personnel authorized under Paragraphs 10 and 11 hereof, no personnel of either side shall be permitted to enter the Demilitarized Zone.

(b) Within ten (10) days after this Armistice Agreement becomes effective, withdraw all of their

military forces, supplies, and equipment from the rear and the coastal islands and waters of Korea of the other side. If such military forces are not withdrawn within the stated time limit, and there is no mutually agreed and valid reason for the delay, the other side shall have the right to take any action which it deems necessary for the maintenance of security and order. The term "coastal islands", as used above, refers to those islands which, though occupied by one side at the time when this Armistice Agreement becomes effective, were controlled by the other side on 24 June 1950; provided, however, that all the islands lying to the north and west of the provincial boundary line between HWANGHAE-DO and KYONGGI-DO shall be under the military control of the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers, except the island groups of PAENG-YONG-DO (37°58'N, 124°40'E), TAECHONG-DO (37°50'N, 124°42'E), SOCHONG-DO (37°46'N, 124°46'E), YONPYONG-DO (37°38'N, 125°40'E), and U-DO (37°36'N, 125°58'E), which shall remain under the military control of the Commander-in-Chief, United Nations Command. All the islands on the west coast of Korea lying south of the above-mentioned boundary line shall remain under the military control of the Commander-in-Chief, United Nations Command. (See Map 3.)

(c) Cease the introduction into Korea of reinforcing military personnel; provided, however, that the rotation of units and personnel, the arrival in Korea of personnel on a temporary duty basis, and the return to Korea of personnel after short periods of leave or temporary duty outside of Korea shall be permitted within the scope prescribed below. "Rotation" is defined as the replacement of units or personnel by other units or personnel who are commencing a tour of duty in Korea. Rotation personnel shall be introduced into and evacuated from Korea only through the ports of entry enumerated in Paragraph 43 hereof. Rotation shall be conducted on a man-for-man basis; provided, however, that no more than thirty-five thousand (35,000) persons in the military service shall be admitted into Korea by either side in any calendar month under the rotation policy. No military personnel of either side shall be introduced into Korea if the introduction of such personnel will cause the aggregate of the military personnel of that side admitted into Korea since the effective date of this Armistice Agreement to exceed the cumulative total of the military personnel of that side who have departed from Korea since that date. Reports concerning arrivals in and departures from Korea of military personnel shall be made daily to the Military Armistice Commission and the Neutral Nations Supervisory Commission; such reports shall include places of arrival and departure and the number of persons arriving at or departing from each such place. The Neutral Nations Supervisory Commission, through its Neutral Nations Inspection Teams, shall conduct supervision and inspection of the rotation of units and personnel authorized above, at the ports of entry enumerated in Paragraph 43 hereof.

(d) Cease the introduction into Korea of reinforcing combat aircraft, armored vehicles, weapons, and ammunition; provided, however, that combat aircraft, armored vehicles, weapons, and ammunition which are destroyed, damaged, worn out, or used up during the period of the armistice may be re-

placed on the basis of piece-for-piece of the same effectiveness and the same type. Such combat aircraft, armored vehicles, weapons, and ammunition shall be introduced into Korea only through the ports of entry enumerated in Paragraph 43 hereof. In order to justify the requirement for combat aircraft, armored vehicles, weapons, and ammunition to be introduced into Korea for replacement purposes, reports concerning every incoming shipment of these items shall be made to the Military Armistice Commission and the Neutral Nations Supervisory Commission; such reports shall include statements regarding the disposition of the items being replaced. Items to be replaced which are removed from Korea shall be removed only through the ports of entry enumerated in Paragraph 43 hereof. The Neutral Nations Supervisory Commission, through its Neutral Nations Inspection Teams, shall conduct supervision and inspection of the replacement of combat aircraft, armored vehicles, weapons, and ammunition authorized above, at the ports of entry enumerated in Paragraph 43 hereof.

(e) Insure that personnel of their respective commands who violate any of the provisions of this Armistice Agreement are adequately punished.

(f) In those cases where places of burial are a matter of record and graves are actually found to exist, permit graves registration personnel of the other side to enter, within a definite time limit after this Armistice Agreement becomes effective, the territory of Korea under their military control, for the purpose of proceeding to such graves to recover and evacuate the bodies of the deceased military personnel of that side, including deceased prisoners of war. The specific procedures and the time limit for the performance of the above task shall be determined by the Military Armistice Commission. The Commanders of the opposing sides shall furnish to the other side all available information pertaining to the places of burial of the deceased military personnel of the other side.

(g) Afford full protection and all possible assistance and co-operation to the Military Armistice Commission, its Joint Observer Teams, the Neutral Nations Supervisory Commission, and its Neutral Nations Inspection Teams, in the carrying out of their functions and responsibilities hereinafter assigned; and accord to the Neutral Nations Supervisory Commission, and to its Neutral Nations Inspection Teams, full convenience of movement between the headquarters of the Neutral Nations Supervisory Commission and the ports of entry enumerated in Paragraph 43 hereof over main lines of communication agreed upon by both sides (See Map 4), and between the headquarters of the Neutral Nations Supervisory Commission and the places where violations of this Armistice Agreement have been reported to have occurred. In order to prevent unnecessary delays, the use of alternate routes and means of transportation will be permitted whenever the main lines of communication are closed or impassable.

(b) Provide such logistic support, including communications and transportation facilities, as may be required by the Military Armistice Commission and the Neutral Nations Supervisory Commission and their Teams.

(i) Each construct, operate, and maintain a suitable airfield in their respective part of the Demilitarized

Zone in the vicinity of the headquarters of the Military Armistice Commission, for such uses as the Commission may determine.

(j) Insure that all members and other personnel of the Neutral Nations Supervisory Commission and of the Neutral Nations Repatriation Commission hereinafter established shall enjoy the freedom and facilities necessary for the proper exercise of their functions, including privileges, treatment, and immunities equivalent to those ordinarily enjoyed by accredited diplomatic personnel under international usage.

14. This Armistice Agreement shall apply to all opposing ground forces under the military control of either side, which ground forces shall respect the Demilitarized Zone and the area of Korea under the military control of the opposing side.

15. This Armistice Agreement shall apply to all opposing naval forces, which naval forces shall respect the waters contiguous to the Demilitarized Zone and to the land area of Korea under the military control of the opposing side, and shall not engage in blockade of any kind of Korea.

16. This Armistice Agreement shall apply to all opposing air forces, which air forces shall respect the air space over the Demilitarized Zone and over the area of Korea under the military control of the opposing side, and over the waters contiguous to both.

17. Responsibility for compliance with and enforcement of the terms and provisions of this Armistice Agreement is that of the signatories hereto and their successors in command. The Commanders of the opposing sides shall establish within their respective commands all measures and procedures necessary to insure complete compliance with all of the provisions hereof by all elements of their commands. They shall actively co-operate with one another and with the Military Armistice Commission and the Neutral Nations Supervisory Commission in requiring observance of both the letter and the spirit of all of the provisions of this Armistice Agreement.

18. The costs of the operations of the Military Armistice Commission and of the Neutral Nations Supervisory Commission and of their Teams shall be shared equally by the two opposing sides.

B. Military Armistice Commission

1. Composition

19. A Military Armistice Commission is hereby established.

20. The Military Armistice Commission shall be composed of ten (10) senior officers, five (5) of whom shall be appointed by the Commander-in-Chief, United Nations Command, and five (5) of whom shall be appointed jointly by the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers. Of the ten members, three (3) from each side shall be of general or flag rank. The two (2) remaining members on each side may be major generals, brigadier generals, colonels, or their equivalents.

21. Members of the Military Armistice Commission shall be permitted to use staff assistants as required.

22. The Military Armistice Commission shall be provided with the necessary administrative personnel to establish a Secretariat charged with assisting the Commission by performing record-keeping, secretarial, interpreting, and such other functions as the Commission

may assign to it. Each side shall appoint to the Secretariat a Secretary and an Assistant Secretary and such clerical and specialized personnel as required by the Secretariat. Records shall be kept in English, Korean, and Chinese, all of which shall be equally authentic.

23. (a) The Military Armistice Commission shall be initially provided with and assisted by ten (10) Joint Observer Teams, which number may be reduced by agreement of the senior members of both sides on the Military Armistice Commission.

(b) Each Joint Observer Team shall be composed of not less than four (4) nor more than six (6) officers of field grade, half of whom shall be appointed by the Commander-in-Chief, United Nations Command, and half of whom shall be appointed jointly by the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers. Additional personnel such as drivers, clerks, and interpreters shall be furnished by each side as required for the functioning of the Joint Observer Teams.

2. Functions and Authority

24. The general mission of the Military Armistice Commission shall be to supervise the implementation of this Armistice Agreement and to settle through negotiations any violations of this Armistice Agreement.

25. The Military Armistice Commission shall:

(a) Locate its headquarters in the vicinity of PANMUNJOM (37°57'29"N, 126°40'00"E). The Military Armistice Commission may re-locate its headquarters at another point within the Demilitarized Zone by agreement of the senior members of both sides on the Commission.

(b) Operate as a joint organization without a chairman.

(c) Adopt such rules of procedure as it may, from time to time, deem necessary.

(d) Supervise the carrying out of the provisions of this Armistice Agreement pertaining to the Demilitarized Zone and to the Han River Estuary.

(e) Direct the operations of the Joint Observer Teams.

(f) Settle through negotiations any violations of this Armistice Agreement.

(g) Transmit immediately to the Commanders of the opposing sides all reports of investigations of violations of this Armistice Agreement and all other reports and records of proceedings received from the Neutral Nations Supervisory Commission.

(h) Give general supervision and direction to the activities of the Committee for Repatriation of Prisoners of War and the Committee for Assisting the Return of Displaced Civilians, hereinafter established.

(i) Act as an intermediary in transmitting communications between the Commanders of the opposing sides; provided, however, that the foregoing shall not be construed to preclude the Commanders of both sides from communication with each other by any other means which they may desire to employ.

(j) Provide credentials and distinctive insignia for its staff and its Joint Observer Teams, and a distinctive marking for all vehicles, aircraft, and vessels, used in the performance of its mission.

26. The mission of the Joint Observer Teams shall be to assist the Military Armistice Commission in

supervising the carrying out of the provisions of this Armistice Agreement pertaining to the Demilitarized Zone and to the Han River Estuary.

27. The Military Armistice Commission, or the senior member of either side thereof, is authorized to dispatch Joint Observer Teams to investigate violations of this Armistice Agreement reported to have occurred in the Demilitarized Zone or in the Han River Estuary; provided, however, that not more than one half of the Joint Observer Teams which have not been dispatched by the Military Armistice Commission may be dispatched at any one time by the senior member of either side on the Commission.

28. The Military Armistice Commission, or the senior member of either side thereof, is authorized to request the Neutral Nations Supervisory Commission to conduct special observations and inspections at places outside the Demilitarized Zone where violations of this Armistice Agreement have been reported to have occurred.

29. When the Military Armistice Commission determines that a violation of this Armistice Agreement has occurred, it shall immediately report such violation to the Commanders of the opposing sides.

30. When the Military Armistice Commission determines that a violation of this Armistice Agreement has been corrected to its satisfaction, it shall so report to the Commanders of the opposing sides.

3. General

31. The Military Armistice Commission shall meet daily. Recesses of not to exceed seven (7) days may be agreed upon by the senior members of both sides; provided, that such recesses may be terminated on twenty-four (24) hour notice by the senior member of either side.

32. Copies of the record of the proceedings of all meetings of the Military Armistice Commission shall be forwarded to the Commanders of the opposing sides as soon as possible after each meeting.

33. The Joint Observer Teams shall make periodic reports to the Military Armistice Commission as required by the Commission and, in addition, shall make such special report as may be deemed necessary by them, or as may be required by the Commission.

34. The Military Armistice Commission shall maintain duplicate files of the reports and records of proceedings required by this Armistice Agreement. The Commission is authorized to maintain duplicate files of such other reports, records, etc., as may be necessary in the conduct of its business. Upon eventual dissolution of the Commission, one set of the above files shall be turned over to each side.

35. The Military Armistice Commission may make recommendations to the Commanders of the opposing sides with respect to amendments or additions to this Armistice Agreement. Such recommended changes should generally be those designed to insure a more effective armistice.

C. Neutral Nations Supervisory Commission

1. Composition

36. A Neutral Nations Supervisory Commission is hereby established.

37. The Neutral Nations Supervisory Commission shall be composed of four (4) senior officers, two (2) of whom shall be appointed by neutral nations nominated by the Commander-in-Chief, United Nations

Command, namely, SWEDEN and SWITZERLAND, and two (2) of whom shall be appointed by neutral nations nominated jointly by the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers, namely, POLAND and CZECHOSLOVAKIA. The term "neutral nations" as herein used is defined as those nations whose combatant forces have not participated in the hostilities in Korea. Members appointed to the Commission may be from the armed forces of the appointing nations. Each member shall designate an alternate member to attend those meetings which for any reason the principal member is unable to attend. Such alternate members shall be of the same nationality as their principals. The Neutral Nations Supervisory Commission may take action whenever the number of members present from the neutral nations nominated by one side is equal to the number of members present from the neutral nations nominated by the other side.

38. Members of the Neutral Nations Supervisory Commission shall be permitted to use staff assistants furnished by the neutral nations as required. These staff assistants may be appointed as alternate members of the Commission.

39. The neutral nations shall be requested to furnish the Neutral Nations Supervisory Commission with the necessary administrative personnel to establish a Secretariat charged with assisting the Commission by performing necessary record-keeping, secretarial, interpreting, and such other functions as the Commission may assign to it.

40. (a) The Neutral Nations Supervisory Commission shall be initially provided with, and assisted by, twenty (20) Neutral Nations Inspection Teams, which number may be reduced by agreement of the senior members of both sides on the Military Armistice Commission. The Neutral Nations Inspection Teams shall be responsible to, shall report to, and shall be subject to the direction of, the Neutral Nations Supervisory Commission only.

(b) Each Neutral Nations Inspection Team shall be composed of not less than four (4) officers, preferably of field grade, half of whom shall be from the neutral nations nominated by the Commander-in-Chief, United Nations Command, and half of whom shall be from the neutral nations nominated jointly by the Supreme Commander of the Korean People's Army, and the Commander of the Chinese People's Volunteers. Members appointed to the Neutral Nations Inspection Teams may be from the armed forces of the appointing nations. In order to facilitate the functioning of the Teams, sub-teams composed of not less than two (2) members, one of whom shall be from a neutral nation nominated by the Commander-in-Chief, United Nations Command, and one of whom shall be from a neutral nation nominated jointly by the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers, may be formed as circumstances require. Additional personnel such as drivers, clerks, interpreters, and communications personnel, and such equipment as may be required by the Teams to perform their missions, shall be furnished by the Commander of each side, as required, in the Demilitarized Zone and in the territory under his military control. The Neutral Nations Supervisory Commission may provide itself and the Neutral Nations Inspection Teams with such of the above personnel and equipment of its own as it may

desire; provided, however, that such personnel shall be personnel of the same neutral nations of which the Neutral Nations Supervisory Commission is composed.

2. Functions and Authority

41. The mission of the Neutral Nations Supervisory Commission shall be to carry out the functions of supervision, observation, inspection, and investigation, as stipulated in Sub-paragraphs 13c and 13d and Paragraph 28 hereof, and to report the results of such supervision, observation, inspection, and investigation to the Military Armistice Commission.

42. The Neutral Nations Supervisory Commission shall:

(a) Locate its headquarters in proximity to the headquarters of the Military Armistice Commission.

(b) Adopt such rules of procedure as it may, from time to time, deem necessary.

(c) Conduct, through its members and its Neutral Nations Inspection Teams, the supervision and inspection provided for in Sub-paragraphs 13c and 13d of this Armistice Agreement at the ports of entry enumerated in Paragraph 43 hereof, and the special observations and inspections provided for in Paragraph 28 hereof at those places where violations of this Armistice Agreement have been reported to have occurred. The inspection of combat aircraft, armored vehicles, weapons, and ammunition by the Neutral Nations Inspections Teams shall be such as to enable them to properly insure that reinforcing combat aircraft, armored vehicles, weapons, and ammunition are not being introduced into Korea; but this shall not be construed as authorizing inspections or examinations of any secret designs or characteristics of any combat aircraft, armored vehicle, weapon, or ammunition.

(d) Direct and supervise the operations of the Neutral Nations Inspection Teams.

(e) Station five (5) Neutral Nations Inspection Teams at the ports of entry enumerated in Paragraph 43 hereof located in the territory under the military control of the Commander-in-Chief, United Nations Command; and five (5) Neutral Nations Inspection Teams at the ports of entry enumerated in Paragraph 43 hereof located in the territory under the military control of the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers; and establish initially ten (10) mobile Neutral Nations Inspection Teams in reserve, stationed in the general vicinity of the headquarters of the Neutral Nations Supervisory Commission, which number may be reduced by agreement of the senior members of both sides on the Military Armistice Commission. Not more than half of the mobile Neutral Nations Inspection Teams shall be dispatched at any one time in accordance with requests of the senior member of either side on the Military Armistice Commission.

(f) Subject to the provisions of the preceding Sub-paragraph, conduct without delay investigations of reported violations of this Armistice Agreement, including such investigations of reported violations of this Armistice Agreement as may be requested by the Military Armistice Commission or by the senior member of either side on the Commission.

(g) Provide credentials and distinctive insignia for its staff and its Neutral Nations Inspection Teams, and a distinctive marking for all vehicles, aircraft,.

and vessels, used in the performance of its mission.

43. Neutral Nations Inspection Teams shall be stationed at the following ports of entry:

	Territory under the military control of the United Nations Command	
INCHON	.....	(37°28'N, 126°38'E)
TAEGU	.....	(35°52'N, 128°36'E)
PUSAN	.....	(35°06'N, 129°02'E)
KANGNUNG	.....	(37°45'N, 128°54'E)
KUNSAN	.....	(35°59'N, 126°43'E)

	Territory under the military control of the Korean People's Army and the Chinese People's Volunteers	
SINUJU	.....	(40°06'N, 124°24'E)
CHONGJIN	.....	(41°46'N, 129°49'E)
HUNGNAM	.....	(39°50'N, 127°37'E)
MANPO	.....	(41°09'N, 126°18'E)
SINANJU	.....	(39°36'N, 125°36'E)

These Neutral Nations Inspection Teams shall be accorded full convenience of movement within the areas and over the routes of communication set forth on the attached map (Map 5).

3. General

44. The Neutral Nations Supervisory Commission shall meet daily. Recesses of not to exceed seven (7) days may be agreed upon by the members of the Neutral Nations Supervisory Commission; provided, that such recesses may be terminated on twenty-four (24) hour notice by any member.

45. Copies of the record of the proceedings of all meetings of the Neutral Nations Supervisory Commission shall be forwarded to the Military Armistice Commission as soon as possible after each meeting. Records shall be kept in English, Korean, and Chinese.

46. The Neutral Nations Inspection Teams shall make periodic reports concerning the results of their supervision, observations, inspections, and investigations to the Neutral Nations Supervisory Commission as required by the Commission and, in addition, shall make such special reports as may be deemed necessary by them, or as may be required by the Commission. Reports shall be submitted by a Team as a whole, but may also be submitted by one or more individual members thereof; provided, that the reports submitted by one or more individual members thereof shall be considered as informational only.

47. Copies of the reports made by the Neutral Nations Inspection Teams shall be forwarded to the Military Armistice Commission by the Neutral Nations Supervisory Commission without delay and in the language in which received. They shall not be delayed by the process of translation or evaluation. The Neutral Nations Supervisory Commission shall evaluate such reports at the earliest practicable time and shall forward their findings to the Military Armistice Commission as a matter of priority. The Military Armistice Commission shall not take final action with regard to any such report until the evaluation thereof has been received from the Neutral Nations Supervisory Commission. Members of the Neutral Nations Supervisory Commission and of its Teams shall be subject to appearance before the Military Armistice Commission, at the request of the senior member of either side on the Military Armistice Commission, for clarification of any report submitted.

48. The Neutral Nations Supervisory Commission shall maintain duplicate files of the reports and records

of proceedings required by this Armistice Agreement. The Commission is authorized to maintain duplicate files of such reports, records, etc., as may be necessary in the conduct of its business. Upon eventual dissolution of the Commission, one set of the above files shall be turned over to each side.

49. The Neutral Nations Supervisory Commission may make recommendations to the Military Armistice Commission with respect to amendments or additions to this Armistice Agreement. Such recommended changes should generally be those designed to insure a more effective armistice.

50. The Neutral Nations Supervisory Commission, or any member thereof, shall be authorized to communicate with any member of the Military Armistice Commission.

ARTICLE III

ARRANGEMENTS RELATING TO PRISONERS OF WAR

51. The release and repatriation of all prisoners of war held in custody of each side at the time this Armistice Agreement becomes effective shall be effected in conformity with the following provisions agreed upon by both sides prior to the signing of this Armistice Agreement.

(a) Within sixty (60) days after this Armistice Agreement becomes effective, each side shall, without offering any hindrance, directly repatriate and hand over in groups all those prisoners of war in its custody who insist on repatriation to the side to which they belonged at the time of capture. Repatriation shall be accomplished in accordance with the related provisions of this Article. In order to expedite the repatriation process of such personnel, each side shall, prior to the signing of the Armistice Agreement, exchange the total numbers, by nationalities, of personnel to be directly repatriated. Each group of prisoners of war delivered to the other side shall be accompanied by rosters, prepared by nationality, to include name, rank (if any) and internment or military serial number.

(b) Each side shall release all those remaining prisoners of war, who are not directly repatriated, from its military control and from its custody and hand them over to the Neutral Nations Repatriation Commission for disposition in accordance with the provisions in the Annex hereto: "Terms of Reference for Neutral Nations Repatriation Commission."

(c) So that there may be no misunderstanding owing to the equal use of three languages, the act of delivery of a prisoner of war by one side to the other side shall, for the purpose of this Armistice Agreement, be called "repatriation" in English () (SONG HWAN) in Korean, and () (CHIEN FAN) in Chinese, notwithstanding the nationality or place of residence of such prisoner of war.

52. Each side insures that it will not employ in acts of war in the Korean conflict any prisoner of war released and repatriated incident to the coming into effect of this Armistice Agreement.

53. All the sick and injured prisoners of war who insist upon repatriation shall be repatriated with priority. Insofar as possible, there shall be captured medical personnel repatriated concurrently with the sick and injured prisoners of war, so as to provide medical care and attendance en route.

54. The repatriation of all of the prisoners of war required by Sub-paragraph 51a hereof shall be completed within a time limit of sixty (60) days after this Armistice Agreement becomes effective. Within this time limit each side undertakes to complete the repatriation of the above-mentioned prisoners of war in its custody at the earliest practicable time.

55. PANMUNJOM is designated as the place where prisoners of war will be delivered and received by both sides. Additional place(s) of delivery and reception of prisoners of war in the Demilitarized Zone may be designated, if necessary, by the Committee for Repatriation of Prisoners of War.

56. (a) A Committee for Repatriation of Prisoners of War is hereby established. It shall be composed of six (6) officers of field grade, three (3) of whom shall be appointed by the Commander-in-Chief, United Nations Command, and three (3) of whom shall be appointed jointly by the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers. This Committee shall, under the general supervision and direction of the Military Armistice Commission, be responsible for coordinating the specific plans of both sides for the repatriation of prisoners of war and for supervising the execution by both sides of all of the provisions of this Armistice Agreement relating to the repatriation of prisoners of war. It shall be the duty of this Committee to coordinate the timing of the arrival of prisoners of war at the place(s) of delivery and reception of prisoners of war from the prisoner of war camps of both sides; to make, when necessary, such special arrangements as may be required with regard to the transportation and welfare of sick and injured prisoners of war; to coordinate the work of the joint Red Cross teams, established in Paragraph 57 hereof, in assisting in the repatriation of prisoners of war; to supervise the implementation of the arrangements for the actual repatriation of prisoners of war stipulated in Paragraphs 53 and 54 hereof; to select, when necessary, additional place(s) of delivery and reception of prisoners of war; to arrange for security at the place(s) of delivery and reception of prisoners of war; and to carry out such other related functions as are required for the repatriation of prisoners of war.

(b) When unable to reach agreement on any matter relating to its responsibilities, the Committee for Repatriation of Prisoners of War shall immediately refer such matter to the Military Armistice Commission for decision. The Committee for Repatriation of Prisoners of War shall maintain its headquarters in proximity to the headquarters of the Military Armistice Commission.

(c) The Committee for Repatriation of Prisoners of War shall be dissolved by the Military Armistice Commission upon completion of the program of repatriation of prisoners of war.

57. (a) Immediately after this Armistice Agreement becomes effective, joint Red Cross teams composed of representatives of the national Red Cross Societies of the countries contributing forces to the United Nations Command on the one hand, and representatives of the Red Cross Society of the Democratic People's Republic of Korea and representatives of the Red Cross Society of the People's Republic of China on the other hand, shall be established. The joint Red Cross teams shall assist in the execution by both sides of those provisions of this Armistice

Agreement relating to the repatriation of all the prisoners of war specified in Sub-paragraph 51a hereof, who insist upon repatriation, by the performance of such humanitarian services as are necessary and desirable for the welfare of the prisoners of war. To accomplish this task, the joint Red Cross teams shall provide assistance in the delivering and receiving of prisoners of war by both sides at the place(s) of delivery and reception of prisoners of war, and shall visit the prisoner of war camps of both sides to comfort the prisoners of war and to bring in and distribute gift articles for the comfort and welfare of the prisoners of war. The joint Red Cross teams may provide services to prisoners of war while en route from prisoner of war camps to the place(s) of delivery and reception of prisoners of war.

(b) The joint Red Cross teams shall be organized as set forth below:

(1) One team shall be composed of twenty (20) members, namely, ten (10) representatives from the national Red Cross Societies of each side, to assist in the delivering and receiving of prisoners of war by both sides at the place(s) of delivery and reception of prisoners of war. The chairmanship of this team shall alternate daily between representatives from the Red Cross Societies of the two sides. The work and services of this team shall be coordinated by the Committee for Repatriation of Prisoners of War.

(2) One team shall be composed of sixty (60) members, namely, thirty (30) representatives from the national Red Cross Societies of each side, to visit the prisoner of war camps under the administration of the Korean People's Army and the Chinese People's Volunteers. This team may provide services to prisoners of war while en route from the prisoner of war camps to the place(s) of delivery and reception of prisoners of war. A representative of the Red Cross Society of the Democratic People's Republic of Korea or of the Red Cross Society of the People's Republic of China shall serve as chairman of this team.

(3) One team shall be composed of sixty (60) members, namely, thirty (30) representatives from the national Red Cross Societies of each side, to visit the prisoner of war camps under the administration of the United Nations Command. This team may provide services to prisoners of war while en route from the prisoner of war camps to the place(s) of delivery and reception of prisoners of war. A representative of a Red Cross Society of a nation contributing forces to the United Nations Command shall serve as chairman of this team.

(4) In order to facilitate the functioning of each joint Red Cross team, sub-teams composed of not less than two (2) members from this team, with an equal number of representatives from each side, may be formed as circumstances require.

(5) Additional personnel such as drivers, clerks, and interpreters, and such equipment as may be required by the joint Red Cross teams to perform their missions, shall be furnished by the Commander of each side to the team operating in the territory under his military control.

(6) Whenever jointly agreed upon by the representatives of both sides on any joint Red Cross team, the size of such team may be increased or

decreased, subject to confirmation by the Committee for Repatriation of Prisoners of War.

- (c) The Commander of each side shall cooperate fully with the joint Red Cross teams in the performance of their functions, and undertakes to insure the security of the personnel of the joint Red Cross team in the area under his military control. The Commander of each side shall provide such logistic, administrative, and communications facilities as may be required by the team operating in the territory under his military control.
- (d) The joint Red Cross teams shall be dissolved upon completion of the program of repatriation of all of the prisoners of war specified in Sub-paragraph 51a hereof, who insist upon repatriation.
58. (a) The Commander of each side shall furnish to the Commander of the other side as soon as practicable, but not later than ten (10) days after this Armistice Agreement becomes effective, the following information concerning prisoners of war:
- (1) Complete data pertaining to the prisoners of war who escaped since the effective date of the data last exchanged.
 - (2) Insofar as practicable, information regarding name, nationality, rank, and other identification data, date and cause of death, and place of burial, of those prisoners of war who died while in his custody.
- (b) If any prisoners of war escape or die after the effective date of the supplementary information specified above, the detaining side shall furnish to the other side, through the Committee for Repatriation of Prisoners of War, the data pertaining thereto in accordance with the provisions of Sub-paragraph 58a hereof. Such data shall be furnished at ten-day intervals until the completion of the program of delivery and reception of prisoners of war.
- (c) Any escaped prisoner of war who returns to the custody of the detaining side after the completion of the program of delivery and reception of prisoners of war shall be delivered to the Military Armistice Commission for disposition.
59. (a) All civilians who, at the time this Armistice Agreement becomes effective, are in territory under the military control of the Commander-in-Chief, United Nations Command, and who, on 24 June 1950, resided north of the Military Demarcation Line established in this Armistice Agreement shall, if they desire to return home, be permitted and assisted by the Commander-in-Chief, United Nations Command, to return to the area north of the Military Demarcation Line; and all civilians who, at the time this Armistice Agreement becomes effective, are in territory under the military control of the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers, and who, on 24 June 1950, resided south of the Military Demarcation Line established in this Armistice Agreement shall, if they desire to return home, be permitted and assisted by the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers to return to the area south of the Military Demarcation Line. The Commander of each side shall be responsible for publicizing widely throughout territory under his military control the contents of the provisions of this Sub-paragraph, and for calling upon the appropriate

civil authorities to give necessary guidance and assistance to all such civilians who desire to return home.

- (b) All civilians of foreign nationality who, at the time this Armistice Agreement becomes effective, are in territory under the military control of the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers shall, if they desire to proceed to territory under the military control of the Commander-in-Chief, United Nations Command, be permitted and assisted to do so; all civilians of foreign nationality who, at the time this Armistice Agreement becomes effective, are in territory under the military control of the Commander-in-Chief United Nations Command, shall, if they desire to proceed to territory under the military control of the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers, be permitted and assisted to do so. The Commander of each side shall be responsible for publicizing widely throughout the territory under his military control the contents of the provisions of this Sub-paragraph, and for calling upon the appropriate civil authorities to give necessary guidance and assistance to all such civilians of foreign nationality who desire to proceed to territory under the military control of the Commander of the other side.
- (c) Measures to assist in the return of civilians provided for in Sub-paragraph 59a hereof and the movement of civilians provided for in Sub-paragraph 59b hereof shall be commenced by both sides as soon as possible after this Armistice Agreement becomes effective.
- (d) (1) A Committee for Assisting the Return of Displaced Civilians is hereby established. It shall be composed of four (4) officers of field grade, two (2) of whom shall be appointed by the Commander-in-Chief, United Nations Command, and two (2) of whom shall be appointed jointly by the Supreme Commander of the Korean People's Army and the Commander of the Chinese People's Volunteers. This Committee shall, under the general supervision and direction of the Military Armistice Commission, be responsible for coordinating the specific plans of both sides for assistance to the return of the above-mentioned civilians, and for supervising the execution by both sides of all of the provisions of this Armistice Agreement relating to the return of the above-mentioned civilians. It shall be the duty of this Committee to make necessary arrangements, including those of transportation, for expediting and coordinating the movement of the above-mentioned civilians; to select the crossing point(s) through which the above-mentioned civilians will cross the Military Demarcation Line; to arrange for security at the crossing point(s); and to carry out such other functions as are required to accomplish the return of the above-mentioned civilians.
- (2) When unable to reach agreement on any matter relating to its responsibilities, the Committee for Assisting the Return of Displaced Civilians shall immediately refer such matter to the Military Armistice Commission for decision. The Committee for Assisting the Return of Displaced Civilians shall maintain its headquarters in proximity to the headquarters of the Military Armistice Commission.

(3) The Committee for Assisting the Return of Displaced Civilians shall be dissolved by the Military Armistice Commission upon fulfillment of its mission.

ARTICLE IV

RECOMMENDATIONS TO THE GOVERNMENTS CONCERNED ON BOTH SIDES

60. In order to insure the peaceful settlement of the Korean question, the military Commanders of both sides hereby recommend to the governments of the countries concerned on both sides that, within three (3) months after the Armistice Agreement is signed and becomes effective, a political conference of a higher level of both sides be held by representatives appointed respectively to settle through negotiation the questions

Done at Panmunjom, Korea, at 1000 hours on the 27th day of July 1953, in English, Korean and Chinese, all texts being equally authentic.

KIM IL SUNG
Marshal, Democratic People's
Republic of Korea
Supreme Commander,
Korean People's Army

PENG TEH-HUAI
Commander,
Chinese People's
Volunteers

MARK W. CLARK
General, United States Army
Commander-in-Chief,
United Nations Command

PRESENT

NAM IL
General, Korean People's Army
Senior Delegate,
Delegation of the Korean People's Army
and the Chinese People's Volunteers

WILLIAM K. HARRISON, Jr.
Lieutenant General, United States Army
Senior Delegate,
United Nations Command Delegation

ANNEX

TERMS OF REFERENCE FOR NEUTRAL NATIONS REPATRIATION COMMISSION (See Sub-paragraph 51b)

I

GENERAL

1. In order to ensure that all prisoners of war have the opportunity to exercise their right to be repatriated following an armistice, Sweden, Switzerland, Poland, Czechoslovakia and India shall each be requested by both sides to appoint a member to a Neutral Nations Repatriation Commission which shall be established to take custody in Korea of those prisoners of war who, while in the custody of the detaining powers, have not exercised their right to be repatriated. The Neutral Nations Repatriation Commission shall establish its headquarters within the Demilitarized Zone in the vicinity of Panmunjon, and shall station subordinate bodies of the same composition as the Neutral Nations Repatriation Commission at those locations at which the Repatriation Commission assumes custody of prisoners of war. Representatives of both sides shall be permitted to observe the operations of the Repatriation Commission and its subordinate bodies to include explanations and interviews.

2. Sufficient armed forces and any other operating personnel required to assist the Neutral Nations Repatriation Commission in carrying out its functions and responsibilities shall be provided exclusively by India, whose representative shall be the umpire in accordance with the provisions of Article 132 of the Geneva Con-

vention, and shall also be chairman and executive agent of the Neutral Nations Repatriation Commission. Representatives of each of the other four powers shall be allowed staff assistants in equal number not to exceed fifty (50) each. When any of the representatives of the neutral nations is absent for some reason, that representative shall designate an alternate representative of his own nationality to exercise his functions and authority. The arms of all personnel provided for in this Paragraph shall be limited to military police type small arms.

ARTICLE V

MISCELLANEOUS

61. Amendments and additions to this Armistice Agreement must be mutually agreed to by the Commanders of the opposing sides.

62. The Articles and Paragraphs of this Armistice Agreement shall remain in effect until expressly superseded either by mutually acceptable amendments and additions or by provision in an appropriate agreement for a peaceful settlement at a political level between both sides.

63. All of the provisions of this Armistice Agreement other than Paragraph 12, shall become effective at 2200 hours on 27 July 1953.

3. No force or threat of force shall be used against the prisoners of war specified in Paragraph 1 above to prevent or effect their repatriation, and no violence to their persons or affront to their dignity or self-respect shall be permitted in any manner for any purpose whatsoever (but see Paragraph 7 below). This duty is enjoined on and entrusted to the Neutral Nations Repatriation Commission. This Commission shall ensure that prisoners of war shall at all times be treated humanely in accordance with the specific provisions of the Geneva Convention, and with the general spirit of that Convention.

II

CUSTODY OF PRISONERS OF WAR

4. All prisoners of war who have not exercised their right of repatriation following the effective date of the Armistice Agreement shall be released from the military control and from the custody of the detaining side as soon as practicable, and, in all cases, within sixty (60) days subsequent to the effective date of the Armistice Agreement to the Neutral Nations Repatriation Commission at locations in Korea to be designated by the detaining side.

5. At the time the Neutral Nations Repatriation Commission assumes control of the prisoner of war installations, the military forces of the detaining side shall be withdrawn therefrom, so that the locations specified in the preceding Paragraph shall be taken over completely by the armed forces of India.

6. Notwithstanding the provisions of Paragraph 5 above, the detaining side shall have the responsibility for maintaining and ensuring security and order in the areas around the locations where the prisoners of war are in custody and for preventing and restraining any armed forces (including irregular armed forces) in the area under its control from any acts of disturbance and intrusion against the locations where the prisoners of war are in custody.

7. Notwithstanding the provisions of Paragraph 3 above, nothing in this agreement shall be construed as derogating from the authority of the Neutral Nations Repatriation Commission to exercise its legitimate functions and responsibilities for the control of the prisoners of war under its temporary jurisdiction.

HI

EXPLANATION

8. The Neutral Nations Repatriation Commission, after having received and taken into custody all those prisoners of war who have not exercised their right to be repatriated, shall immediately make arrangements so that within ninety (90) days after the Neutral Nations Repatriation Commission takes over the custody, the nations to which the prisoners of war belong shall have freedom and facilities to send representatives to the locations where such prisoners of war are in custody to explain to all the prisoners of war depending upon these nations their rights and to inform them of any matters relating to their return to their homelands, particularly of their full freedom to return home to lead a peaceful life, under the following provisions:

(a) The number of such explaining representatives shall not exceed seven (7) per thousand prisoners of war held in custody by the Neutral Nations Repatriation Commission; and the minimum authorized shall not be less than a total of five (5);

(b) The hours during which the explaining representatives shall have access to the prisoners shall be as determined by the Neutral Nations Repatriation Commission, and generally in accord with Article 53 of the Geneva Convention Relative to the Treatment of Prisoners of War;

(c) All explanations and interviews shall be conducted in the presence of a representative of each member nation of the Neutral Nations Repatriation Commission and a representative from the detaining side;

(d) Additional provisions governing the explanation work shall be prescribed by the Neutral Nations Repatriation Commission, and will be designed to employ the principles enumerated in Paragraph 3 above and in this Paragraph;

(e) The explaining representatives, while engaging in their work, shall be allowed to bring with them necessary facilities and personnel for wireless communications. The number of communications personnel shall be limited to one team per location at which explaining representatives are in residence, except in the event all prisoners of war are concentrated in one location, in which case, two (2) teams

shall be permitted. Each team shall consist of not more than six (6) communications personnel.

9. Prisoners of war in its custody shall have freedom and facilities to make representations and communications to the Neutral Nations Repatriation Commission and to representatives and subordinate bodies of the Neutral Nations Repatriation Commission and to inform them of their desires on any matter concerning the prisoners of war themselves, in accordance with arrangements made for the purpose by the Neutral Nations Repatriation Commission.

IV

DISPOSITION OF PRISONERS OF WAR

10. Any prisoner of war who, while in the custody of the Neutral Nations Repatriation Commission, decides to exercise the right of repatriation, shall make an application requesting repatriation to a body consisting of a representative of each member nation of the Neutral Nations Repatriation Commission. Once such an application is made, it shall be considered immediately by the Neutral Nations Repatriation Commission or one of its subordinate bodies so as to determine immediately by majority vote the validity of such application. Once such an application is made to and validated by the Commission or one of its subordinate bodies, the prisoner of war concerned shall immediately be transferred to and accommodated in the tents set up for those who are ready to be repatriated. Thereafter, he shall, while in the custody of the Neutral Nations Repatriation Commission, be delivered forthwith to the prisoner of war exchange point at Panmunjon for repatriation under the procedure prescribed in the Armistice Agreement.

11. At the expiration of ninety (90) days after the transfer of custody of the prisoners of war to the Neutral Nations Repatriation Commission, access of representatives to captured personnel as provided for in Paragraph 8 above, shall terminate, and the question of disposition of the prisoners of war who have not exercised their right to be repatriated shall be submitted to the Political Conference recommended to be convened in Paragraph 60, Draft Armistice Agreement, which shall endeavor to settle this question within thirty (30) days, during which period the Neutral Nations Repatriation Commission shall continue to retain custody of those prisoners of war. The Neutral Nations Repatriation Commission shall declare the relief from the prisoner of war status to civilian status of any prisoners of war who have not exercised their right to be repatriated and for whom no other disposition has been agreed to by the Political Conference within one hundred and twenty (120) days after the Neutral Nations Repatriation Commission has assumed their custody. Thereafter, according to the application of each individual, those who choose to go to neutral nations shall be assisted by the Neutral Nations Repatriation Commission and the Red Cross Society of India. This operation shall be completed within thirty (30) days, and upon its completion, the Neutral Nations Repatriation Commission shall immediately cease its functions and declare its dissolution. After the dissolution of the Neutral Nations Repatriation Commission, whenever and wherever any of those above-mentioned civilians who have been relieved from the prisoner of war status desire to return to their fatherlands, the authorities of the localities where they are shall be responsible for assisting them in returning to their fatherlands.

V

RED CROSS VISITATION

12. Essential Red Cross service for prisoners of war in custody of the Neutral Nations Repatriation Commission shall be provided by India in accordance with regulations issued by the Neutral Nations Repatriation Commission.

VI

PRESS COVERAGE

13. The Neutral Nations Repatriation Commission shall insure freedom of the press and other news media in observing the entire operation as enumerated herein, in accordance with procedures to be established by the Neutral Nations Repatriation Commission.

VII

LOGISTICAL SUPPORT FOR PRISONERS OF WAR

14. Each side shall provide logistical support for the prisoners of war in the area under its military control, delivering required support to the Neutral Nations Repatriation Commission at an agreed delivery point in the vicinity of each prisoner of war installation.

15. The cost of repatriating prisoners of war to the exchange point at Panmunjon shall be borne by the detaining side and the cost from the exchange point by the side on which said prisoners depend, in accordance with Article 118 of the Geneva Convention.

16. The Red Cross Society of India shall be responsible for providing such general service personnel in the prisoner of war installations as required by the Neutral Nations Repatriation Commission.

17. The Neutral Nations Repatriation Commission shall provide medical support for the prisoners of war as may be practicable. The detaining side shall provide medical support as practicable upon the request of the Neutral Nations Repatriation Commission and specifically for those cases requiring extensive treatment or hospitalization. The Neutral Nations Repatriation Commission shall maintain custody of prisoners of war during such hospitalization. The detaining side shall facilitate such custody. Upon completion of treatment, prisoners of war shall be returned to a prisoner of war installation as specified in Paragraph 4 above.

18. The Neutral Nations Repatriation Commission is entitled to obtain from both sides such legitimate assistance as it may require in carrying out its duties and tasks, but both sides shall not under any name and in any form interfere or exert influence.

VIII

LOGISTICAL SUPPORT FOR THE NEUTRAL NATIONS REPATRIATION COMMISSION

19. Each side shall be responsible for providing logistical support for the personnel of the Neutral Nations Repatriation Commission stationed in the area under its military control, and both sides shall contribute on an equal basis to such support within the Demilitarized Zone. The precise arrangements shall be subject to deter-

mination between the Neutral Nations Repatriation Commission and the detaining side in each case.

20. Each of the detaining sides shall be responsible for protecting the explaining representatives from the other side while in transit over lines of communication within its area, as set forth in Paragraph 23 for the Neutral Nations Repatriation Commission, to a place of residence and while in residence in the vicinity of but not within each of the locations where the prisoners of war are in custody. The Neutral Nations Repatriation Commission shall be responsible for the security of such representatives within the actual limits of the locations where the prisoners of war are in custody.

21. Each of the detaining sides shall provide transportation, housing, communication, and other agreed logistical support to the explaining representatives of the other side while they are in the area under its military control. Such services shall be provided on a reimbursable basis.

IX

PUBLICATION

22. After the Armistice Agreement becomes effective, the terms of this agreement shall be made known to all prisoners of war who, while in the custody of the detaining side, have not exercised their right to be repatriated.

X

MOVEMENT

23. The movement of the personnel of the Neutral Nations Repatriation Commission and repatriated prisoners of war shall be over lines of communication as determined by the command(s) of the opposing side and the Neutral Nations Repatriation Commission. A map showing these lines of communication shall be furnished the command of the opposing side and the Neutral Nations Repatriation Commission. Movement of such personnel, except within locations as designated in Paragraph 4 above, shall be under the control of, and escorted by, personnel of the side in whose area the travel is being undertaken; however, such movement shall not be subject to any obstruction and coercion.

XI

PROCEDURAL MATTERS

24. The interpretation of this agreement shall rest with the Neutral Nations Repatriation Commission. The Neutral Nations Repatriation Commission, and/or any subordinate bodies to which functions are delegated or assigned by the Neutral Nations Repatriation Commission, shall operate on the basis of majority vote.

25. The Neutral Nations Repatriation Commission shall submit a weekly report to the opposing Commanders on the status of prisoners of war in its custody, indicating the numbers repatriated and remaining at the end of each week.

26. When this agreement has been acceded to by both sides and by the five powers named herein, it shall become effective upon the date the Armistice becomes effective.

Done at Panmunjon, Korea, at 1400 hours on the 8th day of June 1953, in English, Korean, and Chinese, all texts being equally authentic.

NAM IL
General, Korean People's Army
Senior Delegate,
Delegation of the Korean People's Army
and the Chinese People's Volunteers

WILLIAM K. HARRISON, JR.
Lieutenant General, United States Army
Senior Delegate,
United Nations Command Delegation

**ANNEX II. UNITED NATIONS KOREAN RECONSTRUCTION AGENCY: STATEMENT
OF GOVERNMENT PLEDGES AND CONTRIBUTIONS AS AT 31 DECEMBER 1953³⁰**
(Expressed in terms of U. S. Dollars)

Country	Pledge	Total Received	Balance Outstanding
Argentina	500,000	500,000	
Australia	4,002,710	1,330,733	2,671,977
Belgium	200,000	100,000	100,000
Burma	49,934	49,934	
Canada	6,904,762	6,904,762	
Chile	250,000		250,000 ³¹
Denmark	860,000	289,555	570,445
Dominican Republic	10,000		10,000
Egypt	28,716		28,716
El Salvador	500	500	
Ethiopia	40,000	40,000	
Honduras	2,500	2,500	
Indonesia	100,000	100,000	
Israel	33,600	33,600	
Lebanon	50,000	50,000	
Liberia	15,000	15,000	
Luxembourg	40,000	30,000	10,000
Netherlands	263,158	263,158	
New Zealand	557,900	74,542	483,358
Norway	829,000	52,377	776,623
Panama	3,000		3,000
Paraguay	10,000	10,000	
Saudi Arabia	20,000	20,000	
Sweden	966,518	322,237	644,281
United Kingdom	28,000,000	12,740,000	15,260,000
United States	162,500,000	65,750,000	96,750,000
Venezuela	70,000	70,000	
	<u>TOTAL</u>	<u>88,748,898</u>	<u>117,558,400</u>
Non-Member States			
Austria	162,936	162,936	
Italy	1,173,333	1,173,333	
Monaco	286	286	
Switzerland	23,256	23,256	
Vietnam	10,000	10,000	
	<u>TOTAL</u>	<u>1,369,811</u>	
	<u>GRAND TOTAL</u>	<u>90,118,709</u>	<u>117,558,400</u>

³⁰ As furnished by the Office of the United Nations Korean Reconstruction Agency.

³¹ 5,000 tons of nitrates, to the value of \$250,000, have been made available by the Government at a Chilean port.

B. THE QUESTION OF ATROCITIES COMMITTED BY THE NORTH KOREAN AND CHINESE COMMUNIST FORCES AGAINST UNITED NATIONS PRISONERS OF WAR IN KOREA

In a letter dated 30 October (A/2531), the Chairman of the United States delegation to the eighth session of the General Assembly requested the inclusion of the following item in the agenda of the session: "Question of atrocities committed by the North Korean and Chinese Communist forces against United Nations prisoners of war in Korea".

In an explanatory memorandum (A/2531/Add.1), it was stated that, in the course of the United Nations action in Korea to repel aggression and restore international peace and security in the area, evidence had been uncovered at various times of atrocities committed by North Korean and Chinese Communist forces. Tens of thousands of United Nations soldiers and Korean civilians, it was stated, had subsequently been killed by beatings, deliberately planned starvation, cold-blooded murder, mutilation and torture. The extent and nature of these atrocities should be brought to the attention of the General Assembly, particularly since these atrocities had been committed against the forces of United Nations Members engaged, under the authority of United Nations resolutions, in a collective action against aggression which had many elements of continuing concern to the General Assembly.

The General Committee, at its 90th meeting on 2 November, considered the United States proposal and, by 12 votes to 2, decided to recommend (A/2536) that the item be included in the Assembly's agenda. It also recommended that the item be considered by the General Assembly without reference to a Committee. The recommendation of the General Committee was adopted by the General Assembly, at its 457th meeting on 11 November, by 53 votes to 5, with 2 abstentions.

The representatives of the United Kingdom and the United States, speaking in favour of the inclusion of the item in the agenda, stated that evidence that atrocities had been committed by the North Koreans and Chinese Communist forces against Korean civilians and against members of armed forces acting under the United Nations Command and pursuant to a United Nations mandate to repel aggression in Korea and restore peace in that area had begun to appear in the late summer of 1950 and had continued to be collected during the three years of hostilities. In view of the record and the concern of the United Nations

for observance of international standards of civilized conduct, they held, the question of atrocities against United Nations forces was properly and necessarily of concern to the General Assembly.

The representatives of Indonesia, Mexico, Syria and Yugoslavia supported the inclusion of the item in the agenda on the ground that if such matters were brought before the Assembly it should discuss them. The representative of Syria stated that his vote in favour of inclusion should not, however, be taken as indicating any view on the substance of the matter, and the other three representatives expressed doubts regarding the timeliness of discussing the question while the talks at Panmunjom were encountering serious obstacles.

The representatives of the USSR and Poland, in both the General Committee and the General Assembly, argued against the inclusion of the item in the agenda. They contended that the item was a calumny based on falsification of the facts and gross lies, and had obviously been brought up for purposes of provocation. Its purpose, they said, was to prevent the peaceful settlement of the Korean question, to foment war hysteria and to prevent that easing of international tension for which most of the countries of the world longed.

Explaining his abstention, the representative of India stated that, on general principles, his delegation had always voted for the inclusion of items for the purpose of discussion. One of the parties concerned, however, was not present in the Assembly. Furthermore, as India was the Chairman of the Neutral Nations Repatriation Commission in Korea, it would appear improper for it to take part in the discussion of a matter which might go before the proposed political conference on Korea. India, therefore, would not participate in any of the future proceedings on this item, nor would it participate in any vote on any draft resolution on this question.

The General Assembly considered the item at its 462nd to 467th plenary meetings, from 30 November to 3 December.

In connexion with the item, the representative of the United States transmitted, on 26 November, a compilation of documents (A/2563), obtained largely through investigations of the War Crimes Division of the Judge Advocate Division, Headquarters, Korean Communications Zone,

United States Army, together with copies of a letter dated 23 November from the United States Under Secretary of Defense, transmitting the documents to the United States Under Secretary of State, and of a letter of transmittal, dated 24 November, to the representative of the United States.

The Assembly also had before it a draft resolution by Australia, France, Turkey, the United Kingdom and the United States (A/L.169), providing that the General Assembly would:

(1) express its grave concern at reports that North Korean and Chinese Communist forces had employed inhuman practices against the soldiers of forces under the United Nations Command in Korea and against the civilian population of Korea; and

(2) condemn such acts as a violation of rules of international law and basic standards of conduct and morality.

Opening the debate, the representative of the United States stated that the Assembly was faced with a series of acts involving citizens of Belgium, Korea, Turkey, the United Kingdom and the United States.

The Geneva covenants, he said, had been broken by the aggressors and the violations involved were, considering the scale of the Korean war, at least as vast as those committed in any war of the present century. He stressed that the cases reported in document A/2563 were only a sample illustrating the character of the atrocities, the nature of the evidence obtained, and the careful manner in which that evidence had been compiled from different sources. Many of the case files on the hundreds of atrocities incidents were still in Korea, where further evidence was being obtained, and all of them were available for inspection.

The examples given in the selected documents, he said, fell into four categories:

(1) the killing of prisoners of war at or near the scene of battle;

(2) the killing of Korean civilians for political reasons;

(3) long marches far behind the battle zone, in which prisoners of war had died from violent abuse, systematic neglect and outright killing; and

(4) the death of prisoners of war from the same causes in temporary or permanent prison camps.

The probable number of victims of battle atrocities had been reckoned by the War Crimes Division at about 11,600. While the cases varied widely, they were held together by one consistent pattern: the killing of prisoners in a battle situation, usually just before retreating, in order to gain a military advantage. The pattern was so widespread, he stated, that it clearly suggested a high-level policy on the part of the enemy. With

regard to atrocities against civilians, they accounted for a probable total of some 17,000 victims, all Koreans. Most often the perpetrators had been North Korean Communist political security police, sometimes with help from units of the North Korean Army; these atrocities were, by their very nature, political. A preliminary estimate of the number of victims of the third type of atrocities indicated that 1,940 prisoners had died in the course of a total of about 81 separate death marches behind the battle zone. Of these 1,367 were Americans, 342 were from the Republic of Korea, and 231 were of unknown nationality. In those cases, there was no battle situation involved, no threat that the prisoners would be recaptured, and the Chinese Communists as well as North Korean forces were involved. Out of the 81 separate marches recorded, the Chinese Communists had been exclusively in charge of 50 and jointly responsible for four. The preliminary and tentative estimate regarding fatalities in the prison camps came to over 7,300. About 1,100 of them were of uncertain nationality, while the remainder was about equally divided between Republic of Korea and United States forces. A clear division of responsibility for these deaths between North Korean and Chinese Communists camp custodians was difficult, at best. It was clear that both groups were heavily involved. The North Koreans had been in charge of a total of 53 of the camps where atrocities had been reported. The Chinese Communists had had charge of six camps, and another six had been under the supervision of both groups at one time or another. The Chinese Communists, however, he stated, had played a much larger part than these figures would suggest, since they had had charge of several large camps.

In connexion with his explanation concerning the different categories dealt with above, the United States representative also gave details of a number of the cases submitted in document A/2563. He stated that the tentatively estimated total for all four categories was close to 38,000, of which 19,700 were military victims. Nearly 9,000 of the latter belonged to the Republic of Korea army and about 10,700 to United Nations contingents, principally to those of the United States. The Assembly, said the United States representative, had before it a clear record of the wholesale violation of numerous articles of the 1949 Geneva Convention on prisoners of war, and these violations had occurred on such a scale as to indicate irresistibly that they reflected a conscious policy. While the mass executions of Korean civilians had been carried out by authority

of the North Korean political security police, which was a purely political agency, the killing of prisoners of war had been closely connected with the incessant probing and manipulations of the prisoners in the camps. It could not be ignored, he said, that the leading men of the North Korean regime and Army were, for the most part, Soviet citizens and that Soviet officers were at the top of the command structure over the prison camps in North Korea. With regard to battle atrocities, some 27 per cent had been committed by Chinese Communist military units, where military and political training, he said, go hand in hand. In some reported cases the so-called cultural officer of the unit involved had ordered the killing of the prisoners.

He considered that the record now before the Assembly was significant for the following reasons. It told of human actions which offended every civilized conscience. It revealed a vast, systematic and deliberate assault upon basic standards of international conduct and morality—standards which were precious and essential to freedom and civilization. These acts had been taken by an authority having close connexion with the Soviet Union, and were in conformity with actions tragically typical of so many absolutist systems throughout history. They had been committed by forces whose aggression the United Nations had resisted and repelled, and which still stood fully armed facing the United Nations forces. The United Nations, he considered, should speak dearly in defence of the civilized standards of conduct which had found expression in the Geneva Conventions.

The representatives of Argentina, Australia, Belgium, Brazil, Canada, China, Ecuador, France, Greece, the Netherlands, New Zealand, Peru, the Philippines, Turkey, the Union of South Africa, the United Kingdom and Uruguay spoke in support of the joint draft resolution. They considered that there was no doubt that atrocities against United Nations troops and Korean civilians had been committed, and committed on a large scale. In their view the General Assembly must express in clear terms the grave concern it felt towards such atrocities and it should condemn the commission of those atrocities as a violation of rules of international law and basic standards of conduct and morality and as affronting human rights. They felt that that was the least the General Assembly could do; for the victims of those atrocities were to a considerable extent men from various Member States which the United Nations itself had called upon to uphold the principles of the Charter. They said that if the Assembly should

ignore the report on atrocities it would be guilty of a callousness unworthy of the United Nations, and would lower its status in the eyes of world opinion. By adopting the draft resolution, the General Assembly would demonstrate to the world that the United Nations was aware of its duty and responsibility to those who had fought under its flag. The reports of those atrocities had caused revulsion throughout the world, and it was proper that the Chinese and North Korean Governments should be made aware of this fact and reminded of the obligations which they and all governments have towards prisoners of war and towards civilians who have the misfortune to find themselves in a theatre of war.

The representatives of Australia, China and Turkey, while expressing the view that the joint draft resolution was not sufficiently strong to express the full measure of the Assembly's horror, nevertheless considered that its wording would ensure a greater acceptance by the Assembly.

The representative of the USSR stated that the whole subject of so-called atrocities constituted a slanderous falsification and dealt with facts and events which had actually never taken place. The submission of the question was motivated, in his view, by considerations similar to those which, in November 1951, had led to the publication of Colonel Hanley's report on atrocities³² in an attempt to wreck the armistice negotiations which were taking place in Korea at that time. That provocative design had collapsed. The report had been disavowed by General Ridgway's staff on the ground that the accusations were not based on facts and were contrary to reality. According to the New York Times of 29 October 1953, the new move was, like the old one, a manoeuvre of psychological warfare. The material submitted in support of the accusations (A/2563) consisted of nothing but rough drafts which exposed the authors as falsifiers and forgers of documents, as shown by the facts that some material had been destroyed or eliminated from the files, and that a special procedure had been drawn up to obtain the necessary information from the prisoners of war. New efforts, he said, were being made to renew the practice of the fabrication of documents and evidence by means of hand-picked witnesses, specially processed for the purpose.

He stated that the original investigation of all the alleged cases had been carried out by the South Korean police with the use of barbarous and atrocious methods. Under court martial con-

³² In November 1951, Colonel James Hanley of the United States War Crimes Division published a report alleging the murder by the Chinese-North Koreans of over 5,000 United States soldiers in the Korean war.

ditions, he said, there were no guarantees of proper investigatory procedure, no limitations had been imposed on the arbitrariness of the interrogators and, moreover, the investigations showed substantial organic defects and abnormal features, such as the absence of registration of graves and the absence of any corpses, which eliminated the possibility of verification and control of the allegations. Any sort of figures had been just invented in accordance with the tastes and fancies of the interrogators, or rather of their commanders who supplied them with instructions. In fact, there had been no such thing as an investigation of events or even any attempt at it. The aim of the whole story was to intensify the cold war and international tensions in general.

Analysing a number of the cases reported in document A/2563, he drew attention to a number of testimonies and statements of facts which, he said, were contradictory or built on hearsay and indicated that the case files had been partly falsified and partly invented, and that, in many cases, the alleged atrocity victims had been killed in the United States air raids.

The whole subject had, in his view, been presented for political purposes, in an attempt by American reactionary circles to bring false accusations against the North Korean armed forces that were defending their fatherland and the Chinese volunteers who had gone to their assistance. The truth, he said, was being sacrificed by those who were interested in increasing the present international tension.

It was the United States which had repeatedly infringed and violated all norms and standards of international law relating to the protection of prisoners of war. There were many well-known facts, he said, concerning the barbarous extermination by American armed forces of the peaceful civilian population of Korea. He also referred to a letter, dated 18 December 1950, addressed to President Syngman Rhee by two representatives of the International Committee of the Red Cross, regarding death by starvation of inmates in two jails in Seoul, and two reports by United States press correspondents, in July and December 1950, concerning the killing of political detainees. According to incomplete data, he said, the number of killed, wounded and maimed as a result of the brutalities of United States and Syngman Rhee armed forces amounted to several tens of thousands. Atrocities against prisoners of war, he stated, had been committed by the American armed forces, acting under the order of their Commander. The repeated communications addressed to the Security Council by the Government of the

People's Republic of Korea in 1950, insisting that the Council take measures to call a halt to these atrocities, had not induced the United Nations to do anything. Over the next two years, the atrocities of the American and Syngman Rhee armed forces had continued, despite the protests of the Government of the Democratic People's Republic of Korea and despite the protests and intervention of international organizations and the demands voiced by wide sections of the public and organizations of a democratic character, all of which had appealed for observance of the Hague Conventions. These Conventions, he charged, had been systematically violated by the American armed forces which had turned Korean towns and villages into ruins.

The five-Power draft resolution (A/L.169), he said, did not contain one paragraph which could be supported by any truly peace-loving person. Even where unchallengeable points were made, as was the case in the second and third paragraphs of the preamble, they could not be approved because they were submitted in a context which besmirched the North Korean armed forces, the Chinese People's Volunteers, the North Korean people, the Chinese people and all other peace-loving peoples. The General Assembly could not become a tool of the foreign policy of the United States and of certain other countries. It must repudiate any attempt to wreck the peaceful settlement of the Korean question.

In conclusion, he stated that the examination of the item by the Assembly was only one manifestation of the course of current United States foreign policy designed to prevent any reduction of international tension and to leave the United States free to incite the armaments race and to prepare for a new world war. That was why reactionary circles of the United States stood in need of these charges at a time when the Government of the Soviet Union was doing everything in its power to alleviate international tension and to bring about the settlement of unresolved international questions.

Statements expressing views similar to those of the USSR were made by the representatives of the Byelorussian SSR, Czechoslovakia, Poland and the Ukrainian SSR. The question before the Assembly, they argued, showed the extent to which slander, falsification and fabrication had been resorted to in order to increase the existing international tension and to obstruct the pacific settlement of the most important international problems, especially the Korean question. A close study of the documents submitted, they said, showed that the facts and figures adduced therein

were so incredible and unfounded that it was obvious that the whole scheme was intended to mislead, first of all the American people, and then the peoples of the world. The campaign of lies and slander was also designed to divert attention from the preparations for a new world war being made by reactionary circles in the United States. The ruling circles of the United States, they contended, were trying to divest themselves of their responsibility for the bombardments of peaceful towns and villages in Korea and the commission of atrocities against Korean and Chinese prisoners of war in camps on Koje and Pongnam islands and elsewhere.

The representative of Pakistan stressed that his delegation saw no reason to conclude that the evidence adduced in support of the charges had been invented or manufactured. However, there had been no opportunity to hear the other side or even to know whether the other side wished to be heard. This constituted a disquieting tendency in the Assembly to secure *ex parte* hearings and to record *ex parte* verdicts. For this reason, his delegation would abstain in the vote on the joint draft resolution if the first operative paragraph was adopted. The representative of Indonesia explained after the voting that his abstention had been motivated by the same consideration.

On 3 December 1953, the joint draft resolution (A/L.169) was adopted by a roll-call vote of 42 to 5, with 10 abstentions. The voting was as follows:

In favour: Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, Ethiopia, France, Greece, Guatemala, Haiti, Honduras, Iceland, Iran, Israel, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Sweden, Thailand,

Turkey, Union of South Africa, United Kingdom, United States, Uruguay, Venezuela.

Against: Byelorussian SSR, Czechoslovakia, Poland, Ukrainian SSR, USSR.

Abstaining: Afghanistan, Burma, Egypt, Indonesia, Iraq, Pakistan, Saudi Arabia, Syria, Yemen, Yugoslavia.

The resolution (804(VIII)) read:

"The General Assembly,

"Having considered the item "Question of atrocities committed by the North Korean and Chinese Communist forces against United Nations prisoners of war in Korea" proposed by the United States of America in documents A/2531 and A/2531/Add. 1 of 30 and 31 October 1953,

"Recalling that basic legal requirements for humane treatment of prisoners of war and civilians in connexion with the conduct of hostilities are established by general international law and find authoritative reaffirmation in the Geneva Conventions of 1929 and 1949 relative to the treatment of prisoners of war and in the Geneva Convention of 1949 relative to the protection of civilian persons in time of war,

"Recalling that these Conventions also embody precise and detailed provisions for giving effect to the basic legal requirements referred to above, and that these provisions, to the extent that they have not become binding as treaty law, have been accorded most general support by the international community,

"Desiring to secure general and full observance of the requirements of international law and of universal standards of human decency,

"1. Expresses its grave concern at reports and information that North Korean and Chinese Communist forces have, in a large number of instances, employed inhuman practices against the heroic soldiers of forces under the United Nations Command in Korea and against the civilian population of Korea,

"2. Condemns the commission by any governments or authorities of murder, mutilation, torture, and other atrocious acts against captured military personnel or civilian populations, as a violation of rules of international law and basic standards of conduct and morality and as affronting human rights and the dignity and worth of the human person."

C. THE QUESTION OF IMPARTIAL INVESTIGATION OF CHARGES OF USE BY UNITED NATIONS FORCES OF BACTERIAL WARFARE

1. Consideration by the General Assembly at its Seventh Session

By a letter, dated 20 October 1952 addressed to the Secretary-General (A/2231), the United States requested that the item "Question of impartial investigation of charges of use by United Nations forces of bacteriological warfare" be placed on the agenda of the seventh session of the General Assembly. In an accompanying

explanatory memorandum, the United States delegation stated that, since February 1952, the world had been exposed to a false campaign conducted by the USSR and the Soviet bloc States, to the effect that the United Nations forces in Korea had resorted to bacterial warfare. The charges had been categorically denied as false and unfounded by responsible officials of the United States and by the Unified Command. The offer of the International Committee of the Red Cross

and the World Health Organization to assist in investigating the charges had been rejected.

In June 1952, it was stated, the United States had brought the matter before the United Nations Security Council and submitted a resolution requesting the International Committee of the Red Cross to investigate the charges and report the results to the Security Council. This resolution received ten affirmative votes in the Security Council, but failed of adoption because of the veto of the Soviet Union.³³ Although the Soviet Union had used its veto to block an impartial investigation, the charges had been repeated again in the General Assembly. These false charges, the persistent refusal of those making them to agree to an impartial investigation, and the propaganda campaign based upon these charges impaired friendly relations and created a situation which should be considered by the General Assembly as an urgent and important matter on which appropriate action should be taken.

The item was considered at the second part of the seventh session between 27 March and 8 April 1953, at the 590th to 593rd meetings of the First Committee.

The following documents relating to the question were circulated to the Committee.

(1) A cablegram dated 24 October 1952 from the Minister for Foreign Affairs of the Democratic People's Republic of Korea to the President of the General Assembly (A/C.1/727), in which he reiterated the accusation of the use of bacterial weapons by "the American interventionists" in North Korea, protested against unilateral discussion at the current session of the Assembly without the participation of genuine representatives of the Democratic People's Republic of Korea and requested such participation.

(2) A cablegram dated 27 October 1952 from the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China to the President of the General Assembly (A/C.1/728), also requesting participation in the debate.

(3) A letter dated 5 March 1953 from the head of the USSR delegation, forwarding statements of captured United States air force officers (A/C.1/L.28), including the signed statements of Colonel F. H. Schwable and Major Roy H. Bley, admitting and giving a detailed account of the use of bacterial weapons by the United States troops fighting in Korea.

(4) A note dated 27 March 1953 from the representative of the United States, transmitting statements by members of the United States armed forces in Korea (A/C.1/L.37), contradicting the confessions of Colonel Frank H. Schwable and Major Roy H. Bley.

At the 590th meeting of the First Committee, the representative of the USSR submitted a draft resolution (A/C.1/L.35), according to which the representatives of the People's Republic of China and the Democratic People's Republic of Korea

would be invited to participate in the discussion of the question in the First Committee.

The representatives of Poland, the Ukrainian SSR and the USSR spoke in support of the draft resolution, stating that the two Governments were directly interested in the matter and could furnish the United Nations with full and authentic information. Those Governments, they said, had been the first to alert the United Nations and world public opinion to the fact that the United States was using bacterial weapons in the Korean war, weapons which were banned by international law and, particularly, by the Geneva Protocol of 1925. The two States mentioned were those directly affected by the utilization of bacterial weapons and a truly objective and impartial investigation could not be made without their participation. They recalled that the Security Council, in September 1950, and the First Committee, in November 1950,³⁴ had extended invitations to representatives of the People's Republic of China. There was no reason to deviate from that practice.

The representatives of India, Indonesia and Syria supported the USSR proposal, arguing that since the charges had been made by the Central People's Government of China and the North Korean authorities, they should obviously be in the best position to inform the Committee of the situation. Only after hearing the charges and the replies to them, could the Committee be in a position to arrive at an impartial judgment as to how to proceed in the matter. It could not be decided beforehand that either party would indulge in propaganda, and it should not in all fairness be inferred that the views expressed by either party were insincere, until the truth or falsity of the charges had been proved through an impartial investigation. There were several precedents for inviting the parties involved in the consideration of a question affecting them. For instance, when the question of German elections³⁵ had been discussed by the General Assembly, the parties directly concerned, although representing opposing views, had been invited prior to any consideration of the setting up of an impartial investigating committee.

The representatives of Australia, China, Greece, Peru and the United States spoke against the USSR draft resolution, explaining that the present task of the Committee was to appoint a commission which would be assisted by technical experts.

³³ See Y.U.N., 1952, pp. 327-31.

³⁴ See Y.U.N., 1950, pp. 291 and 294.

³⁵ See Y.U.N., 1951, pp. 317-19.

Once that impartial body was set up, the parties could submit to it all the evidence they might deem necessary, but the General Assembly should not attempt to turn itself into an investigating tribunal. The documents already available to the Committee provided a sufficient basis for taking a decision on whether an impartial investigation was needed. Those documents had come directly from the North Korean and Chinese Communist authorities and there was no need, therefore, for the representatives of those regimes to be given the opportunity to come to the United Nations to repeat their charges. Thus, the Chinese Communists and the North Koreans, who were aggressors, had no reason to participate in the meetings of the Committee. The proposed commission of experts would surely function in the territories of China and North Korea if those authorities would agree to receive it, and it would therefore be easy for the representatives of those Governments to lay before the experts all the proofs which they had to present.

The USSR draft resolution (A/C.1/L.35) was rejected by 40 votes to 15, with 5 abstentions.

At the 590th meeting on 27 March 1953, Australia, Belgium, Canada, Colombia, Ethiopia, France, Greece, Luxembourg, the Netherlands, New Zealand, the Philippines, Thailand, Turkey, the Union of South Africa, the United Kingdom and the United States submitted a joint draft resolution (A/C.1/L.36), providing that the General Assembly should, *inter alia*:

(1) establish, after the President of the Assembly had received an indication from all the governments and authorities concerned of their acceptance of the proposed investigation, a commission composed of five States to carry out immediately an investigation of the charges;

(2) call upon the governments and authorities concerned to enable the commission to travel freely throughout such areas of North and South Korea, the Chinese mainland and Japan, as the commission might deem necessary, and otherwise to facilitate its task;

(3) request the President of the Assembly to transmit the resolution immediately to the governments and authorities concerned, requesting them to indicate their acceptance of the proposed investigation;

(4) request the President to report to the Assembly at the earliest practicable date on the results of his efforts;

(5) direct the commission to enlist the aid of scientists of international reputation; and

(6) direct the commission, after acceptance of the proposed investigation, to report to the Members of the Assembly, through the Secretary-General, no later than 1 September 1953.

The representative of the United States declared that his Government's purpose in submitting the item was that the General Assembly should in-

stitute and supervise an impartial investigation of the charges of use by the United Nations forces of bacterial warfare. Those charges, he said, were intended to spread hatred and suspicion in the minds of men and to undermine the collective efforts of the United Nations forces in meeting aggression in Korea, and to isolate the friendly world from the United States by attempting to single it out for special condemnation. From March 1952 until the present time, the United States representative continued, offers of an impartial investigation of the charges of bacterial warfare had been repeatedly made by the United Nations, the World Health Organization, the International Committee of the Red Cross, as well as by the United States Government, but there had been no response from the "Soviet bloc". When the Security Council had wished to decide on an investigation, the Soviet Government had vetoed the proposal. One device used by the Communists in building up their campaign was the use of so-called investigations. The first investigating body had been composed of Chinese Communists, and its Chairman had declared that the purpose was to gather "the various criminal facts on bacteriological warfare waged by the American imperialists". The second investigation had been staged by a committee of the Communist front organ called the International Association of Democratic Lawyers. The third investigation commission had been the International Scientific Commission for the investigation of facts concerning bacterial warfare in Korea and China, organized by the Chinese People's Committee for World Peace. The partiality of the composition and aims of the three commissions was obvious. A second device had been to make use of confessions extorted from prisoners of war by various techniques, including physical and psychological torture. Documents circulated to the members of the Committee showed that those so-called confessions were totally false in their general assertions and in their specific allegations.

In view of these facts, his delegation and other States whose forces were engaged in repelling aggression in Korea had presented the joint draft resolution to set up a commission of investigation. This commission, he suggested, should examine all prisoners of war who were alleged to have made confessions. Prior to their examination those prisoners should be taken to a neutral area where they would remain under the responsibility and custody of the United Nations until the conclusion of the hostilities.

With regard to the Geneva Protocol, the representative of the United States said that his

Government did not think that it met the need for security against the use of bacterial weapons, for it merely collected promises not to use them first. The Geneva Protocol permitted the manufacturing and stockpiling of bacterial weapons and made no provision for effective, honest, international control. The United States considered that the Disarmament Commission should continue its efforts to evolve comprehensive and coordinated plans for the elimination and prohibition of all weapons of mass destruction, including bacterial ones.

The other sponsors of the draft resolution stated that the question before the Committee involved the prestige of the United Nations as a whole. Although the supporters of aggression in Korea had singled out the United States as the responsible party, every country which had forces in Korea and which had endorsed the principle of fighting aggression was directly concerned in the question. The charges of bacterial warfare brought against the United Nations Command had already been discussed in the Disarmament Commission³⁶ and in the Security Council during the summer of 1952. At that time, the attempt to secure an impartial investigation approved by ten of the eleven members of the Council had been frustrated by the sole opposition of the USSR. The question was now before the Assembly and the only new evidence was contained in the alleged confessions of two United States prisoners of war, which had been circulated in document A/C.1/L.28. Those confessions were false and had been extracted by coercive methods. Several scientific associations, organizations or personalities in the free world had studied and denounced the lack of scientific value of the evidence adduced in support of the allegations of the use of germ warfare by the United Nations forces. The evidence given in the report of the International Scientific Commission which had been organized by the Chinese People's Committee for World Peace (S/2802) was no more acceptable than the rest. It was clear that all the scientists that had produced the report had been selected by the executive committee of the World Peace Council. Hence, the opinion it gave could only be regarded as a partisan statement.

If there had been the slightest grounds for such accusations, all the nations now engaged in United Nations action in Korea would have come to know something about it. It was for this reason that all the nations concerned would welcome an impartial investigation. The joint draft resolution offered another opportunity for such an

investigation and if the Communist authorities were not afraid of the truth they would welcome that opportunity. If they again refused an investigation, the world would know the falsity and baselessness of the accusations. If, however, the Soviet Union were not prepared to accept it, that Government should clearly state what kind of body it would like to see carry out an impartial inquiry to the satisfaction of the conscience of the world.

The representatives of Czechoslovakia, Poland and the USSR spoke against the joint draft resolution. They reiterated that they would be prepared to consider the question of investigation which was on the agenda, provided that the representatives of the People's Republic of China and the Democratic People's Republic of Korea were heard in the First Committee. But the General Assembly had rejected that proposal. In those circumstances, how could the First Committee seriously assert that it was dealing with a question of an impartial investigation?

The fact, these representatives stated, was that the United States was engaged in the mass production of bacterial weapons and was using them under the flag of the United Nations. It was well-known that during and after the Second World War the United States had conducted research on bacterial warfare. A report of 3 January 1946, published by the United States War Department mentioned the establishment of research centres in Maryland, Mississippi, Indiana and Utah. The fact was also confirmed by statements of officers of the chemical corps. Further proof of the culpability of the United States was, it was stated, its refusal to accede to the Geneva Protocol and to undertake not to produce or use bacterial weapons. If the United States was really concerned about the problem, the simplest and most expedient way of proving it would be to denounce publicly the use of bacterial weapons and to proceed immediately to ratify the Geneva Protocol of 1925. The reason for the United States refusal to do so was that it feared to lose its profits if bacterial warfare was prohibited. The fact that the United States had used bacterial warfare had been thoroughly established by the report of the members of the Commission of the International Association of Democratic Lawyers, the International Scientific Commission, the Commission of Chinese Scientific Workers and the Women's International Democratic Federation, these representatives said. Not merely ordinary soldiers, but senior officers had admitted

³⁶ See Y.U.N., 1952, p. 313.

the fact, as proved by document A/C.1/L.28. No counter-arguments had been produced and the existing evidence could not be shaken.

The truth was that the United States Government did not want an investigation and did not wish the substance of the question to be considered, as was shown by its refusal to discuss the matter with the parties concerned. The United States idea of an impartial investigation was to entrust the task to the so-called "International" Committee of the Red Cross which, these representatives said, was nothing but a Swiss institution in no way public or international, or to the World Health Organization which, far from carrying out its universal and humanitarian tasks, had engaged in discriminatory practices against certain States, a fact which had forced the Soviet Union, the Byelorussian SSR, Romania and Czechoslovakia to leave it. It was obvious that investigations could be made only by organizations enjoying general confidence. The real aim of the proposal before the Committee was not to initiate an objective investigation but to confuse world public opinion, which had shown its uneasiness at the use of that terrible weapon. That uneasiness, it was said, could not be dispelled by merely charging the Soviet Union, the People's Republic of China and the Democratic People's Republic of Korea with false propaganda.

At the 593rd meeting on 8 April, the sixteen Powers submitted a revision (A/C.1/L.36/Rev.2) of their joint draft resolution, proposing that the commission should be composed of Brazil, Egypt, Pakistan, Sweden and Uruguay.

The revised draft resolution was adopted at the same meeting by 52 votes to 5, with 3 abstentions.

The question was considered by the General Assembly at the 427th and 428th plenary meetings on 18 and 23 April.

The draft resolution recommended by the First Committee (A/2384) was adopted by a roll-call vote of 51 to 5, with 4 abstentions. Voting was as follows:

In favour: Afghanistan, Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, France, Greece, Guatemala, Haiti, Honduras, Iceland, Iran, Iraq, Israel, Lebanon, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Sweden, Syria, Thailand, Turkey, Union of South Africa, United Kingdom, United States, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Byelorussian SSR, Czechoslovakia, Poland, Ukrainian SSR, USSR.

Abstaining: Burma, India, Indonesia, Saudi Arabia.

The resolution (706(VII)) read:

"The General Assembly,

"Noting that accusations have been made by certain governments and authorities charging the use of bacteriological warfare by United Nations Forces, and that the Unified Command has repeatedly denied such charges,

"Recalling that when the charges were first made the Unified Command had requested that an impartial investigation be made of them,

"Noting that the Central People's Government of the People's Republic of China and the North Korean authorities have so far refused to accept an offer by the International Committee of the Red Cross to carry out an investigation,

"Noting that the draft resolution submitted in the Security Council by the Government of the United States of America proposing an investigation of these charges by the International Committee of the Red Cross failed to carry because of the negative vote of the Union of Soviet Socialist Republics,

"Desiring to serve the interests of truth,

"1. Resolves that, after the President of the General Assembly has received an indication from all the governments and authorities concerned of their acceptance of the investigation proposed in the present resolution, a Commission, composed of Brazil, Egypt, Pakistan, Sweden and Uruguay, shall be set up and shall carry out immediately an investigation of the charges that have been made;

"2. Calls upon the governments and authorities concerned to enable the Commission to travel freely throughout such areas of North and South Korea, the Chinese mainland and Japan as the Commission may deem necessary in the performance of its task and to allow the Commission freedom of access to such persons, places and relevant documents as it considers necessary for the fulfilment of its task and to allow it to examine any witness, including prisoners of war, under such safeguards and conditions as the Commission shall determine: all prisoners of war who are alleged to have made confessions regarding the use of bacteriological warfare shall, prior to examination by the Commission, be taken to a neutral area and remain under the responsibility and custody of the Commission until the end of the Korean hostilities;

"3. Requests the President of the General Assembly to transmit the present resolution immediately to the governments and authorities concerned, requesting them to indicate their acceptance of the investigation proposed in the present resolution;

"4. Requests the President of the General Assembly to report to the General Assembly at the earliest practicable date on the results of his efforts;

"5. Directs the Commission, when set up, to enlist the aid of such scientists of international reputation, especially epidemiologists, and such other experts as it may select;

"6. Directs the Commission, after acceptance of the investigation proposed in the present resolution by all the governments and authorities concerned, to report to the Members of the General Assembly through the Secretary-General as soon as possible and no later than 1 September 1953;

"7. Requests the Secretary-General to furnish the Commission with the necessary staff and facilities."

2. Consideration by the General Assembly at its Eighth Session

On 28 July 1953, the President of the General Assembly reported (A/2426) that Assembly resolution 706(VII) had been duly communicated to the Governments of the United States, the Democratic People's Republic of Korea, the People's Republic of China, the Republic of Korea and Japan. The United States, the Republic of Korea and Japan had accepted the proposed investigation but no other replies had been received.

At its 435th meeting on 17 September 1953, the General Assembly decided to include in its agenda the item proposed by the United States: "Question of impartial investigation of charges of use by United Nations forces of bacterial warfare". The item was considered by the First Committee at its 648th to 653rd meetings, from 26 to 31 October 1953.

By a letter dated 26 October (A/C.1/L.66), the representative of the United States transmitted copies of ten sworn statements by members of the United States armed forces, made following their release as prisoners of war, concerning the charges of the use of bacterial warfare in Korea. This document contained, inter alia, photostatic copies of sworn statements of Colonel Frank H. Schwable and Major Roy H. Bley, First Lieutenants John S. Quinn, Paul R. Kniss, Floyd B. O'Neal, and Kenneth Enoch, which stated categorically that the confessions had been extorted from them during their captivity and were false.

On 26 October, the USSR submitted a draft resolution (A/C.1/L.67), to have the Assembly call upon all States which had not acceded to or ratified the Geneva Protocol of 17 June 1925 for the prohibition of the use of bacterial weapons to accede to the Protocol or ratify it.

On 28 October, the United Kingdom, Canada, Colombia, France and New Zealand submitted a draft resolution (A/C.1/L.68), providing that the General Assembly should:

(1) refer to the Disarmament Commission the USSR draft resolution (A/C.1/L.67) for such consideration as deemed appropriate under its plan of work and pursuant to the terms of reference of that Commission as set forth in General Assembly resolutions 502(VI) of 11 January 1952³⁷ and 704(VII) of 8 April 1953³⁸; and

(2) transmit to the Disarmament Commission for its information the records of the First Committee in which this item was discussed.

During the discussion, the representative of the United States recalled the previous consideration by the Security Council and the General Assembly (see above) of the charges of use by United Nations forces of bacterial warfare. He referred to the report by the President (A/2426), stating that the absence of a reply from the Chinese Communists and the North Korean Communists showed clearly that they feared the presence of impartial investigators because they knew that their charges were false.

Dealing with the statements his delegation had presented from United States fliers (A/C.1/L.66), he said that it should be recalled that the "confessions" of some of those fliers that they had waged bacterial warfare in Korea had perhaps been the most important and publicized feature of the Communist accusations. The USSR had built its case in the United Nations especially on six individual cases of so-called confessions. On 1 October 1952, the USSR delegation had transmitted to the United Nations the document entitled "Report of the International Scientific Commission for the investigation of facts concerning bacterial warfare in Korea and China" (S/2802). That "Commission", which had been composed mainly of well-known collaborators with Communist organizations, had placed great emphasis upon the statements of four United States air force officers, First Lieutenants John S. Quinn, Paul R. Kniss, Floyd B. O'Neal, and Kenneth Enoch. Later, on 12 March 1953, the USSR representative had circulated two additional so-called "confessions" from Colonel Schwable and Major Bley (A/C.1/L.28). The document that the United States delegation was now submitting to the Committee (A/C.1/L.66) contained sworn statements by the six officers concerned, who had all stated categorically that they had never waged bacterial warfare and that the so-called confessions had been false and had been extorted by the coercive Communist methods which were well-known to the world. The entire germ warfare propaganda drive had been developed to give expression to a broad Communist policy governing the conduct of the Korean aggression which was aimed at discrediting the United States in the eyes of the free world and thus helping to isolate it from its allies. The only individuals marked for "confessions" had been United States prisoners.

In reply to the assertions of the representatives of the USSR, the Byelorussian SSR, Czechoslovakia, Poland and the Ukrainian SSR, the

³⁷ See Y.U.N., 1951, pp. 176-77.

³⁸ See under Disarmament.

representative of the United States said that the impartiality of the investigation proposed under General Assembly resolution 706(VII), which was to be conducted by a commission composed of Brazil, Egypt, Pakistan, Sweden and Uruguay, could not be questioned, while, on the contrary, the composition of the International Scientific Commission could be legitimately taxed as partisan. The USSR representative had maintained that the statements in which the captured airmen had repudiated their alleged confessions had been obtained by the worst methods of pressure. He had even asserted that the United States Secretary of Defense had published veritable threats for that purpose. However, the statement in question by Mr. Wilson had been published on 16 October, i.e. long after the repatriated airmen had repudiated their so-called confessions and the United States Press had reported the change on their return to freedom, as could be seen from articles published in the *New York Times* of 6 September and in the *U.S. News & World Report* of 18 September. The history of bacterial warfare propaganda was now known. The record was conclusive and showed clearly that the charges were false and that the most brutal coercion had been used to extract confessions.

Turning to the USSR draft resolution (A/C.1/L.67), the representative of the United States said that it was in substance the same as that submitted to the Security Council in June 1952 and to the General Assembly at its seventh session and which was now before the Disarmament Commission at the request of the USSR. Although the USSR proposal was not connected with the item under discussion, it should be remembered that the Geneva Protocol had been the expression of an effort made by nations of good will in an era of good feeling to give further effect to their hope that armaments could be limited. Since then, the political structure of the world had undergone a radical change. The Soviet Union was responsible for this and had shown that its word was not to be trusted. As far as bacterial weapons were concerned, the USSR had only ratified the Geneva Protocol with reservations, one of which had said that the Protocol would cease to be binding in regard to all enemy States whose armed forces did not respect the restrictions which were the object of the Protocol. By foisting on the world the charge that bacterial weapons had been used, the Soviet Union had served notice that it would not hesitate to evade its obligations under the Geneva Protocol. The United States Government had nothing but praise for those who had drafted, signed and

ratified the Protocol, in that era long past. But States could not embark upon the momentous task of disarmament without iron-clad guarantees of performance by all parties. The history of the disarmament efforts in the United Nations in the past seven years illustrated that truth. No people hoped more fervently than the people of the United States for the day when the basic conditions for genuine peace could be established. The United States delegation felt therefore that the Soviet draft proposal should be referred to the Disarmament Commission and would support the five-Power draft resolution (A/C.1/L.68) calling for this reference.

The representative of the USSR said that, from the outset, the United States had opposed any objective and comprehensive consideration of the issue. When the Soviet Union had insisted that representatives of the Chinese People's Republic and the Democratic People's Republic of Korea should participate in the discussion, its proposal had been rejected in violation of the principles of the Charter and, particularly, of Article 32.³⁹ By discriminating against the Chinese and Korean People's Republics, with the aid of the votes of its supporters, the United States had chosen to have the question considered unilaterally. At the same time, it had demanded that those two Governments admit to their territories persons hand-picked by the United States to carry out so-called inquiries. In those circumstances, there could be no question of any objective investigation and it was not surprising that no results had followed.

At present, the United States was trying to dispute the testimony of the American fliers, particularly Colonel Schwable and Major Bley, as to the use of bacterial weapons by the United States armed forces. In this connexion, the United States had been forced to use the statements of four unknown airmen, whose names appeared in document A/C.1/L.66 and who claimed to have been tortured while in captivity and to have refused to give testimony. It was obviously not difficult for the American military authorities to find soldiers and officers who, after due indoctrination, would be ready to sign any deposition useful to their commanding officers. Attention should be drawn to the fact that, while Colonel Schwable and Major Bley were prisoners, the United States had rejected any objective consideration of the matter in the United Nations

³⁹ This Article states, *inter alia*, that any State which is not a Member of the United Nations, if it is a party to a dispute under consideration by the Security Council, shall be invited to participate, without vote, in the discussions relating to the dispute.

and had demanded that those two officers and other prisoners be interrogated on neutral territory by a neutral commission. That demand had been forgotten as soon as those officers had been released and brought to the United States, where the officers had been interrogated by military authorities with no external control nor observers. Thus, the United States had extorted the repudiations which it was now trying to present as genuine testimony. It was false to state that the Governments of North Korea and China had opposed any impartial study of the matter; they had in fact been prevented from taking part in such an impartial study. It was also wrong to state that the Soviet Union had criticized the composition of the commission appointed for the so-called impartial investigation. The USSR had merely objected that such an examination was contrary to the Charter in the absence of the Chinese and North Korean representatives.

The task of the General Assembly was not to inquire into those matters, but to invite those States which had not signed and ratified the Geneva Protocol of 1925 to do so as soon as possible. The Geneva Protocol, with its provisions prohibiting chemical and bacterial weapons, was an important part of international law. On the instructions of its Government, the USSR delegation proposed that the General Assembly should address itself to all States which had not ratified the Geneva Protocol and appeal to them to do so as soon as possible. The United States representative had attempted to justify the refusal of his Government to ratify the Geneva Protocol on the ground that the Soviet Union had made certain reservations in ratifying that instrument. But seventeen other signatories had made the same reservations and that in no way detracted from the importance of the Geneva Protocol and the moral, political and legal obligations it involved. If the United States ratified the Protocol with the same reservations as the Soviet Union, it would still be valid. The USSR delegation, both in the Disarmament Commission and in the Security Council had, he said, already refuted the United States argument concerning the difference between the situation in 1925 and in 1953. The United States representative had also tried to link the question of the Geneva Protocol with that of disarmament. But that was only a pretext by which the United States had continually sought to oppose the examination of the question of bacterial warfare by any commission whatsoever. The USSR representative recalled that in the Disarmament Commission his delegation had asked that bacterial warfare should be prohibited. But

its proposal had been rejected by those who now proposed that the new USSR resolution should be transmitted to the Disarmament Commission. The five-Power draft resolution (A/C.1/L.68) was obviously an attempt to shelve the USSR draft resolution permanently. The USSR representative urged all Member States to adopt his draft resolution (A/C.1/L.67). The accession to and ratification of the Geneva Protocol by all States would be a great contribution to international peace and security, he said.

Sharing the view expressed by the representative of the USSR, the representatives of the Byelorussian SSR, Czechoslovakia, Poland and the Ukrainian SSR said that the Democratic People's Republic of Korea and the Chinese People's Republic had made every effort to have the use of bacterial weapons investigated in their countries by a truly impartial international body. A large number of legal and scientific experts from the International Association of Democratic Lawyers and the International Scientific Commission had carried out an inquiry on the spot. Those two commissions had found that there was evidence supporting the accusations. The Chinese and North Korean Governments had not subsequently raised any objections to a fresh investigation of the question by a truly impartial international body, but had rightly opposed a unilateral investigation such as that proposed in Assembly resolution 706(VII), adopted under United States pressure.

The statements made by the United States representative were, these representatives said, nothing but slanderous propaganda and reflected no willingness to discuss the facts and evidence. The United States had launched a campaign to prove mistreatment of prisoners of war by the Chinese and North Koreans, but many statements from returned prisoners of war and many Press reports, particularly in the Australian Press, had commented favourably on the good physical and moral state of the repatriated prisoners. At the present session, the United States had sought to deceive public opinion by using statements by released prisoners repudiating their previous testimony. It should be noted that many of those statements showed that the prisoners had not been subject to coercion during their captivity and the repudiation of their previous confessions was due to their fear of punishment for having revealed the United States methods of warfare, especially as the United States Secretary of Defense, Mr. Wilson, had stated that soldiers making statements while prisoners of war would be subject to the provisions of military law.

These representatives recalled that the USSR had always voted for the prohibition of weapons of mass destruction. After ratifying the Geneva Protocol, it had proposed, in 1929, to the Preparatory Commission for the Disarmament Conference, that the Protocol should be supplemented by articles for the outlawing of all substances capable of being used for bacterial or chemical warfare. At that time, the Soviet Union had proposed that an appeal should be made to States which had not already ratified the Protocol to do so and had repeated its request in 1932. In 1949 and in 1952 the Soviet Union had again taken similar steps both at Geneva and in the United Nations Disarmament Commission and the Security Council. But the United States Government had always thwarted those efforts. The argument that the Geneva Protocol had lost some of its significance failed to recognize the facts. During the Second World War, even the Fascist States had not dared to violate the Protocol.

There was no objection in principle to referring the USSR draft resolution to the Disarmament Commission, these representatives said, but the wisest plan would be to adopt the proposal, since it would strengthen the work of the Disarmament Commission and at the same time would confirm the decision taken in 1946 concerning the absolute necessity of prohibiting weapons of mass destruction. The adoption of the USSR proposal would not prevent the Disarmament Commission from dealing further with the matter within the general framework of the prohibition of weapons of mass destruction, but, in view of the difficulties which had arisen in drawing up new conventions for such prohibition, it was surely better in those conditions to strengthen an existing instrument which had proved useful during the last 20 years.

A majority of representatives, including those of Australia, Canada, Cuba, the Dominican Republic, France, Greece, the Netherlands, New Zealand, the Philippines, Turkey and the United Kingdom, spoke against the USSR draft resolution (A/C.1/L.67) and in favour of the five-Power draft (A/C.1/L.68). They regretted that the charges of bacterial warfare against the United Nations troops in Korea had again been brought before the Assembly. Since the General Assembly had considered it its duty to adopt resolution 706(VII) by an overwhelming majority, important new aspects had emerged: (1) an armistice had been signed in Korea, which might be said to give a rather academic tone to the discussion of the charges; (2) the repatriated American airmen had repudiated their alleged

confessions which had been extorted from them under pressure; and (3) while the United States, the Republic of Korea and Japan had agreed to an impartial investigation in accordance with the Assembly's wish, the Chinese and North Korean Communists had sent no reply.

It was recalled that the Assembly's offer was to send a commission composed of competent scientists from countries not involved in the Korean fighting. The USSR representative's contention that the proposed commission could only have presented conclusions dictated by the United States must have overlooked the fact that the countries represented on the commission would be Brazil, Egypt, Pakistan, Sweden and Uruguay. The question was what kind of body the Soviet Union would be prepared to regard as impartial. The International Committee of the Red Cross and the World Health Organization had been denied the capacity to investigate the germ warfare charge. Who then could have been given the task of interrogating the prisoners of war returning from Korea? Under the Charter, the USSR had undertaken to develop friendly relations among nations. If it brought charges without allowing an impartial investigation, it could hardly be said to be fulfilling its obligations.

The USSR draft resolution (A/C.1/L.67), these representatives considered, appeared to be a diversionary move designed to confuse the issue; it dealt primarily with matters that came within the competence of the Disarmament Commission, and was designed to distract the Committee's attention from the USSR refusal to submit the charge of bacterial warfare to an impartial investigation.

The value of the 1925 Geneva Protocol obviously depended on the good faith of the signatories. Many governments which had ratified the Protocol had made certain reservations. One could not help fearing that the USSR, which had falsely accused the United States of the use of bacterial weapons, had declared that its opponents were using them in order to release itself from its obligations under the Protocol. It would therefore seem apparent that only limited security could be provided by the Protocol. Considering that weapons of mass destruction came within the competence of the Disarmament Commission, the Assembly should refer to that Commission the Soviet draft resolution and should support the five-Power draft resolution (A/C.1/L.68), which contained such a provision.

The representative of China felt that the General Assembly should: (1) declare that the Communist charges were false; (2) instruct the Un-

ited Nations representatives at the political conference in Korea to demand that the Communists should punish those responsible for the torture of the prisoners of war and for the extraction of false confessions and to demand the return of prisoners of war still in Communist hands; and (3) condemn the "Soviet bloc," and the USSR in particular, for having deliberately falsified the truth, in violation of the principles of the Charter and for purposes of hate propaganda.

The representative of Peru pointed out that the statements obtained from the prisoners of war during their detention by the Chinese and North Korean authorities had been discussed in the Committee as though they were admissible. He recalled that prisoners of war must be protected against all acts of violence and intimidation. Under the Geneva Convention, a prisoner of war might be interrogated only as to his surname, first name, rank, date of birth, and regimental, personnel or serial number. The very fact of interrogation of prisoners of war could not be accepted as permissible.

The representatives of Egypt, Saudi Arabia, and Yugoslavia declared that they would abstain from voting on the two draft resolutions.

The representative of Yugoslavia stated that, as a signatory of the Geneva Protocol, his Government would have been willing to ask all States to ratify it. However, the USSR draft resolution had been submitted in a context which would imply condemnation of a country without investigation and proof. On the other hand, the five-Power draft would prejudice the Disarmament Commission's decisions and even the decision the Assembly might take on that body's future.

The representative of Egypt said that, in the interest of an impartial investigation, his country had accepted membership of the commission which he had expected would have come to conclusions conducive to peace and understanding. However, the course which the debate had taken in the Committee had made him feel that it was better to abstain on both draft resolutions.

The representative of Saudi Arabia stated that those who had accused the United Nations of atrocities had damaged their own cause by refusing

an impartial inquiry. However, to refer the USSR proposal to the Disarmament Commission would, he considered, hold up that body's work.

At the 653rd meeting on 31 October, the representative of the United Kingdom moved that the five-Power draft resolution (A/C.1/L.68) should be put to the vote first. This motion, which was opposed by the representative of the USSR, was adopted by 44 votes to 5, with 11 abstentions. The Committee then adopted, by 47 votes to none, with 13 abstentions, the five-Power draft resolution.

At the same meeting, the Committee decided, by 38 votes to 5, with 15 abstentions, that, in view of the adoption of the five-Power draft resolution, it would not vote on the USSR draft resolution (A/C.1/L.67).

The report of the First Committee (A/2535) containing the draft resolution recommended by it was considered by the General Assembly at its 456th plenary meeting on 3 November 1953. The representative of the USSR submitted the same draft resolution (A/L.165) which he had presented to the First Committee. The President first put to the vote the draft resolution submitted by the First Committee, which was adopted by 47 votes to none, with 12 abstentions.

The representative of the United Kingdom then moved that, in accordance with rule 91 of the rules of procedure, the General Assembly should not vote upon the USSR draft resolution. The United Kingdom motion was adopted by 39 votes to 5, with 15 abstentions.

The resolution (714(VIII)) adopted by the General Assembly read:

"The General Assembly

"1. Refers to the Disarmament Commission the draft resolution of the Union of Soviet Socialist Republics contained in document A/C.1/L.67 for such consideration as deemed appropriate under its plan of work and pursuant to the terms of reference of that Commission as set forth in General Assembly resolutions 502 (VI) of 11 January 1952 and 704 (VII) of 8 April 1953;

"2. Decides also to transmit to the Disarmament Commission for its information the records of the meetings of the First Committee at which this item was discussed."

D. COMPLAINT BY THE UNION OF BURMA REGARDING AGGRESSION AGAINST IT BY THE GOVERNMENT OF THE REPUBLIC OF CHINA

1. Consideration by the General Assembly at its Seventh Session

On 25 March 1953, Burma proposed (A/-2375) that the item "Complaint by the Union of Burma regarding an aggression against her by the Kuomintang Government of Formosa" be included in the agenda of the seventh session of the General Assembly. On 31 March, the General Assembly decided to include the item under the amended title "Complaint by the Union of Burma regarding aggression against it by the Government of the Republic of China".

In an explanatory memorandum, the Foreign Minister of Burma stated that, in 1949, some Kuomintang troops had retreated south west and crossed into Indochina, where they had been disarmed and interned, and that, early in 1950, some 1,700 Kuomintang troops had crossed the border into the Kengtung State of Burma, preyed upon the countryside and caused great hardship to local inhabitants by their demands for food, transport and services. Units of the Burmese army had contacted these troops and demanded that they should either leave Burmese territory forthwith or submit to disarmament and internment in accordance with international law. On the refusal of the Kuomintang troops to comply with either of these alternatives, units of the Burmese army had taken offensive action to enforce compliance with their demand. After several engagements in the latter half of 1950, the Kuomintang troops were dislodged from the area in which they had established themselves. It was subsequently found that they had withdrawn westward and had established a new headquarters at Mong Hsat near the Burma-Thailand frontier, where they constructed a regular airfield to facilitate the receipt of supplies from sources outside Burma. New recruits had been obtained from the Burma-Yunnan border area; the number of the troops was currently estimated at about 12,000. The commanding general of these forces, General Li Mi, had been moving between Mong Hsat and Formosa (Taiwan) and there was other evidence of a direct link with the Kuomintang Government. At the end of 1952, the troops which had so far been operating in areas east of the Salween River, had extended their activities to areas west of the river in conjunction with elements in active rebellion against the Government of Burma.

The memorandum further stated that Burma, since the middle of 1950, had enlisted the good offices of some friendly governments, particularly the United States, which had been requested to make repeated demarches to the Government of Formosa, since Burma had severed diplomatic relations with that Government. Attempts to find a solution through diplomatic channels had so far proved unsuccessful. The refusal of the Kuomintang forces to submit to disarmament and internment in accordance with international law, their hostile acts against Burmese troops and their depredations against the civilian population amounted to aggression, the explanatory memorandum stated. In the opinion of the Burmese Government, the Kuomintang troops were being directed and supported in their illegal activities by the Government of Formosa.

a. DISCUSSIONS IN THE FIRST COMMITTEE

The item was considered by the First Committee at its 605th to 612th meetings, from 17 to 22 April 1953.

Together with its explanatory memorandum, Burma submitted a draft resolution (A/C.1/L.42), by which the General Assembly would:

(1) note that "the armed troops of the Kuomintang Government of Formosa have committed acts of infringement against the territorial integrity of the Union of Burma and acts of violation of its frontiers"; and

(2) recommend to the Security Council to "condemn the Kuomintang Government of Formosa for the said acts of aggression" and to "take all necessary steps to ensure immediate cessation" of such acts.

The Assembly would further call upon all States "to respect the territorial integrity and the political independence of the Union of Burma and to be guided by the principles of the Charter in their relations with the Union of Burma".

The representative of Burma stated that his Government recognized the Central People's Government of the People's Republic of China as the only legitimate Government of China; he would thus use the word "Kuomintang" to designate the authorities of Formosa, for the sake of clarity and not in any derogatory sense.

He stated that the Kuomintang troops now in Burma called themselves the Anti-Communist Nationalist Salvation Army. General Li Mi was their over-all commander, while General Liu Kuo Chwan appeared to be the actual com-

mandant. The area in which they operated was divided into three zones: zone No. 1 was the area east of the Salween River, containing some 4,000 men; zone No. 2, in the north-eastern sector, contained about 3,000 men; zone No. 3 comprised the Mong Hsat and Mong Pan area, with some 4,000 men.

The representative of Burma then gave a geographical description of the general area around Mong Hsat, explaining that the open spaces in the immediate vicinity of Mong Hsat provided excellent air drop zones and training grounds. The Kuomintang forces had set about improving and enlarging the air strip which had been built by the Allied forces during the war as an emergency landing strip at Mong Hsat. Photographs taken of the airfield at Mong Hsat, together with photographs of Kuomintang troops undergoing training at Mong Nyen training camp, gave evidence of these facts.

Emphasizing the rapid expansion of the Kuomintang troops in Eastern Burma at the beginning of 1952, the representative of Burma stated that, as early as January 1952, contact had been established between those troops and the Karen insurgents in the Mawchi area, and early in 1952 Kuomintang troops had been sent to join with the insurgents in their fight against Burmese forces. By the middle of 1952, about 1,000 Kuomintang troops had been fighting side by side with the insurgents in the area in which the Karen rebellion had been still active. At the same time, small groups of Kuomintang troops had made their way westward and northward across the Salween River and by December 1952 the Kuomintang concentrations in the Mong Hsu and the Mong Pan areas had become so great that they had been able to take forcible possession of those States in the following months. The significant fact about all the activities was that they had occurred in widely separated parts of the Union of Burma at approximately the same time. That fact, the representative of Burma stated, indicated the existence of a concerted attempt on the part of the Kuomintang High Command to gain control of areas within the Union of Burma extending from the extreme northern limits of the Shan State to the sea coasts at Moulmein and as far westward as Loi Kaw, in the Kayah State. The Burmese Government, he said, had conclusive evidence that the linking of the Kuomintang troops with the Karen insurgents was no mere accident but part of a deliberate policy of the Kuomintang High Command to undermine the authority of the Government of the Union of Burma.

The Kuomintang forces had also interfered in the internal affairs of Burma, it was stated, and had everywhere engaged in subversive propaganda against the Government. For example, when they had occupied the Mong Hsu area, they had deposed the ruling chief and replaced him with one of their own, to whom they had given a Chinese bride. They also had issued leaflets in Burmese and Shan inciting the citizens of the Union of Burma to rebel. Their objective was obviously to set the minority groups inhabiting the eastern portions of the Union of Burma against the lawfully established government. It was obvious therefore that those self-styled anti-Communist crusaders were not fighting the troops of the People's Republic of China but were undermining the authority of the Burmese Government in the hope that they would eventually succeed in replacing it with a government more amenable to their desires. There could be no clearer case of aggression than that.

Referring to some of the depredations carried out by the Kuomintang troops against the civilian population, the representative of Burma said that the most common crime had been forcible demands for supplies or services. Since the eastern portion of the Shan State was comparatively poor, whole villages had been abandoned, owing to inability to meet the demands of the troops. In other instances, the villages had been ransacked or burnt down. The Kuomintang troops had demanded, in addition to food, building material and labour. The Mong Hsat airfield had been enlarged and improved by forced labour. The local population had also been subjected to taxation and tolls of various kinds. There had been instances where villagers had been seized and held for ransom. Some had been killed even though the ransom had been paid. In other cases, villagers had been seized and put to death on suspicion of being spies of the Government or otherwise unfriendly to the Kuomintang troops. Civilian officials of the Government had been killed as part of a deliberate policy of disrupting the administration. Women had not been spared. Furthermore, the Kuomintang troops had engaged in large-scale smuggling of opium and in organized gambling.

The representative of Burma then explained why his Government held that the activities of the Kuomintang troops in Burma were directed and supported by the Taipei Government. General Li Mi, he said, was the recognized leader of these forces. After the withdrawal of his forces to Mong Hsat towards the end of 1951, the General, according to newspaper dispatches, had

returned to Formosa. A Hong Kong newspaper had reported on 14 January 1952 that General Li Mi had returned to Formosa to confer with the chiefs of staff on guerrilla warfare. According to that account, the most important request made by General Li Mi had been for more financial aid and for skilled personnel. Documents seized in 1952 also showed that officers and men of his forces had, around the same time, been dispatched to Formosa for training. There was reason to believe that General Li Mi had been back and forth between Formosa and Mong Hsat since that time and that the last visit to Formosa had been early in March 1953.

The representative of Burma referred to documents circulated to the Committee which had been seized in the course of military operations and which, he said, lent strong support to the charge that General Li Mi's troops were under the direction of the Taipei Government. He also referred to Press reports in support of this charge. A Reuters report from Taipei of 23 January 1953 said that a Chinese Nationalist spokesman, although denying that Kuomintang troops had joined Karen rebels, stated that the Kuomintang troops fought only Chinese Communists. In a statement attributed by the Times of London to Patrick Soong, Chargé d'affaires of the Kuomintang Embassy at Bangkok, it was admitted that the Kuomintang troops, which numbered 12,500, were under the direct command of military headquarters in Formosa and that the operations were an extension of the struggle against Communism in Korea, Indonesia and Malaya. This clear admission of Mr. Soong, the Burmese representative said, constituted absolute proof.

Additional and substantial evidence of Taipei's complicity, he continued, was also provided by the phenomenal improvement in the armaments carried by the Kuomintang forces in Burma. In contrast to their light equipment in 1950, they were now armed almost exclusively with infantry and heavier weapons of United States manufacture. Burma air force planes, in recent sorties, had even encountered light anti-aircraft fire. Obviously, the growth of the force from 1,500 comparatively light-armed men to 12,000 well-armed men in less than three years could not happen in the hinterland of Burma unless some outside Power were furnishing the leadership, direction and equipment. Even without other evidence, the process of elimination would have led to the conclusion that that Power was Formosa. It was probably true, as had been said, that some of the 12,000 men who at present constituted the army of General Li Mi had been

locally recruited, but those recruits had been trained and equipped with outside help, which constituted intervention. If the Government of Formosa wished or intended to respect Burmese sovereignty, why had not Chiang Kai-shek openly ordered the withdrawal of those troops from Burma and dissociated himself from the campaign conducted by General Li Mi?

The representative of Burma said that his Government had tried hard to settle the question outside the United Nations. As soon as the Kuomintang forces had entered Burma, there had been an unsuccessful attempt to settle the matter at the military level. His Government had then been informed through the United States Embassy, which was friendly both with Formosa and Burma, that orders had been issued by Formosa for the forces to withdraw. The forces had, however, moved to the Mong Hsat area where they had proceeded to entrench themselves. Efforts at settlement had continued through the United States Embassy but, despite the encouragement and hope given to his Government, the size and equipment of the Kuomintang forces had increased. Further diplomatic efforts had been made in 1952, but his Government had reached the end of its endurance and had come to the conclusion that it had no alternative but to lay the full facts before the United Nations in order that suitable action might be taken to ensure that the Kuomintang forces should submit to disarming and internment or leave the country.

Turning to the Burmese draft resolution (A/C.1/L.42), the representative of Burma said that some representatives had privately expressed the view that its wording was too strong; but this was justified because foreign troops had forced their way into his country, embarrassed the Government and harmed its citizens. His Government's contention was that those troops were part of the Kuomintang army and were maintained by Formosa and, if that were so, the action of the Kuomintang Government certainly called for condemnation. His Government did not demand any particular form of action but asked only that the Security Council should be requested to take appropriate action.

During the debate, the Burmese delegation circulated to the members of the First Committee a folder containing a number of photostats and seized documents from invading Chinese troops.

The representative of China declared that the charge of aggression made by the Government of Burma was a serious one; but the idea of aggression against Burma had never entered the mind

of the Chinese Government. He recalled the traditional friendship between Burma and China, stating that in the Second World War the Chinese Government had sent its forces into Burma to fight Japanese aggression. The Chinese delegation in the United Nations had sponsored the resolution in the Security Council recommending the admission of Burma to the United Nations.

The charge related to an army called the Anti-Communist Nationalist Salvation Army, which was led and commanded by General Li Mi, who had been born in a village on the border between Burma and China. The men under his command had banded together to fight Communism and for the liberation of their country, and because their homes and families had been ruined by the Communist regime. Those men were regarded as heroes by all free Chinese all over the world, from whom they received financial aid. The representative of China said he wished to make it clear that he was speaking as the representative of his Government and not as the representative of the Anti-Communist Nationalist Salvation Army nor as an apologist for General Li Mi's forces; he wanted only to show the popularity of General Li Mi and his followers in China and among Chinese everywhere.

The forces, which had originally numbered about 1,700 men, had started with a core of the Chinese army, but had developed and grown into an army which was not part of the regular army of the Republic of China nor under the physical control of its Government. If these forces now numbered 12,000 men it was as a result of recruiting on the spot; the Government of China had not sent a single soldier to reinforce that army. While it was true that the Chinese Government had some influence over General Li Mi and some of the officers, that influence varied from time to time, as did General Li Mi's influence over his scattered forces.

In so far as the Government of China had influence over General Li Mi, it had used it to further the wishes of the Government of Burma. From the beginning, his Government had warned General Li Mi not to enter Burma. The representative of China noted that the boundary between China and Burma was long and complicated and even in the demarcated section it was difficult to tell where one country began and the other ended. It was even more difficult in the undemarcated area. It might be expected that his Government should pronounce a moral condemnation regarding the collection of funds by the representatives of those forces among the free Chi-

nese, but it was psychologically impossible for his Government to do so.

The representative of Burma had furnished the Committee with a number of documents which showed quite clearly the nature of the Anti-Communist Nationalist Salvation Army. For example, the reference in one of the documents to discussions and decisions taken in a battalion "sub-committee" indicated unmistakably that the army was not centrally controlled or supplied. The Burmese representative's evidence concerning appeals for supplies and money was also hardly characteristic of a regular army. In support of his thesis that the forces in Burma were not part of the Chinese regular army, the representative of China also referred to certain errors that representatives of those forces had committed and which were shown by the documents produced by the representative of Burma. One of the documents, for example, showed that one unit had demanded the release of certain Chinese merchants in Burma. The representative of China argued that the protection of citizens abroad was one of the functions of a diplomatic service and a regular army would not have taken upon itself to demand such release. Another document emanating from the forces in Burma referred to diplomatic relations between the Republic of China and Burma. Since no diplomatic relations existed between the two countries, the document which contained that error could not have emanated from an agency of the Chinese Government.

In response to the appeal of the United States Ambassador at Taipei the Chinese Government had given assurances that, despite the difficulties involved, it would try to stop the collection of funds by the agents of that army. That was a big effort on the part of his Government to meet the wishes of the Government of Burma. His Government had also given assurances that it would not give clearance to any aircraft taking off from any airfield on Taiwan (Formosa) flying to that border region. He explained that his Government had never allowed any of its aircraft to be used to take supplies to that army; any supplies had been taken in chartered and private aircraft, to which his Government would now refuse clearance for such purposes. In view of the state of mind of the Chinese people, that was not an easy step to take; it indicated the extent to which the Chinese Government wished to co-operate with and assist the Government of Burma.

The representative of China said that the actions of the Burmese Government had made it

more difficult for the Government of China to exercise its moral influence over General Li Mi. Burma had not only brought the question and the monstrous charge of aggression before the United Nations, but also, in dealing with the situation by force, had chosen to use some Burmese Communist units against the Anti-Communist Salvation Army, an action which made the problem still more **acute**.

The Chinese Government, its representative said, remained ready to use the good offices offered by the United States Embassy at Taipei. It did not wish to resort to paper promises or official documents which might not solve the problem. The question required careful study and his Government could not commit itself to something which it could not carry out within the appointed time. If the Government of Burma wished to use force, that was its business, but if it wanted the Government of China to use its moral influence in the matter, it should not put further difficulties in the way of a solution. The Burmese draft resolution was neither helpful nor just and was not acceptable.

In conclusion, the representative of China said that he appreciated the constructive intentions of other proposals which had been submitted to the Committee, whose aim was to find a settlement in accordance with the principles of the Charter. His Government would give the United Nations the utmost co-operation in achieving its objective in that matter.

During the discussion, a number of representatives, including those of Afghanistan, India, Indonesia, Iran, Israel, Yemen and Yugoslavia, declared their support of the Burmese draft resolution. They particularly deplored that aggression had been taking place for three years and they considered that the United Nations should put an end to that situation. All available evidence, they stated, confirmed the charges made by Burma. No responsible Government could tolerate a situation such as that depicted, nor could the United Nations conceal its concern.

The Chinese representative had declared that his Government had never had any intention of committing aggression against Burma and that in entering Burma the Chinese armed forces had acted contrary to its orders. Yet the responsibility of the Chinese Government was manifest, for there was regular liaison between the Chinese troops in Burma and in Formosa and there were links between those troops and the Chinese Government. The Chinese representative had even said that his Government was prepared to call on them to stop fighting. Besides, the supplies and the

modern equipment for those armed forces could obviously come only from Formosa. General Li Mi himself had declared repeatedly that the purpose of his visits to Taiwan was to submit reports to Chiang Kai-shek and, as the official commander of his armed forces, he maintained a constant liaison with the authorities in Taiwan about his military operations. The Chinese representative also claimed that General Li Mi and his men were fighting for their country under the banner of anti-Communism. But for the past three years, General Li Mi had been fighting, not against Communism, but against Burma.

These representatives said that those bands would have been eliminated by the armed forces of Burma, but for the assistance and direct support given to them in their aggressive activities. The situation was serious, the more so as the aggression had been committed in a particularly sensitive area of the globe, where an incident was likely to start a chain reaction. It was particularly unjustifiable as it had been committed against an under-developed country. These representatives concluded by stating that the best proof of the Chinese Government's professed friendship towards Burma would be for it to issue a clear order to General Li Mi to surrender his army to the Burmese Government to be disarmed or interned. The Chinese Government was urged to agree to such action.

The representative of the USSR, supported by the representatives of the Byelorussian SSR, Czechoslovakia, Poland and the Ukrainian SSR, emphasized that the aim of the Kuomintang bands in Burma was not only to extend the occupation of Burma by Chinese Nationalist forces but to carry out aggressive operations against the People's Republic of China. They had already tried to attack China in 1951 but had been hurled back. That invasion was designed to undermine the peaceful and constructive work of the liberated people of China. It was obvious that the tremendous task of rehabilitation and reconstruction which was being successfully carried out in China had aroused hatred and rage among the Kuomintang group. Thus, the presence and activities of the Kuomintang bands in Burma and their links with Taiwan were contributing to international tension. The United Nations should therefore consider the problem, not only because of its importance to Burma, but because of its vital bearing on the international situation in general and on South East Asia in particular. These representatives expressed their sympathy with the Burmese and their support for the Burmese draft resolution.

The representatives of Australia, Canada, Egypt, France, the Netherlands, New Zealand, Sweden and the United Kingdom, among others, while agreeing that the Burmese complaint was well-founded, felt that they could not unreservedly support the Burmese draft resolution. The Burmese complaint, made under Article 51 of the Charter and requesting that the Chinese troops on Burmese territory should comply with the principles of international law, was certainly legitimate. No government could tolerate on its territory foreign troops which lived off the land, engaged in depredations on the civilian population and became involved in hostilities with the official forces of that State.

It was another matter, however, for the Assembly to declare that the Government of the Republic of China was wholly responsible for the activities of General Li Mi's forces. The question was who really controlled those troops.

Without adequate proof, it could not be assumed that they were acting on the orders of the Government of the Republic of China. Captured documents and press cuttings, it was argued, were not convincing evidence.

The representative of China had indicated his Government's willingness to use its influence to seek the withdrawal of Chinese troops in Burma. It thus seemed that Burma and the Republic of China were following similar aims. The United Nations was entitled to expect the co-operation of the Government in Taipei either for internment or for evacuation. It seemed that a reasonable approach to the question would be to urge a practical solution on the following points: prevention by all governments of the passage of supplies of any kind to the irregular Chinese troops; continued negotiations and the use of good offices of friendly States by the parties; full co-operation by the Government of the Republic of China and, in particular, the use of all that Government's influence with the command of the irregular forces; an injunction to those forces to submit to internment; and the co-operation of neighbouring governments.

These representatives suggested that a more appropriate draft resolution would be one, which, recognizing the established facts of the case and the principles of international law, would place the main emphasis upon the paramount hope of reaching a practical solution by negotiations between the parties directly concerned, with such assistance as might be rendered by third parties.

The representative of Thailand said that the complaint of the Burmese Government was a

delicate question as far as his country was concerned, since the dispute was between two States with which it maintained friendly relations. Although there was no justification for their presence and activities in Burma, he did not think that the Chinese troops had been introduced into Burma with aggressive intent. Their presence there had been brought about by the vicissitudes of the war in China. Nevertheless, they should lay down their arms and surrender to the Burmese authorities. Thailand had already taken measures to reinforce control of traffic across the Thailand-Burma frontier, thus giving Burma practical co-operation. Nevertheless, since the frontier between the two countries was an undeveloped tropical area, it could not be completely sealed. The cause of the dispute between Burma and the Republic of China could be eliminated by the disarming and internment or by the evacuation of the Chinese armed forces in Burma. If it should be decided to evacuate the Chinese troops after they had been disarmed in Burma, his Government was prepared to assist in the evacuation of those troops through Thailand.

The representative of the United States said that, as the Governments of Burma and of the Republic of China did not maintain diplomatic relations with each other, the United States, at Burma's request, had acted as an intermediary and had vigorously sought to bring the parties to an agreed method of meeting the situation. The Chinese Government should first agree in principle to co-operate to the best of its ability to effect a withdrawal of General Li Mi's troops. The hostile activities should cease and feasible methods for withdrawing the troops should be discussed, followed by disarming and evacuation of the troops from Burma. That was the type of solution the United States Government sought to achieve. It remained to be seen, however, whether all those irregular troops would agree to leave Burma. Nevertheless, it was to be hoped that, if the negotiations were successful, a substantial number of the men would leave Burma and that would reduce the problem to manageable proportions for the Burmese Government.

At the 610th meeting on 21 April, Mexico submitted a draft resolution (A/C.1/L.44/Rev.2), which was adopted by the Committee with certain amendments (for text, as amended, see below) at its 612th meeting on 22 April. At that meeting the Committee adopted an Iranian proposal to give priority in voting to the Mexican draft resolution.

It adopted, by 53 votes to none, with 7 abstentions, an amendment to the Mexican draft resolu-

tion submitted jointly by Argentina and Chile, which, as later revised (A/C.1/L.45/Rev.1), provided for the insertion of a new paragraph to the effect that the Assembly would recommend that the negotiations then in progress through the good offices of certain Member States should be pursued, in order to put an end to the existing serious situation by means of the immediate disarmament and withdrawal of the said forces from the territory of Burma or by means of their disarmament and internment.

On presentation of the joint amendment, the representative of Argentina withdrew a draft resolution (A/C.1/L.43), which he had introduced on 21 April, proposing that the Government of Burma, the Government of China and other parties directly concerned should enter into negotiations with a view to bringing about the immediate withdrawal of the troops from Burma. The Committee also adopted certain clarifying amendments proposed by Lebanon (A/C.1/L.46):

(1) To specify in the third paragraph of the preamble that in addition to any assistance which enabled the foreign forces to continue their hostile acts, any assistance enabling them to "remain in the territory of Burma" was also contrary to the Charter. (Adopted by 22 votes to 11, with 27 abstentions.)

(2) To redraft the fourth paragraph of the preamble to have the Assembly state that the refusal of those forces to submit to disarmament or internment was contrary to international law and practice (instead of, as in the Mexican draft, note that the Burmese Government had reported that those forces refused to submit to disarmament or internment in accordance with international law and practice). (Adopted by 26 votes to 10, with 24 abstentions.)

(3) To amend the first operative paragraph to state that the Assembly deplored the situation and condemned the "presence" of those forces, as well as their hostile acts. (Adopted by 25 votes to 2, with 32 abstentions.)

(4) To add in the final paragraph the provision that States would refrain from giving assistance to those forces which would enable them to "remain in the territory of Burma", as well as assistance enabling them to continue their hostile acts. (Adopted by 27 votes to 2, with 31 abstentions.)

The Mexican draft resolution, as a whole, as amended, was adopted by 58 votes to none, with 2 abstentions.

The Committee did not vote on the Burmese draft resolution.

b. RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

The draft resolution recommended by the First Committee (A/2391) was adopted by the General Assembly at its 428th plenary meeting on 23 April by 59 votes to none, with 1 abstention.

During the explanation of votes, the representative of Burma stated that he had voted for the resolution although Burma would have preferred its own resolution, which sought condemnation of the Kuomintang Government for the acts of aggression, but it had been impressed by the sympathetic and helpful attitude of the Member States and had therefore identified itself with the resolution which had the approval of all the Member States except China. The representative of China declared that he agreed with the resolution insofar as it only stated that aggression had been committed by certain "foreign forces". However, it was the first time judgment had been passed on grave charges without careful examination, including investigation on the spot. His delegation had therefore abstained from voting.

The resolution (707(VII)) adopted by the Assembly read:

"The General Assembly,

"Having examined the complaint by the delegation of the Union of Burma regarding the presence, hostile activities and depredations of foreign forces in the territory of the Union of Burma,

"Considering that these facts constitute a violation of the territory and sovereignty of the Union of Burma,

"Affirming that any assistance given to these forces which enables them to remain in the territory of the Union of Burma or to continue their hostile acts against a Member State is contrary to the Charter of the United Nations,

"Considering that the refusal of these forces to submit to disarmament or internment is contrary to international law and usage,

"1. Deplores this situation and condemns the presence of these forces in Burma and their hostile acts against that country;

"2. Declares that these foreign forces must be disarmed and either agree to internment or leave the territory of the Union of Burma forthwith;

"3. Requests all States to respect the territorial integrity and political independence of the Union of Burma in accordance with the principles of the Charter;

"4. Recommends that the negotiations now in progress through the good offices of certain Member States should be pursued, in order to put an end to this serious situation by means of the immediate disarmament and withdrawal of the said forces from the territory of the Union of Burma or by means of their disarmament and internment;

"5. Urges all States:

"(a) To afford the Government of the Union of Burma on its request all the assistance in their power to facilitate by peaceful means the evacuation of these forces from Burma; and

"(b) To refrain from furnishing any assistance to these forces which may enable them to remain in the territory of the Union of Burma or to continue their hostile acts against that country;

"6. Invites the Government of the Union of Burma to report on the situation to the General Assembly at its eighth session."

2. Report by the Government of Burma to the General Assembly's Eighth Session and Statements by the Chinese Foreign Minister and by the Joint Military Committee

a. REPORT BY THE GOVERNMENT OF BURMA

By a letter dated 29 June 1953 (A/2423), the delegation of Burma submitted copies of the documents used in support of its complaint regarding aggression by the Government of the Republic of China and requested that they be issued as United Nations documents.

On 10 September 1953, in accordance with General Assembly resolution 707(VII), the permanent representative of Burma submitted to the Assembly his Government's report (A/2468) on the presence of foreign forces in its territories. The report stated that, to facilitate the evacuation of foreign forces from Burma, approaches had been made to the United States Embassy at Rangoon. Due to the efforts of the Ambassador and of the American envoys in Bangkok and Taipei, a four-nation committee (later referred to as the Joint Military Committee) composed of representatives of the United States, Thailand, Burma and the Republic of China, had been formed to discuss the means and procedures for evacuating these troops.

At the first meeting of this Committee on 20 May 1953, the Chinese delegate had taken the position that his Government could only use its influence to persuade General Li Mi's troops to go to Taiwan. The repatriation, he had said, could only be on a voluntary basis. This stand had disappointed the Burmese Government, the report said, especially as it followed in the wake of General Li Mi's Press interview with a correspondent of Time, reported in the issue of 18 May 1953, in which he had stated falsely that Burmese action was inspired by the People's Republic of China. He had also stated falsely that the Burmese Foreign Minister had visited China. General Li Mi was quoted as having said that "rather than evacuate, we could still turn into bandits and plunder to stay alive."

On 23 May the delegation of Burma had submitted a plan for a cease-fire in the Mong Hsat area and along the corridor leading from Mong Hsat to the Thailand border, together with alternative plans of evacuation by road, by air and by road and air from Burma to Thailand. On 25 May these plans were conveyed to the Chinese representative who maintained the position that, since the Chinese Government maintained no control

over these forces, it could not be held legally responsible for any possible failure to carry out in full the United Nations resolution. A draft agreement later presented by the Chairman and accepted by the Thai and Burmese representatives was not acceptable to the Chinese representative, who said that he would have to go to Taipei for instructions.

On 14 June, the Chinese representative, who was expected to come back fully authorized to make decisions, stated that Formosa was willing to accept only those troops who wanted to go there. With regard to the proposed visit of the Committee to Mong Hsat to work out details of this evacuation, he said that he could not guarantee the safety of the Burmese members. He had then made the demand that all Chinese (civilians and military personnel alike), kept under detention for collaboration with General Li Mi's troops, should be released forthwith. However, at further meetings, and by 17 June, the Chinese representative had accepted the draft agreement in principle, except that he continued to insist upon the inclusion in the agreement of the release of Chinese collaborators. At that point, there were no great divergencies of views and if the matter had been left to the decision of the Government of Burma, a satisfactory solution would most probably have been evolved. The question of the expenses of evacuation was also discussed and, by the end of June, the prospects of an agreement among the four nations appeared to be bright.

At this stage, one of Li Mi's generals, Lt. General Lee Yu-foo, who with other officers had been invited to come to Bangkok to satisfy themselves concerning the proposed scheme of evacuation, had made a provoking statement, in which he had said that General Li Mi's troops were not going to withdraw from Burma because, as they were not represented during the discussion leading to its adoption, they considered the United Nations resolution as unlawful. Stating that his troops were protecting all main routes which would have to be used in a Chinese Communist invasion of South East Asia, General Lee said that those troops could be of immeasurable assistance to the Chinese Nationalist Government when Generalissimo Chiang Kai-shek gave the order for invasion of the Chinese mainland. On 15 July, General Li Mi made another statement that he could not issue orders to his troops to withdraw. Representations were made to Taipei and a deputy of General Li Mi was despatched from Formosa to meet the Committee. However no results followed his arrival.

The Burmese Government regretted that the evasive and delaying action of the Chinese rep-

representatives on the Committee and the conduct of the authorities in Formosa led to the conclusion that General Li Mi's troops would continue to stay in the territories of Burma on the false excuse that they were combating Communism. No authoritative person in Formosa had, at any moment, expressed the least sympathy for the Burmese or had deplored publicly the presence of foreign troops in Burma. General Li Mi was residing in Formosa as an honoured hero. During all this time, financial assistance continued to flow from Formosa and planes continued to land at Mong Hsat.

On 10 August, the report continued, the United States Ambassador at Rangoon had informed the Burmese Government that Shao Yu-lin, formerly Chinese Ambassador in South Korea, was at Bangkok and on his way to Mong Hsat as a personal representative of President Chiang to explain the position to the officers and men.

While the Government of Burma placed on record its thanks to the United States and Thailand Governments, it felt that the talks in Bangkok would not lead to any great results. Even at this stage, the Chinese representative, although agreeing to the evacuation of these troops in principle, made the reservation that only those willing to be repatriated would be taken to Formosa.

By a letter dated 28 October 1953 (A/C.1/L.70), the Burmese delegation transmitted, for the Assembly's information, various documents relating to the question.

b. STATEMENT BY THE CHINESE FOREIGN MINISTER

By a letter dated 26 October (A/C.1/L.69), the representative of China transmitted a copy of a statement issued by the Minister for Foreign Affairs of China on 8 October 1953 on the question of evacuation of the Chinese irregulars under General Li Mi's command in Burma. This document stated that since the adoption of the General Assembly resolution of 22 April 1953, the Chinese Government had exercised its utmost persuasive influence in trying to get as many of them evacuated to Taiwan from Burma as possible. The majority of those forces however, consisted of local inhabitants from the different Yunnan-Burma border regions who, as victims of Communist oppression, had gathered under General Li Mi's banner to fight against their common oppressors. It was beyond the power of the Chinese Government to force these people to leave their native places and to accept evacuation, together with their families, to Taipei.

During the past few months, the Chinese Government had fully co-operated with the four-Power Joint Military Committee in Bangkok in devising a feasible plan for the withdrawal of those irregulars who would agree to evacuation. Despite great difficulties, the Chinese Government had now succeeded in persuading some two thousand irregulars, together with a few hundred of their dependants, to evacuate to Taiwan.

Immediately before the conclusion of the evacuation plan, the Burmese representative, on 16 September, had submitted a demand for the evacuation of all Chinese irregulars from Burma and after the Chinese representatives had said that that was definitely beyond the powers of his Government, the Burmese representative had withdrawn from the conference. The Chinese Government had, however, continued its efforts towards an evacuation of those men who had pledged to leave Burmese territory and had requested that the Committee remain in session to finalize the plan, which had been agreed to by the Governments of Thailand and the United States.

The statement charged that the Burmese air force had made incessant raids on several places where the Chinese irregulars who had pledged to leave Burma had been assembled. The bombing had seriously affected the operation and the Chinese Government was as yet unable to assess how far such attacks had obstructed the evacuation plans. It was still prepared to sign the evacuation plan as agreed upon by the Governments of Thailand, the United States and China, although results would depend entirely upon the course of action to be taken by the Burmese Government.

c. STATEMENT OF THE JOINT MILITARY COMMITTEE

By a letter dated 29 October 1953 (A/C.1/L.71), addressed to the President of the General Assembly, the United States transmitted a statement issued by the Joint Military Committee in Bangkok on 29 October 1953. This stated that the Government of the Republic of China had assured Thailand and the United States that about two thousand foreign forces together with their dependants would be evacuated from Burma, that all foreign forces refusing to leave Burma were disavowed by the Chinese Republic and that it would not help those remaining there with any supplies.

3. Consideration by the General Assembly at its Eighth Session

At its 435th plenary meeting on 17 September 1953, the General Assembly decided to include

in its agenda the item entitled "Complaint by the Union of Burma regarding aggression against it by the Government of the Republic of China: Report of the Government of the Union of Burma" and referred it to the First Committee.

The First Committee considered the item during two series of meetings: the 653rd to 657th meetings, from 31 October to 5 November, and the 677th to 679th meetings, from 27 November to 4 December 1953.

a. DISCUSSIONS IN THE FIRST COMMITTEE FROM 31 OCTOBER TO 5 NOVEMBER

At the 653rd to 657th meetings of the First Committee, from 31 October to 5 November, the following statements were made.

The representative of Burma stated that, despite the optimism of Mr. Shao Yu-lin, personal representative of Chiang Kai-shek, who had made a tour of the Mong Hsat area, no progress had been made in the evacuation of Chinese forces in Burma.

In order to obtain definite pledges, the Burmese representative on the Joint Military Committee had asked for the evacuation of 5,000 men in three months, a very reasonable request involving the evacuation of only 200 men daily. However, the representative of the Republic of China had rejected that figure and had made no counter-proposal, with the result that the negotiations had collapsed. The Kuomintang had later decided to accept an evacuation scheme, details of which had been worked out by the Committee in the absence of the representative of Burma. The figure proposed was 2,000 men. Although the United States Embassy at Rangoon had informed Burma that the Formosan Government was serious in its efforts to evacuate the troops, General Li Mi still refused to give the order for evacuation. Meanwhile, the Kuomintang marauders were continuing their depredations and penetrating deeply into Burma. They were also continuing their traffic in opium and wolfram. Burma, after having stayed its hands at the request of its friends, had resorted to the bombing of hideouts and strongholds. That action had led to strong protests from the Taipei authorities and had been made much of the Chinese statement (A/C.1/L.69). Those raids, however, had been carried out before any preparations for evacuation had been made, if indeed any such preparations had been made at all. On hearing that there was a chance of withdrawal, the Burmese Government had stopped the raids. The only places bombed after 1 October had been areas north and south of Mong Hsat, where, Burma had been

informed, there were bandit forces not under the control of General Li Mi, and there had been no bombing operations since 14 October. On 6 October it was learned that between 1,500 and 2,000 men could be evacuated. That meant that 10,000 men would still be left to embarrass the Burmese Government in its domestic and international relations. They would have to be fought in difficult terrain. Nevertheless, the Burmese Government had replied, on 14 October, that it would not interfere with the departure of the 2,000 men, against whom operations would cease until 15 November, but it had emphasized that the Government of the Republic of China, which had brought the original force and expanded it, should be held responsible for the removal of the entire body from Burma.

Referring to the communique of 29 October of the Joint Military Committee (A/C.1/L.71), the Burmese representative said that it remained to be seen whether the 2,000 men would really be withdrawn by 15 November. The communique also mentioned that the Republic of China would give no assistance to those remaining in Burma, which, incidentally, he said, proved once more that the Chinese forces in Burma were maintained by Formosa. The disavowal of the Chinese remaining behind in Burma was a matter of concern to the Burmese Government, for it was not in compliance with Assembly resolution 707(VII), which called for the withdrawal of the entire Chinese force. There was reason to fear that Taipei's disavowal of those unwilling to leave Burma was part of a strategy to make a token removal at the time of the Assembly. The representative of Burma then read to the Committee certain documents which purported to show that there was an army, 3,000 men strong, in the vicinity of Bhamo, far north of Mong Hsat, which would not be prepared to evacuate from Burma if ordered to do so. Li Mi's new plan was merely to shift his headquarters. If the Formosa Government moved out a token force, it would naturally be from the base which it intended to abandon. As for the troops in the Bhamo area, north of Mong Hsat, and the Mawchi area, south of Mong Hsat, the Chinese representative in the Joint Military Committee had said that it was unnecessary to make any evacuation plans for them, because General Li Mi did not control them.

The Burmese representative said that his Government would consider the evacuation of 2,000 men as merely the shadow of a solution. Moreover, the withdrawal of the troops which had entered Burma could not be made conditional on the signing of an agreement which Burma could not

be blamed for not wanting to sign. The fact was that the Chinese would like to get out of the venture without loss by merely evacuating 2,000 men. But Chiang Kai-shek and Li Mi were under a moral obligation to remove their entire force and to disarm the local recruits who did not wish to go to Formosa. The Burmese delegation, while refraining from submitting any new draft resolution, reiterated that the activities of the Kuomintang army in Burma were fostered by the authorities in Formosa and that they should be branded as aggressors. Burma was deeply grateful for the efforts of the United States to settle the question, but it could not agree with the view expressed by the United States representative that the evacuation of 2,000 men would be a substantial implementation of the Assembly's resolution. In dealing with the authorities in Formosa, moral pressure was perhaps not enough. General Chiang Kai-shek should be persuaded to repudiate, at the presidential level, the troops involved. If the Formosa authorities were threatened with a suspension of foreign aid or with ouster from their seat in the United Nations, the Kuomintang bands would disappear within a month, the Burmese representative declared. It was hard to believe that Formosa would be allowed to continue to flout the authority of the United Nations.

The representative of China stated that there were a number of contradictions in some of the documents submitted to the Committee and, particularly, in document A/C.1/L.70. He referred to the results of the negotiations undertaken by the Joint Military Committee, which had met at Bangkok in accordance with the Assembly's recommendations at the seventh session. The statement issued by the Committee on 29 October 1953 (A/C.1/L.71) represented positive results. The figure of 2,000 men to be evacuated was approximate, for it did not include the families of those persons. But it was in no sense restricted; the Chinese Government had never placed any limit on the number of irregular troops to be evacuated and was prepared to welcome all those who could be induced to return. The figure of 2,000 was merely the one which had been given to the Chinese Government by the leaders of the forces. Furthermore, the Chinese Government had completely and unreservedly disavowed all those who refused to leave Burmese soil.

The representative of China then referred to the difficulties involved in such an operation. In the first place, it was difficult to estimate the exact number of the forces to be evacuated. It was also difficult to ascertain the composition of those forces, which comprised not only Chinese, but

also Karens, Kachins, Chins, Shans and Burmese. They had a fanatic faith in their anti-Communist mission, which they envisaged in their own peculiar way. The Chinese Government had done its best to conform to General Assembly resolution 707(VII). United Nations documents on the subject had been transmitted to Formosa and distributed to General Li Mi and his supporters. Mr. Tsiang himself had gone to Formosa to explain the matter to the legislature and describe the position of the United Nations. He had actually had an interview with General Li Mi, whom he had attempted to convince. But he had encountered a fanatic who thought he was responsible for the campaign against Communism in South East Asia. The Chinese representative then referred to the mission of Ambassador Shao Yu-lin who had been sent by the Chinese Government into the Burmese jungle with promises of welcome for those who returned and severe warnings to those who stayed in Burma against the wishes of the Chinese Government. Partly as a result of those efforts, the leaders of the Anti-Communist Nationalist Salvation Army had agreed to evacuate the six places specified by the representative of Burma in the Joint Military Committee, and to try to persuade as many as possible to agree to leave Burma. In mid-September, the leaders had informed Taipei that they had induced 2,000 soldiers to return to Formosa with their families. The Chinese Government would have preferred to start evacuation in August without defining the number to be evacuated. It had hoped that once evacuation had started the early evacuees would help to promote further evacuation.

As to the suggestion made by the representative of Burma that the President of the Chinese Government should repudiate General Li Mi, the representative of China said that his Government had not repudiated General Li Mi because it was using his influence to induce 2,000 men to leave. It hoped that he would openly proclaim the dissolution of the whole force. Once Li Mi's influence was exhausted, the question of repudiation might arise, but before that stage was reached, repudiation would not be helpful. The fact that the Chinese Government had undertaken not to supply the irregulars had been misinterpreted. What it had undertaken, and would take stronger and firmer steps to do, was to prevent further supplies from being smuggled out of Formosa. Difficulties still existed which could be overcome with the assistance of all the Member States, including China and Burma. One way in which the Burmese Government could help would be in implementing the assurances which it had given

with regard to the abstention from military action against people assembled for evacuation. If the evacuees were to suffer heavy casualties, the Chinese Government could not fulfil its undertakings to the leaders of the irregular forces and the evacuation plans might be upset.

During the discussion, the representatives of India, Indonesia, Israel, Liberia, Pakistan and Yugoslavia, among others, expressed the view that the continued presence of foreign forces in Burma and the refusal of the Taiwan authorities to order the generals to submit to disarming and internment constituted a clear case of aggression. They maintained that the Taiwan authorities had continued to give those forces moral and material support in disregard of Assembly resolution 707 (VII). Their responsibility was evident, it was stated, from the manner in which General Li Mi maintained close liaison with them and from their knowledge of the exact situation in Burma. The evacuation of a token force of 2,000, it was stated, was entirely inadequate. These representatives further considered that the mere disavowal of the remaining 10,000 would pose graver problems for Burma. The disavowal of the remaining forces by Formosa, it was stated, instead of helping to remedy the situation, would lead to the intensification by those forces of their marauding activities. These representatives deplored the lack of an appeal by the Chinese Foreign Minister to the leaders of the forces in Burma to lay down their arms. They also emphasized the need for an order from Generalissimo Chiang Kai-shek for the troops to surrender to disarming and internment.

The USSR representative and the representatives of the Byelorussian SSR, Czechoslovakia, Poland and the Ukrainian SSR stated that the aggressive activities of the Kuomintang bands in Burma were a constant threat to peace and security in the Far East. Their task was to maintain a trouble spot in South East Asia in the hope of provoking a flare-up by an aggression against the People's Republic of China. The Chiang Kai-shek regime had been making preparations for such an aggression for a number of years with the knowledge and support of the Government of the United States. The continued toleration of the Chiang Kai-shek regime by certain countries had aroused legitimate and world-wide criticism and had served to aggravate the situation in the Far East. Cessation of assistance and of the delivery of arms and equipment to the Kuomintang would make it impossible for them to keep up their aggressive attitude, to maintain themselves in Burmese territory, or to continue their hostile

acts directed against a Member State. The situation had been made possible only by the United States support of the Kuomintang; the United States had every means of bringing the activities of the Kuomintang bands in Burma to an immediate end if it threatened to suspend its assistance to Taiwan. The Government of Thailand, it was stated further, was playing an unedifying role in the whole affair in allowing passage through its territory of armaments and equipment for the Kuomintang bands in Burma.

The representatives of Australia, Belgium, Canada, Egypt, France, New Zealand, Sweden and the United Kingdom expressed their appreciation for the agreement which had been reached to evacuate 2,000 men from Burma and paid tribute to those who had contributed to that achievement, which constituted a first step towards the implementation of Assembly resolution 707(VII). It was said, however, that the figure of 2,000 men was obviously not very large and that it was understandable that the Burmese representative should consider that that measure would not solve the problem. Nevertheless, there was hope that a larger number might agree to be evacuated later and that the rest would disperse of their own accord. The Chinese Government had declared that it would disavow those who remained, a measure which might strengthen the position of the Burmese Government and lead to further steps in solving the over-all problem.

There certainly was a limit to what could be achieved by international action, but the United Nations could not claim that the problem was solved until the whole force had been permanently dispersed. The Assembly should therefore not give the impression that it regarded the matter as closed. It should keep in touch with events in order to see whether appropriate action followed from its debates. The complete liberation of Burma from foreign troops should be realized gradually under international control, but without constraint. Because of the limited scope of international action, the solution of the problem lay, on the one hand, with the Burmese Government and, on the other side, with the Chinese Nationalist Government.

The representative of the United States surveyed the work of the Joint Military Committee, stating that after Burma had left that Committee, the United States had acted as an intermediary to ensure the execution of the evacuation plan. On 27 October, the representative of the Chinese Government at Bangkok had stated that the first group of evacuees would reach the Burma-Thailand border by 5 November; hence the com-

muniqué of the Joint Military Committee which was now before the First Committee (A/C.1/L.71). It had then been possible to make practical arrangements for the evacuation: an air lift from Thailand to Formosa; the dispatch of Burmese observers; the reception of the evacuees at the border and their transit through the territory of Thailand; the furnishing of food, shelter and care; and the provision of security troops. All those services were being furnished by Thailand, without whose co-operation and hospitality the operation could not have been carried out. The Chinese Government had clearly stated that it intended to remove as many irregulars as possible, but it was clear that that Government exercised a very limited influence over those troops.

In reply to accusations made during the debate, the United States representative stated categorically that his Government was in no way involved in the activities of the foreign forces on Burmese soil; it deplored their continued presence in Burma and it was a monstrous charge to suggest that the United States would even for one moment consider giving them aid or support. The role of the United States in dealing with this problem had consistently been to extend its good offices in a sincere effort to arrive at a solution. He believed the agreement reached to be a substantial implementation of Assembly resolution 707(VII), but considered that it was not in the power of other governments to secure the complete evacuation of all those troops by peaceful means.

In response to the question as to whether the announced plan would actually be carried out, he reported that on 28 October 1953 officials of the United States Embassy at Bangkok had entered into a contract for the air lift to Taipei of the troops evacuated from North Burma. The contract provided for the non-stop flight of those foreign troops to Taipei at a rate of approximately 200 a day. The cost of the evacuation would be defrayed by the United States, China and Thailand. The first of those evacuees would be expected to arrive on the Thailand border on 7 November. The Burmese Government had accepted the evacuation plan in principle and had given assurances of full co-operation. His Government's interest in the problem, he said, would not cease with the present evacuation of troops and their dependants. After that evacuation it hoped to be able again to consult with the interested parties regarding further action and, as long as the countries directly concerned found its efforts helpful, it would be ready to render what service it could.

The representative of Thailand emphasized his Government's concern over the question and recalled the Thai representative's suggestion at the seventh session of the Assembly to the effect that a body might be designated to assist the parties in finding a solution. Thailand had also offered facilities for the evacuation of forces through its territory. The difficulties encountered during the negotiations had been caused not so much by the preparation of the evacuation plan or the details of its implementation as by the necessity of securing the concurrence of the parties in a plan which would attain the objective of the United Nations and be capable of practical application within the means at the disposal of the Joint Military Committee. It could be expected that the programme of evacuating 2,000 men and a number of their dependants would be carried out successfully and that its scope might later be enlarged. If the solution did not cover the whole problem, the United Nations was nevertheless on the right path.

In reply to certain references to his country's role in the matter, he said that the representatives of Thailand had worked without stint on the Joint Military Committee and outside it to ensure the implementation of the General Assembly's resolution. They had offered to spend about 160,000 dollars to effect the evacuation. They were making available transportation, food, lodging and medical care for the thousands of evacuees who would cross Thailand's territory. Those endeavours were made without ulterior motives.

It was, in fact, Thailand's overriding interest to help quell the political unrest in South East Asia and hence to achieve the best solution of this problem. In view of the unfounded charges which had been made, his Government might be compelled to conclude that it would be improper for it to assume any longer the responsibility for the ungrateful task of permitting its territory to be used for evacuation purposes.

On 5 November, Australia, Brazil, Canada, India, Mexico, New Zealand and the United Kingdom submitted a draft resolution (A/C.1/L.73), providing that the First Committee, having considered the report of the Government of Burma (A/2468), the letter dated 26 October from the representative of China (A/C.1/L.69) and the letter dated 29 October 1953 from the United States delegation (A/C.1/L.71), should decide to adjourn further consideration of this question to a date not earlier than 23 November 1953. At its 657th meeting, on 5 November, the Committee adopted the seven-Power draft resolution by 50 votes to 3, with 6 abstentions.

b. DISCUSSIONS IN THE FIRST COMMITTEE FROM 27 NOVEMBER TO 4 DECEMBER

By letters dated 26 and 27 November and 2 December 1953 (A/C.1/L.89, A/C.1/L.91 and A/C.1/L.93), the representative of the United States transmitted messages received by his Government from the Joint Military Committee in Bangkok, reporting on the progress achieved in the evacuation of foreign forces from the territory of the Union of Burma. These reports stated that a total of 770 persons had been evacuated by 21 November and that a further 143 had been evacuated by 30 November 1953.

The First Committee resumed its meetings on the Burmese question on 27 November 1953. On that date, Australia, Canada, India, Indonesia, New Zealand, Norway, Sweden and the United Kingdom submitted a draft resolution (A/C.1/L.90), providing that the General Assembly, having considered the report dated 31 August 1953 (A/2468) of the Government of the Union of Burma on the situation relating to the presence of foreign forces in its territory, would:

- (1) note that limited evacuation of personnel of these foreign forces had begun as from 7 November 1953;
- (2) express concern that few arms had been surrendered by them;
- (3) appreciate the efforts of the United States and Thailand in striving for the evacuation of these forces;
- (4) urge that efforts be continued for the evacuation or internment of these foreign forces and the surrender of all arms;
- (5) reaffirm General Assembly resolution 707 (VII) of 23 April 1953;
- (6) urge upon all States to refrain from furnishing any assistance to these forces which might enable them to remain in the territory of Burma or to continue their hostile acts against that country; and
- (7) invite the Government of Burma to report on the situation to the General Assembly as appropriate.

On 1 December, Thailand and the United States submitted amendments (A/C.1/L.92) to the eight-Power draft resolution:

- (1) to insert in the preamble, a reference to the reports of the Joint Military Committee in Bangkok;
- (2) to state in the fourth operative paragraph that efforts should be continued by "those concerned" for the evacuation of the troops and the surrender of arms; and
- (3) to insert in the last paragraph a provision whereby both the Joint Military Committee and the Government of Burma would report to the General Assembly.

On 4 December, Australia, Canada, India, Indonesia, New Zealand, Norway, Sweden and the United Kingdom, together with Uruguay as

an additional co-sponsor, submitted a revision (A/C.1/L.90/Rev.1) of their draft resolution.

The revised draft included in the first paragraph of the preamble, in addition to the reference to the report of the Burmese Government (A/2468) a reference to all other information on the subject laid before the Assembly. It revised the fourth operative paragraph in accordance with the joint amendments and inserted a new operative paragraph to invite the governments concerned to inform the Assembly of any action that they had taken to implement the present resolution, and to revise the last operative paragraph to request rather than invite Burma to report on the situation to the Assembly as appropriate.

The amendments (A/C.1/L.92) of Thailand and the United States were thereupon withdrawn.

On the same date, the representative of the USSR proposed an oral amendment to delete the third operative paragraph of the revised nine-Power draft resolution expressing appreciation of the efforts of Thailand and the United States.

The representative of Burma made a statement concerning the situation prevailing in his country. On 29 October the Joint Military Committee at Bangkok had decided that the troops to be evacuated would bring their arms with them and that such arms would be destroyed. On 7 November the evacuation had begun and the first group of evacuees had crossed the border. At the time, Burmese observers had not been able to proceed to the border and that first hitch had aroused his Government's apprehension. On that day, 150 men had crossed the borders without bringing their arms, on the pretext that they had wanted to avoid a dash with Burmese troops during the evacuation. The evacuees had been flown to Taipei in General Chennault's plane. That group had brought either no weapons at all or obsolete light arms sometimes unserviceable and always in small quantities. Drawing the Committee's attention to the report by the Joint Military Committee (A/C.1/L.89), the Burmese representative pointed out that, on 8 November, there had been among the evacuees 38 Shans who could not speak Chinese and had been recruited only one week before. Moreover, there had been among the evacuees, not only a number of sick or wounded, but even old men, women and children. It was obvious that the Burmese Government could not be satisfied with such an evacuation.

The withdrawal of 2,000 persons and the surrender of 40 worthless weapons meant little in relation to the forces remaining in Burma. The Chinese Government, which had left the troops in question behind in 1950, still refused to give them official orders to withdraw. So long as such

an order was not forthcoming from Formosa, the men would remain in the jungle. The Burmese Government had shown great patience since the adoption of the Assembly's resolution of 23 April 1953. The time limit for the cease-fire had been extended twice. If the evacuation became more serious and tangible progress was made, the Burmese Government would continue to co-operate.

Answering the representative of Thailand's assertion that the efforts of the Joint Military Committee had not been fully appreciated, he expressed his Government's gratitude towards that Committee for the good will it had displayed but, he said, it had to be remembered that the Joint Military Committee was not an organ of the United Nations. For that reason, his delegation thought that there was no reason to use the term Joint Military Committee in the draft resolution.

The Burmese delegation was not entirely satisfied with the draft resolution, believing that aggressors should be labelled as such; it wished to re-emphasize that what was happening in Burma was a clear act of aggression, a word which some representatives disliked. However, the representative of Burma indicated, he would support the draft resolution in the hope that it would be adopted unanimously.

The representative of China stated that the information contained in the message of the Joint Military Committee (A/C.1/L.89) was in accordance with that at the disposal of his Government. The first evacuations had not proceeded as satisfactorily as the Chinese Government had hoped. The first difficulty had arisen on 8 November, when 38 persons had been refused evacuation allegedly because they were Burmese and not Chinese nationals. He explained that in that part of Asia, some tribes were distributed over parts of China, Burma, Thailand and Laos. The complexity of the ethnical situation in that area was great and made a sound identification of the evacuees a difficult matter.

Another difficulty that had arisen related to the small number of weapons brought out by the evacuees; but one must recall that the forces in question were poorly equipped. The leaders had also explained that the likelihood of conflict and misunderstanding would be lessened if they came out of the jungle without arms. It was the intention of the leaders to collect the weapons and to deliver them en bloc to the receiving committee at the border.

The representative of China again expressed his surprise that the term "aggression" was used.

It was especially peculiar to speak of aggression when the evacuation was progressing daily. In actual fact, since the resolution had been adopted, practical steps had been taken to implement it and substantial progress had been achieved. The Chinese delegation deeply appreciated the efforts of the United States, Thailand and the Joint Military Committee, but it felt that the co-operation given to the latter body by its Government had not always been appreciated; the difficult conditions in which the evacuation was taking place were often overlooked. The Committee should realize that the situation was changing from hour to hour. Information had come that weapons had just been shipped from Mong Hsat and would soon be surrendered to the Joint Military Committee. Consequently, the expediency of another resolution seemed open to doubt. The Chinese delegation understood the intentions of the sponsors of the draft resolution; however, in view of the fluid situation prevailing, it would abstain from the vote.

The representative of the United States recalled that the debate on the question had been adjourned on 5 November in order that the matter might be considered further in the light of what had meanwhile been accomplished with regard to the evacuation of some 2,000 members of the Chinese Nationalist forces. He stated that 1,278 persons had been evacuated to date to Taiwan by air; on 29 November, 150 persons were expected; and an additional group of 150 persons were expected on 2, 4, 6 and 8 December 1953. Only 2 per cent of the evacuees had been medical cases, 60 per cent had been between the ages of 20 and 40 and 12 per cent between fifteen and nineteen. There was a high percentage of officers. There had been some unavoidable delays due to various factors: bad weather, doubts concerning the national origin of some individuals and the late arrival of the Burmese observer liaison group which was due to a misunderstanding of some formalities by the observers.

In an operation of such a scope, difficulties were unavoidable. For example, the question of turning over the arms remained to be solved. The Joint Military Committee was dealing with the matter. Arms were being collected at Mong Hsat and it was to be hoped that they soon would be turned over to the Joint Military Committee. The United States Government felt that most of the difficulties had now been overcome and that, in the end, the number of evacuees would even exceed the original estimated figure of 2,000.

The revised eight-Power draft resolution, he considered, fulfilled the aims sought by the United

States and Thailand in their amendments. The United States delegation would vote for that resolution.

The representative of Thailand also referred to the difficulties which had arisen but pointed out that the Burmese Government had agreed to an extension of the cease-fire time limit until 15 December. He regretted that the joint draft resolution chose to ignore the Joint Military Committee, which was the organ responsible for the evacuation of foreign troops from Burma. The resolution also appeared to place undue emphasis on the efforts to be made by the United States and Thailand. His country had done its best and it should be left to it to determine what further efforts it would make. His delegation felt that insufficient emphasis was placed in the joint proposal on the role played by the parties concerned, namely Burma and China. The General Assembly should never lose sight of the fact that the interested parties should bear, if not all the expense, at least a very large part of the responsibility. It therefore seemed desirable that Burma should participate not only in the process of evacuation but also in the work of the Joint Military Committee, as long as that body was in existence. Another defect which seemed apparent in the joint draft resolution was that it excluded all assistance other than that of the two parties and the two countries assisting them. In view of the interest and concern shown during the debate on the question, it might be expected that, in addition to the good offices offered, there might also be offers of services. For those reasons, his delegation had joined with the United States in presenting certain amendments to the eight-Power draft resolution. However, since the co-sponsors had agreed to take account of the main objections which he had voiced, he would not press for a vote on the amendments.

The representatives of Czechoslovakia, Poland and the USSR criticized the draft resolution, and especially the third paragraph which would express appreciation of the efforts of the United States. They charged that the United States bore joint responsibility with the Kuomintang for the aggression in Burma, maintaining that the United States had assisted and equipped the Kuomintang detachments and its planes had ensured liaison between those detachments and Taiwan. The ruling circles of the United States, they said, were interested in maintaining and developing centres of war in Asia and in the Far East. The United States delegation had clearly shown that it only sought to strengthen the Kuomintang position and that it was not concerned with helping Burma to defend itself against aggression. The question of

Burma was not an isolated one, but was part of a chain of aggressive acts on the part of the Kuomintang.

The representatives of Guatemala, India, Indonesia, Pakistan, Peru, the United Kingdom, Uruguay, and Yugoslavia spoke in favour of the joint draft resolution.

The representatives of Indonesia and India, however, expressed misgivings as to the effectiveness of the evacuation and the fear that, after the evacuation of the 2,000 men, the remaining 10,000 irregular forces would continue their plundering and depredations and would augment their strength with new recruits. The efficacy of the limited evacuation thus remained extremely doubtful. They wondered whether the authorities of Formosa were not really capable of effecting a complete evacuation of the foreign forces in Burma if they really wanted to do so. It might be feared that the remaining 10,000 or more forces remaining would not treat very seriously the disavowal of a Government which kept their leader in high esteem. The latest report from the Joint Committee stated that the evacuees had brought only small quantities of arms. The General Assembly should ensure that all foreign forces were disarmed and that they either left the country or were interned; unless all the forces were removed, the Assembly would have made only a futile gesture. Their delegations were co-sponsoring the joint draft resolution in the hope that a second expression of the Assembly's will might yet induce the desirable results.

The representative of the United Kingdom said that the accomplishments of the evacuation plan were only satisfactory as a beginning. It was disturbing that neither the quantity nor the quality of the arms handed over was of a high order. Continued efforts were required to achieve the evacuation or internment of the foreign forces in Burma and for the surrender of their arms.

At the 679th meeting on 4 December, the Committee rejected the USSR amendment to the revised nine-Power draft resolution by 49 votes to 5, with 2 abstentions, and adopted the revised nine-Power draft resolution by 51 votes to none, with 6 abstentions.

c. RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

The First Committee's report (A/2607) was considered by the General Assembly at its 470th plenary meeting on 8 December. The representative of Burma emphasized that nobody could deny that aggression had been committed against his

country, and he would have preferred a resolution which would have clearly recognized that fact. However, the Burmese delegation would give its support to the draft resolution proposed by the Committee in the interests of unanimity. He expressed the hope that world public opinion would make the authorities on Formosa recall the troops.

The representative of China informed the Assembly that the number of troops to be evacuated from Burma would far exceed the 2,000 which had been agreed upon so far. There was reason to hope that the final number might even exceed 5,000. He expressed the hope that the Government of Burma would see fit to continue the present cease-fire agreement beyond 15 December 1953 so that further troops might be evacuated. The Chinese delegation considered the resolution before the Assembly as superfluous and would not participate in the vote.

The representatives of the USSR and Poland said that, in view of the fact that the most interested party in this case, Burma, attached certain hopes to the eight-Power draft resolution, they were prepared to vote for it, although the third paragraph was unacceptable to them.

The draft resolution was adopted by 46 votes to none, with 1 abstention.

It read (resolution 717(VIII)):

The General Assembly,

"Having considered the report dated 31 August 1953 of the Government of the Union of Burma on the situation relating to the presence of foreign forces in its territory, and all other information on the subject laid before the Assembly,

"1. Notes that limited evacuation of personnel of these foreign forces has begun as from 7 November 1953;

"2. Expresses concern that few arms have been surrendered by them;

"3. Appreciate the efforts of the United States of America and Thailand in striving for the evacuation of these forces;

"4. Urges that efforts be continued on the part of those concerned for the evacuation or internment of these foreign forces and the surrender of all arms;

"5. Reaffirms General Assembly resolution 707 (VII) of 23 April 1953, and in particular;

"6. Urges upon all States to refrain from furnishing any assistance to these forces which may enable them to remain in the territory of the Union of Burma or to continue their hostile acts against that country;

"7. Invites the governments concerned to inform the General Assembly of any action that they have taken to implement the present resolution;

"8. Requests the Government of the Union of Burma to report on the situation to the General Assembly as appropriate."

E. THE INDIA-PAKISTAN QUESTION

At its 611th meeting on 23 December 1952, the Security Council adopted a resolution (S/2883),⁴⁰ which, among other things, urged the Governments of India and Pakistan to enter into immediate negotiations under the auspices of the United Nations Representative in order to reach agreement on the specific number of forces to remain on each side of the cease-fire line at the end of the period of demilitarization. That number was to be between 3,000 and 6,000 armed forces on the Pakistan side and between 12,000 and 18,000 on the Indian side, such specific numbers to be arrived at bearing in mind the principles or criteria contained in paragraph 7 of the United Nations Representative's proposal of 4 September 1952 (S/2783, Annex 8). The United Nations Representative was requested to continue to make his services available to the two Governments, which in turn were requested to report to the Council not later than 30 days from the date of adoption of the resolution. The Council also requested the United Nations Representative to keep it informed of any progress.

On 23 January 1953, the United Nations Representative informed (S/2910) the Security

Council that the Governments of India and Pakistan had agreed that a meeting of representatives of the two Governments at ministerial level should be held under his auspices in Geneva, beginning 4 February 1953. The negotiations were to be continued on the basis of the United Nations Commission for India and Pakistan (UNCIP) resolutions of 13 August 1948 (S/995) and 5 January 1949 (S/1196),⁴¹ bearing in mind the assurances, clarifications and elucidations given to the Governments of India and Pakistan by UNCIP. That basis was to be without prejudice to a further consideration, if necessary, of the twelve proposals of the United Nations Representative.

By a letter dated 27 March 1953 (S/2967), the United Nations Representative transmitted his fifth report to the Security Council. In the report, the Representative set forth the views of the parties on the implementation of part II, A (1) and (2) (relating to the withdrawal of tribesmen and of Pakistan troops and Pakistan nationals not

⁴⁰ See Y.U.N., 1952, p. 241.

⁴¹ The texts of these two resolutions are also given in Background Paper No. 72(ST/DPI/SER.A/72).

normally resident in the State) and B (1) and (2) (relating to the withdrawal of the bulk of Indian forces and the maintenance of Indian forces to assist local authorities in maintaining law and order pending a final settlement of the situation) of the UNCIP resolution of 13 August 1948. The results of the meetings and conversations on that question, the United Nations Representative reported, had led him to the conclusion that agreement was not possible at that time between the two Governments on a truce agreement based solely on part II of the 13 August 1948 resolution, and it had appeared to him that the same difficulties which had existed as early as 1949 were still the main obstacles in the way of carrying out the commitments embodied in part II. He had not felt that he could continue that approach because the figures proposed by each side were not negotiable with the other side. In accordance with the terms of reference agreed upon between the two Governments for the conference, further consideration of the Representative's twelve proposals had ensued.

Having met separately with the representatives of the two Governments, on 14 February, the United Nations Representative had presented to them for discussion revised proposals, the text of paragraph 7 providing, *inter alia*, that, at the end of the period of demilitarization, there would remain on the Pakistan side of the cease-fire line an armed force of 6,000 separated from the administrative and operational command of the Pakistan High Command and without armour or artillery. At the end of that period an Indian armed force of 21,000, including State armed forces, was to remain on the Indian side of the cease-fire line. That force was also to be without armour or artillery.

Among the comments of the parties on paragraph 7 of the revised proposals were the following. The Government of India was unable to agree to retention of any military forces in the so-called Azad Kashmir territory. It held that the function of preventing violations of the cease-fire line on the Azad Kashmir side could be effectively performed by a civil armed force consisting of 2,000 armed and 2,000 unarmed men. The Government of India was willing to agree to some increase in the number of that proposed civil armed force.

The Government of Pakistan held that paragraph 7 contravened the Security Council resolution (S/2883) of 23 December 1952. The arbitrary raising of the figure of the numbers on the

Indian side to 21,000, as against 6,000 Azad Kashmir forces, would put the security of the Azad Kashmir area in serious jeopardy and would destroy the safeguard that the demilitarization should be carried out in such a way as to involve no threat to the cease-fire agreement either during or after the period of demilitarization. The figures proposed, the Government of Pakistan maintained, amounted to a clear indication to the Government of India that its sustained attitude of intransigence would ultimately procure the formulation of a truce agreement on its own terms.

After thorough consideration and further conversations with the parties, the United Nations Representative had felt that there was no ground left at that stage on which to continue the conference and therefore, in agreement with the two representatives, he had decided to end it.

Dealing with the issue covered in paragraph 7 of his proposals, namely the number and character of forces to remain on each side of the cease-fire line, the United Nations Representative said that he held no brief for the lower figures of 3,000 to 12,000 or the higher figures of 6,000 to 21,000. As a mediator whose responsibility had been to keep striving for a settlement, he had hoped that a basis for the negotiation of an agreement might be found. It appeared obvious that the Government of India, under the two UNCIP resolutions, had some larger responsibilities on its side of the cease-fire line than had the local authorities in the evacuated territory on the other side. Without recognition of the Azad Kashmir Government and without prejudice to the sovereignty of the State of Jammu and Kashmir, it also appeared obvious that there should be in the evacuated territory effective local authorities and effective armed forces. In the Azad Kashmir territory, it was proposed, those armed forces would be organized out of the remainder of the Azad Kashmir forces without armour or artillery, and thereafter would be commanded by local officers under the local authorities, under the surveillance of the United Nations. The United Nations Representative observed that the difference over definite numbers, important as it was, was not as great as the difference between inducting and not inducting the Plebiscite Administrator into office. The transformation in the situation which would come from the simple fact of induction into office of the Administrator was most important for the great objective of the self-determination of the people of the State.

The Security Council did not discuss this report during 1953.

F. TREATMENT OF PEOPLE OF INDIAN ORIGIN IN THE UNION OF SOUTH AFRICA

The question of the treatment of people of Indian origin in the Union of South Africa was considered by the General Assembly at its first, second, third, fifth, sixth and seventh sessions. At the seventh session, the Assembly, in resolution 615(VII) of 5 December 1952,⁴² established a United Nations Good Offices Commission with a view to arranging and assisting in negotiations between the Government of the Union of South Africa and the Governments of India and Pakistan, so that the question might be solved satisfactorily in accordance with the Purposes and Principles of the Charter and the Universal Declaration of Human Rights. The Commission was asked to report to the Assembly's eighth session. Cuba, Syria and Yugoslavia were appointed to serve on the Commission.

1. Report of the United Nations Good Offices Commission

The Good Offices Commission submitted its report (A/2473) on 14 September 1953 to the General Assembly. In that report, the Commission stated that on 20 March 1953 it had decided to send a letter to the Ministers for Foreign Affairs of India, Pakistan and the Union of South Africa, informing them that the Commission was at their disposal and that it would appreciate any suggestions concerning the manner in which it could render assistance, as well as any information or views which might contribute to the accomplishment of its task. On 20 May, the Secretary-General forwarded to the members of the Commission a copy of a letter addressed to him on 13 May by the permanent representative of the Union of South Africa, stating that the Union Government regarded General Assembly resolution 615 (VII) as unconstitutional and could grant no recognition to the Commission appointed under that resolution. The Good Offices Commission informed the General Assembly that, in view of the response of the Government of South Africa, it had been unable to carry out its task to arrange and assist in negotiations between the Governments concerned. Among documents annexed to the report was a communication dated 9 March 1953 from the permanent representative of India addressed to the Secretary-General, drawing attention to the intended early proclamation, by the Government of the Union, of Group Areas in implementation of the Group Areas Act, in deliberate disregard

of the General Assembly's resolutions of 1950, 1951 and 1952 on the matter. Also annexed to the report was a letter dated 9 July 1953 from the Minister for External Affairs of India to the Good Offices Commission, in which the Government of India welcomed the appointment of the members of the Commission and deplored the refusal of the Government of South Africa to recognize that organ. Recalling that the Union Government had on the plea of domestic jurisdiction rejected all the United Nations resolutions on that question since 1946, the Minister for External Affairs recapitulated the events which had taken place since that date. He concluded that, instead of correcting its policies in accordance with international opinion, South Africa was building up a social and political structure based on the doctrine of apartheid which, in practice, meant the segregation of non-Europeans and the denial of their rights of citizenship and other human rights.

2. Consideration by the General Assembly at its Eighth Session

Pursuant to resolution 615(VII), the question was placed on the provisional agenda of the General Assembly's eighth session.

In the General Committee and at the Assembly's 435th plenary meeting on 17 September, the representative of South Africa protested against the inclusion in the agenda of that item, reiterating the view put forward by his Government at previous Assembly sessions that Article 2, paragraph 7, of the Charter prohibited the Organization from intervening in the domestic affairs of Member States.

The General Assembly decided to place the item on the agenda by 45 votes to 1, with 11 abstentions. The item was thereupon referred to the Ad Hoc Political Committee, which considered it at its 13th to 22nd meetings, from 16 to 29 October.

a. DISCUSSIONS IN THE Ad Hoc POLITICAL COMMITTEE

The Committee had before it a seventeen-Power joint draft resolution (A/AC.72/L.10) by Afghanistan, Bolivia, Burma, Egypt, Guatemala, Haiti, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Pakistan, the Philippines, Saudi Arabia, Syria and

⁴² See Y.U.N., 1952, p. 297.

Yemen. Under that draft resolution, as subsequently revised by its sponsors (A/AC.72/L.10/Rev.1), the General Assembly would:

(1) recall that it had given consideration to the subject at six earlier sessions;

(2) recall its previous resolutions on the subject;

(3) recall that resolutions 395(V), 511(VI) and 615(VII) had successively called on the Government of the Union of South Africa to refrain from implementing or enforcing the Group Areas Act;

(4) take note of the report of the Good Offices Commission, and in particular the Commission's conclusion that, in view of the response of the Government of the Union of South Africa, it had been unable to carry out its task to arrange and assist in negotiations between the Governments concerned;

(5) express its regret that the South African Government: (a) had refused to make use of the Commission's good offices or to utilize any of the alternative procedures for the settlement of the problem recommended by the four previous Assembly resolutions; (b) had continued to implement the Group Areas Act in contravention of three previous resolutions; and (c) was proceeding with further legislation contrary to the Charter and the Universal Declaration of Human Rights including the Immigrants Regulation Amendment Bill which sought to prohibit the entry into South Africa of wives and children of South African nationals of Indian origin;

(6) consider that those actions of the Union Government were not in keeping with its obligations and responsibilities under the Charter of the United Nations;

(7) decide to continue the Good Offices Commission and urge the Government of the Union of South Africa to co-operate with that Commission;

(8) request the Commission to report to the next session the extent of progress achieved, together with its own views on the problem and any proposals which, in its opinion, might lead to peaceful settlement of it;

(9) again call upon the Union Government to refrain from implementing the provisions of the Group Areas Act; and

(10) decide to include the item in the provisional agenda of its ninth regular session.

On behalf of the sponsors, the representative of India accepted an oral amendment by Costa Rica to substitute the words "in spite of" for the words "in contravention of" in paragraph 5(b) of the draft resolution.

During the discussion in the Committee, the representative of India traced the history of the question from the year 1885 when, he said, discriminatory legislation against the Indians in South Africa was first enacted, inflicting severe hardships on the Indian population. From 1906 to 1913, when the first Gandhi-Smuts agreement was signed, India had shown willingness to negotiate. Subsequently, the question had been discussed at the imperial conferences of 1917, 1921, 1924 and 1926. Thus, the Indian representative said, it could not be claimed that the question was an exclusively South African concern—nor could

it be argued that India had taken unfair advantage of the existence of the United Nations to bring the question before the world public opinion. India, its representative said, had made great concessions, such as giving its agreement to measures of voluntary repatriation. The Cape Town Agreement of 1927 and the second round table agreement of 1932 between the Indian community and India, on the one hand, and South Africa, on the other, had provided that no changes in the status of the Indian community would be introduced without further negotiations and consent. However, those provisions had been infringed and India had been forced to apply trade sanctions against South Africa, after due warning, as late as 1946.

The representative of India referred to the Immigrants Regulation Amendment Bill which was being currently debated in the South African parliament and which, it was stated, proposed severe restrictions on the entry into South Africa of the wives and children of South African nationals of Indian origin. The regulation, it was contended, violated the Gandhi-Smuts Agreement of 1914, the Cape Town Agreement of 1927 and the Universal Declaration of Human Rights. He also referred to the Group Areas Act which, he said, involved a series of measures aimed at uprooting many thousand members of the Indian and Pakistan communities and the eventual economic strangulation of these communities. The representative of India cited plans of the Nationalist Party and other groups for the segregation of these communities in four principal South African cities, plans which, he said, would affect half the Indo-Pakistan population of South Africa.

The Indian representative then dealt with the question of the Assembly's competence in the matter. This, he said, had been denied by the South African delegation on the basis of Article 2, paragraph 7, of the Charter which forbids intervention in matters "essentially" within the domestic jurisdiction of any State. In the first place, he said, all recommendation was not "intervention" and secondly the question of whether a matter could be considered to be "essentially" within the domestic jurisdiction of a State could be determined only by its origins, the sequence of events and their consequences. The origins of the case at issue, he argued, did not concern one nation but several, the sequence of events was also a matter involving a number of nations and the consequences of those events could not be said to be matters of purely national concern. Moreover, the argument that the Assembly lacked competence was futile because the Assembly had affirmed

its competence in the matter by giving it consideration at several previous sessions.

The representative of India then invoked Article 10 of the Charter which, he said, gave the Assembly the right to consider any matter within the scope of the Charter. He also drew the Committee's attention to the particular relevance of Article 13, paragraph b, which provides that the General Assembly shall initiate studies and make recommendations for the purpose of assisting in the realization of human rights and fundamental freedoms without distinction as to race, sex, language or religion. In addition, he stated, Articles 14, 55, 56, 62 and 76 all enjoin on Member States the observance of human rights, whatever saving clause there might be in Article 2, paragraph 7.

Referring to a proposal made during the debate (see below) that the question of competence might be referred to the International Court of Justice, the Indian representative drew attention to the fact that the Court's Opinion on South West Africa had already been rejected by the South African Government. Moreover, he said, by referring the matter to the Court the Assembly would invalidate its own resolution 395(V), adopted by a large majority in 1950. It would also create a precedent for referring every disputed issue to the Court.

The representative of India said that between 1926 and 1946 the Indian Government had repeatedly endeavoured to arrive at a settlement round a conference table, but had found the South African Government unwilling to do so. In 1946, the General Assembly had adopted resolution 44(I) urging the parties to confer on the points at issue between them. On that occasion, the Union Government had stated that the conference could not be held unless the Indian Government sent back its High Commissioner, which had been unacceptable to the Indian Government. In 1950, the parties had agreed to meet in South Africa to draw up a preliminary agreement about the holding of a conference. A formula had eventually been agreed on by the two sides, but immediately afterwards the Group Areas Act had been enacted by the Union Government, thus making it clear that the necessary conditions for a settlement did not exist. Consequently the joint draft resolution (A/AC.72/L.10/Rev.1) called on the South African Government to refrain from implementing the provisions of the Group Areas Act. As for the condition imposed by the Union Government that the negotiations must be conducted outside the United Nations, it was tantamount to suggesting that the provisions of the

Charter were such as to militate against the chances of a settlement.

Turning to the joint draft resolution, the representative of India said that there was nothing in it to which the Committee could object. It merely recalled past actions and requested the continuance of the Good Offices Commission; even if the matter were said to be within the domestic jurisdiction of the South African Government, the exercise of good offices was not ruled out, he concluded.

Explaining his Government's position, the representative of the Union of South Africa said that Article 2, paragraph 7, of the Charter precluded the United Nations from considering the question. For that reason, the Union Government could not legally be required to submit the matter for settlement under the Charter. It had therefore been unable to recognize the Good Offices Commission, set up under the unconstitutional General Assembly resolution 615(VII) of 5 December 1952. In reply to the points raised by the Indian representative, the representative of the Union of South Africa said that the plans quoted by the Indian representative regarding the implementation of the Group Areas Act had no official status but were applications made to the Government by certain groups. No official decisions had yet been taken, and those representations, with others made by various interested sections, would be considered when the time came for final decision.

As regards the entry of families of Indians domiciled in South Africa, the representative of the Union Government said that it was true that, in 1913 and 1914, the South African parliament had passed two acts authorizing the families of Indians domiciled in the Union to enter South Africa under a special concession. But that was a privilege conferred upon the Indians not shared by nationals of any other country and was due to the fact that, at that time, the proportion of men to women among the domiciled Indians was 67 to 37 persons. Now that the number of Indians of both sexes was approximately equal, the Union Government considered itself fully justified in withdrawing that concession. The Indian assertion that the concession had been perpetuated in subsequent agreements was incorrect since during the entire existence of the League of Nations India had never sought to register any such agreements.

The Indian representative had repeated that the South African Government was not protected by Article 2, paragraph 7, of the Charter. Neverthe-

less, said the representative of South Africa, the word "intervene" in that paragraph could not have the meaning attributed to it by the Indian representative since only the Security Council, not the General Assembly, had the power of "intervening" in a dictatorial sense. Nor could South Africa accept the Indian interpretation of the word "essentially", which widened, rather than narrowed, the scope of domestic jurisdiction. It had been said that other Articles, such as Articles 10, 13, paragraph 1 b, 14, 55, 56, 62 and 76 were not affected by Article 2, paragraph 7. But the South African interpretation was in accordance with the intentions expressed by the founders of the United Nations, and there could be no doubt that the provisions of Article 2, paragraph 7, excluded everything in the Charter except the provisions for enforcement measures. Dealing with suggestions for an advisory opinion of the International Court of Justice, the representative of South Africa stated that no State was obliged to accept such an advisory opinion. He recalled, however, that his delegation had vainly suggested in 1946 that an advisory opinion should be requested on the present item.

In 1950, he recalled, the South African Government had agreed on a formula which would permit a round table conference with the Governments of India and Pakistan. It was still prepared to accept such a solution, on the understanding that the matter would be settled outside the United Nations. By rejecting the solution proposed by South Africa and bringing the problem before the United Nations, India was trying to persuade the whole world that it was championing the oppressed.

The South African Government, he said, could not agree to suspend properly enacted legislation as a prior condition for a conference, as had been requested by the Indian representative. The Cape Town formula which the Indian representative had quoted contained no condition, and envisaged a full and free discussion without prejudice to the legal stand of the parties. While stating that it could not negotiate while hostile actions continued, India maintained the strict application of the trade embargo under the Reciprocity Act. South Africa had not requested the repeal of that Act, but had merely suggested a round table conference according to the Cape Town formula.

Dealing with the joint draft resolution, the representative of the Union said that the first five paragraphs enumerated provisions which infringed upon South Africa's domestic jurisdiction. In the fifth paragraph, South Africa was censured for not accepting the Commission's good offices.

But the Union Government saw no valid reason for the creation of that Commission since it had told the other parties that the door was open for negotiations. The draft resolution also expressed regret that the Group Areas Act had been implemented, thus interfering in domestic legislation. The other passages in the draft resolution were equally improper and objectionable. Since the Union was free to accept recommendations or not, there could be no "contravention" of them. The passage about Indian wives and children was based on false premises. Lastly, it was unnecessary to provide for automatic inclusion of the item in next year's agenda. To do so might prejudice the negotiations desired by the Committee, the representative of the Union of South Africa concluded.

The representative of Pakistan said that the representative of the Union of South Africa, in his speech, had appeared to imply that the Pakistan Government was prepared to join a round table conference outside the United Nations. That, he said, was not Pakistan's stand. His Government believed that the United Nations was fully competent to deal with the question, which was one of international importance and could not be shelved on technical grounds. The whole history of the problem showed that it had always been regarded as one for negotiation between India and South Africa. The indentured labour system had been the subject of negotiations between India and Natal, and the Governments of both had recognized their joint responsibility in the matter, the Indian Government on behalf of the immigrants and the Natal Government, and hence its successor the South African Government, as trustee. It was therefore too late to say that the matter was one of purely domestic jurisdiction. His Government, however, he said, did not look at the juridical issues involved in a "pettifogging" way. Despite its belief that the United Nations had been quite within its rights in adopting its resolutions, his Government would not press the technical point of jurisdiction, should the Union Government choose to deny it. Pakistan would be willing to participate in any conference under any auspices as long as it was held in the spirit of the Charter. By that phrase he meant, he explained, that the round table conference should be held in full consciousness of the fact that it had been convened because millions of people in the world realized that something was seriously wrong with certain laws enacted by the Union Government. The conference must recognize that fact and discuss the remedies.

A logical prerequisite of that conference would be that the Union Government should postpone

the implementation of the Group Areas Act. It should not proceed with the delimitation of areas into which Asians were to be herded and deprived of equal rights. Such action, he said, depended entirely on the executive branch of the government and a recommendation concerning it could not be said to be an interference in the legislation of a State.

The representative of Pakistan then asked whether, in the event of a conference being held, the South African Government would be prepared to accept decisions taken by the conference, whatever their nature, and whether, if the case should arise, it would be prepared to abrogate or render inoperative the discriminatory laws. The conference would be in danger of failing if, as had happened in 1949, the Union Government was merely prepared to discuss the return of a part of the Indian and Pakistan community to their country of origin. That, he said, was not a humanitarian solution and would raise serious problems for India and Pakistan.

The representatives of Afghanistan, Bolivia, Burma, Egypt, Guatemala, Haiti, Indonesia, Iran, Iraq, Lebanon, Liberia, the Philippines, Saudi Arabia, Syria and Yemen, co-sponsors with India and Pakistan of the draft resolution, regretted that the treatment of people of Indian origin in South Africa needed once again to be considered by the Assembly and that the efforts of the Good Offices Commission had failed. The text of the Charter had established the obvious competence of the General Assembly, these representatives maintained; moreover, the fact that for seven years the General Assembly had been dealing with that problem had not left any doubt on the matter. The fundamental rights in which the people of the United Nations had proclaimed their faith were at stake. Even if the joint draft resolution would not have more practical effect than the earlier resolutions adopted by the General Assembly, at least it would give expression to the Assembly's continuing interest in the problem. While, therefore, they would heartily welcome a conference between the three nations concerned, they asked the Committee to support the joint draft resolution in case that conference should not take place. The draft resolution in no way infringed the national sovereignty of the Union, they said. It merely expressed the hope of its authors that the Union Government would see its way clear to alleviating the distress of the population concerned.

Fully supporting the stand taken by the representatives of India and Pakistan and the joint draft resolution submitted by the seventeen

Powers, the representatives of Czechoslovakia and the USSR maintained that South Africa had violated the agreements of 1927 and 1931 with India, under which the Union had undertaken to guarantee normal living conditions for the Indian community within its borders. As the matter was dealt with in bilateral agreements, the argument that it was exclusively within the domestic jurisdiction of South Africa was unfounded. Racial discrimination, they held, continued to be practised against people of Indian origin in South Africa and the Union Government was ignoring Assembly resolutions and enforcing fresh discriminatory measures. Such a violation of the Purposes and Principles of the Charter fully justified the General Assembly's concern, they concluded.

Speaking in support of the joint draft resolution, the representatives of Costa Rica, El Salvador, Ethiopia, Mexico, Uruguay and Yugoslavia affirmed the competence of the United Nations, stating that the violation of the Principles of the Charter and of the Universal Declaration of Human Rights in the Union of South Africa constituted a threat to peace and security and was, therefore, of international concern. The General Assembly, they agreed, could not impose a solution but it could invite South Africa to co-operate in finding an amicable solution through the machinery provided by the United Nations or, eventually, by direct negotiation. Not only should the Good Offices Commission continue its efforts until the policy of racial discrimination was ended, but it should also express its own views on the problem and offer its good offices, these representatives said.

The representative of Brazil, while agreeing with these representatives, expressed regret that the Assembly had not asked the International Court for an advisory opinion so that the plea of domestic jurisdiction should be finally settled. He suggested that it would be wise to ask the Court, before putting the proposal to the vote, whether the draft resolution was consistent with the Charter.

The representatives of Australia, Belgium, Canada, France, Greece, the Netherlands, New Zealand, Peru, Turkey and the United Kingdom opposed the joint draft resolution, expressing grave doubts of the Assembly's competence in the matter. They also expressed their concern about the efficacy of the draft resolution which, they held, as drafted, was in the nature of a reproof to South Africa. They emphasized that the best chance of reaching a settlement of the question lay in the opportunity of direct negotiations held either under or outside the auspices of the United

Nations. Even if direct negotiations had failed so far, the result might have been different if the United Nations had decided from the very beginning that that was the only means of settling the problem and if it had refrained from intervening in matters which fell within the domestic jurisdiction of the parties concerned. The negative results of past efforts were ample proof that the Assembly was pursuing a wrong course.

While stating that they would vote in favour of the draft resolution as a whole, the representatives of China, Ecuador and the United States opposed some of its provisions. The representative of China declared that he would abstain from voting on the sixth paragraph, which expressed the view that the actions of the Union Government were inconsistent with the Charter, because he wished to avoid anything that might hamper the work of the Good Offices Commission. The representative of Ecuador announced that he would abstain from voting on the third paragraph, on sections (b) and (c) of the fifth paragraph and on the ninth paragraph, which concerned the passing and enforcement of national legislation that lay entirely, he said, within the jurisdiction of the South African Government.

The United States representative said that in this problem the Committee was not concerned with isolated instances of racial discrimination, but with a whole trend of governmental policy. That was why the general obligations undertaken by the signatories of the Charter were relevant to the present issue. However, the question before the Committee was essentially the outcome of local conditions and an attempt made from the outside to modify the complex relationship involved might not only be ignored but might cause further intolerance. There were, therefore, practical limitations to the possibility of the United Nations being able to improve the situation. Under the Charter, the General Assembly could only make recommendations and they could be given effect only if accepted by the nations concerned. Since 1946, all the Assembly's efforts on this question had been unsuccessful. It must be noted, however, that the South African Government, which denied the competence of the Assembly in the matter, had declared itself willing to negotiate outside the United Nations. That was a hope not to be neglected.

The history of the question appeared to indicate that it would be useless to set up further mediating bodies, the United States representative considered. Actually, the Assembly's basic task was to bring about direct discussions between the parties and it should make no further recom-

mendations until the Governments concerned had made further efforts in that direction.

The United States delegation, he added, was not in favour of the matter being automatically placed on the agenda of the ninth session, since that might prejudice negotiations. Nor was a recommendation addressed only to South Africa advisable. The United States also considered it harmful and inappropriate to include, in any draft resolution on the question, expressions of regret over past actions, taken by one or another of the parties, or references to any particular domestic legislation.

The representatives of Argentina and Denmark considered that the Assembly was competent to deal with that matter. They would vote in favour of the continuance of the Good Offices Commission in the hope that the South African Government would reconsider its position. They felt, however, that the provisions of the draft resolution passing condemnation of the South African policy would only complicate the work of the Good Offices Commission and could be deleted. The representative of Denmark suggested also the deletion of the last part of the eighth paragraph providing for the submission of proposals by the Commission to the Assembly. By definition, he said, the task of the Good Offices Commission was confined to assisting the parties to reconcile their views; it should not, on its own initiative, put forward its own views. He would further propose that the authors of the draft resolution modify the text insofar as it expressed regret and criticisms about the South African Government's continued implementation of the Group Areas Act and its intention to enact further legislation.

At its 21st meeting on 28 October, the Ad Hoc Political Committee adopted the joint draft resolution, as amended by Costa Rica, paragraph by paragraph, by votes ranging from 48 to 1, with 7 abstentions, on paragraph 1, to 32 to 15, with 11 abstentions, on paragraph 5 c (for text, see below). The second part of paragraph 8, concerning the extent of the role of the Good Offices Commission, was adopted by a roll-call vote of 37 to 13, with 9 abstentions.

The draft resolution, as a whole, was adopted by a roll-call vote of 38 to 2, with 19 abstentions.

At the next meeting, the representatives of Honduras, Argentina, Ecuador, Brazil, Sweden, China, Iceland and Cuba explained their votes. Most of them recorded their reservations on certain paragraphs, mainly on paragraphs 3, 5 b and c, and 9. The representative of Sweden said that his delegation continued to feel that the United

Nations was competent to discuss the item; he had, however, abstained, due to the uncertainty of the extent of that competence.

The representative of Cuba declared that, as a member of the Good Offices Commission, Cuba had refrained from taking part in the general debate. He had voted, he said, for the joint draft resolution in the hope that the three parties could be persuaded to enter into negotiations.

b. RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

At its 457th plenary meeting on 11 November 1953, the General Assembly adopted the draft resolution proposed in the report of the Ad Hoc Political Committee (A/2352) by a roll-call vote of 42 to 1, with 17 abstentions. The vote was as follows:

In favour: Afghanistan, Bolivia, Brazil, Burma, Byelorussian SSR, Chile, China, Costa Rica, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian SSR, USSR, United States, Uruguay, Yemen, Yugoslavia.

Against: Union of South Africa.

Abstaining: Argentina, Australia, Belgium, Canada, Colombia, Denmark, Dominican Republic, France, Greece, Luxembourg, Netherlands, New Zealand, Norway, Sweden, Turkey, United Kingdom, Venezuela.

The resolution (719(VIII)) read:

"The General Assembly

"1. Recalls that at its first, second, third, fifth, sixth and seventh sessions it has given consideration to the question of the treatment of people of Indian origin in the Union of South Africa;

"2. Further recalls:

"(a) That resolution 44 (I) of 8 December 1946 expressed the opinion that the treatment of Indians in the Union of South Africa should be in conformity with the international obligations under the agreements concluded between the Governments of India and the Union of South Africa and the relevant provisions of the Charter and requested the two Governments to report to the General Assembly on the measures adopted to this effect;

"(b) That resolution 265 (HI) of 14 May 1949 invited the Governments of India, Pakistan and the Union of South Africa to enter into discussion at a round table conference, taking into consideration the Purposes and Principles of the Charter and the Declaration of Human Rights;

"(c) That resolution 395 (V) of 2 December 1950 held that a policy of 'racial segregation' (apartheid) was necessarily based on doctrines of racial discrimination; repeated its recommendation that a round table conference be held; and further recommended that, in

the event of failure to hold a conference or reach agreement thereat, a commission of three members be set up to assist the parties in carrying through appropriate negotiations;

"(d) That resolution 511(VI) of 12 January 1952 reaffirmed the recommendation of resolution 395 (V) that a three-member commission be established and further requested the Secretary-General, in the event of failure to establish such a commission, to lend his assistance to the Governments concerned and if necessary to appoint an individual who would render any additional assistance deemed advisable;

"(e) That resolution 615 (VII) of 5 December 1952 established a three-member United Nations Good Offices Commission to arrange and assist in negotiations between the Governments concerned in order that a satisfactory solution in accordance with the Purposes and Principles of the Charter and the Universal Declaration of Human Rights might be achieved;

"3. Also recalls that resolutions 395(V), 511(VI) and 615(VII) successively called on the Government of the Union of South Africa to refrain from implementing or enforcing the provisions of the Group Areas Act;

"4. Takes note of the report of the United Nations Good Offices Commission, and in particular its conclusion that 'in view of the response of the Government of the Union of South Africa, it has been unable to carry out its task to arrange and assist in negotiations between the Governments concerned';

"5. Expresses its regret that the Government of the Union of South Africa:

"(a) Has refused to make use of the Commission's good offices or to utilize any of the alternative procedures for the settlement of the problem recommended by the four previous resolutions of the General Assembly;

"(b) Has continued to implement the provisions of the Group Areas Act in spite of the provisions of three previous resolutions;

"(c) Is proceeding with further legislation contrary to the Charter and the Universal Declaration of Human Rights, including the Immigrants Regulation Amendment Bill which seeks to prohibit the entry into South Africa of wives and children of South African nationals of Indian origin;

"6. Considers that these actions of the Government of the Union of South Africa are not in keeping with its obligations and responsibilities under the Charter of the United Nations;

"7. Decides to continue the United Nations Good Offices Commission and urges the Government of the Union of South Africa to co-operate with that Commission;

"8. Requests the Commission to report to the General Assembly at its next regular session the extent of progress achieved, together with its own views on the problem and any proposals which, in its opinion, may lead to a peaceful settlement of it;

"9. Again calls upon the Government of the Union of South Africa to refrain from implementing the provisions of the Group Areas Act;

"10. Decides to include this item in the provisional agenda of the ninth session of the General Assembly."

G. THE QUESTION OF RACE CONFLICT IN SOUTH AFRICA RESULTING FROM THE POLICIES OF APARTHEID OF THE GOVERNMENT OF THE UNION OF SOUTH AFRICA

The question of race conflict in South Africa was first discussed by the General Assembly at its seventh session. On 5 December 1952, the Assembly adopted resolution 616 A (VII), establishing a Commission, consisting of three members, to study the racial situation in the Union of South Africa in the light of the purposes and principles of the Charter, with due regard to the provisions of Article 2, paragraph 7, as well as the provisions of Article 1, paragraphs 2 and 3, Article 13, paragraph 1b, Article 55c and Article 56 of the Charter, and the resolutions of the United Nations on racial persecution and discrimination, and to report its conclusions to the General Assembly at its eighth session.⁴³

On 30 March 1953, the General Assembly decided at the suggestion of the President, that the Commission should consist of Dames Bellegarde, Henri Laugier and Hernán Santa Cruz, who were designated in their personal capacities.

1. Report of the Commission

On 3 October 1953, the United Nations Commission on the Racial Situation in the Union of South Africa submitted its report (A/2505 & Add. 1) to the Assembly's eighth session.

The Commission stated that one of the reasons why its report was not as complete as the Assembly was entitled to expect was the lack of co-operation from the Government of the Union. The Commission had sought that co-operation, in accordance with resolution 616 A (VII). In response, the Union Government's Secretary for External Affairs had replied, on 26 June 1953, that the Secretary-General of the United Nations had already been advised of the Union Government's attitude towards the Commission. It had been pointed out that since the Union Government had consistently regarded the question of its racial policy as a domestic matter, it regarded resolution 616 A (VII) as unconstitutional and could not therefore recognize the Commission established under it. Consequently, the Commission stated, its report had been based essentially on an analysis of the legislative and administrative provisions in force in the Union, on the study of books, documents and statements by witnesses, and on information communicated by certain Member States.

The Commission had assumed that, in inviting it to have regard to various Articles of the Charter in carrying out its terms of reference, the Assembly wished it to study the extent to which those Articles might determine, condition or restrict the competence of the United Nations. After thorough study, the Commission concluded that the Assembly, assisted by the commissions which it authorized, was permitted by the Charter to undertake any studies and make any recommendations which it might deem necessary in connexion with the implementation of the principles to which the Member States had subscribed by signing the Charter. That right, it said, was absolutely incontestable with regard to general questions concerning human rights and particularly those rights of protection against discrimination for reasons of race, sex, language or religion. The exercise of such functions did not constitute an intervention within the domestic jurisdiction of States prohibited by Article 2, paragraph 7, of the Charter.

After giving a geographic, historic, political and demographic sketch of the Union of South Africa, the report observed that the racial problem in the Union resulted from a policy of segregation, which had existed almost from the beginning of the European colonization. That segregation had been established either spontaneously as the result of the historical circumstances attending the contact between European and non-White groups and strengthened by the religious and racial prejudices peculiar to the era or by legislation originating in vestiges of concepts associated with the colonial periods of the nation's life.

The Nationalist Party, which had held power since 1948, had, it was said, initiated and developed the doctrine of apartheid, which it intended to apply to its full extent. That doctrine laid down the principle that full and complete segregation was a desirable end, likely to promote the parallel development of the various ethnic groups, and that it constituted the best method for the subsequent achievement of equal opportunity and, possibly, an equal standard of living for those groups, in a diversity which was deemed advisable by the authors of the doctrine but which was fundamentally irreconcilable with humane thinking. The doctrine was based on the theory

⁴³ See Y.U.N., 1952, pp. 297-306.

that the White race was in duty bound to maintain inviolate and to perpetuate its position in Western Christian civilization, and must at any cost, although in numerical minority, maintain its dominating position over the Coloured race. It denied the principle of civic equality and therefore could not grant the Natives or Bantus, or any other non-White groups, such as the Coloured persons and Indians, the political rights which it conferred on the White population in the management of public affairs. The doctrine also encouraged ethnic groups to safeguard the purity of their racial characteristics.

The report reviewed the principal acts and orders providing for differences in the treatment of the various groups in the Union of South Africa which the Nationalist Party had been applying in accordance with its apartheid doctrine. It then described the effects of that legislation on the various groups of the population and reviewed it in the light of the provisions of the Charter relating to human rights and of the Universal Declaration of Human Rights.

In view of the differences observed between certain groups or specific geographic areas, those legislative and administrative measures affected, it was stated, to a greater or lesser degree, nearly all aspects of the domestic, social, political and economic life of the non-White population, which made up 79 per cent of the total population. They affected its most fundamental rights and freedoms: political rights, freedom of movement and residence, property rights, freedom to work and to practise occupations, freedom of marriage and other family rights. They established obvious inequality before the law in relation to the rights, freedoms and opportunities enjoyed by the remaining 20 per cent of the population. These facts constituted obvious racial discrimination. Four fifths of the population were thereby reduced to a humiliating level of inferiority which was injurious to human dignity and made the full development of personality impossible or very difficult.

The report stated that the apartheid policy had given rise to serious internal conflicts and maintained a condition of latent and ever-increasing tension in the country. The Commission, it was stated, had given special attention to the campaign of so-called "Defiance of Unjust Laws" conducted in 1952 by the two main Bantu and Indian organizations in connexion with their efforts to secure the repeal of legislation regarded as discriminatory. The campaign, in which volunteers

committed "technical" offences such as contraventions of the apartheid regulations governing the use of seats in public conveyances, had resulted in the imprisonment of 8,065 persons by the end of 1952. The Government's legislative counter-measures against the civil disobedience movement were described in the report.

The report noted that the non-White population was increasing more rapidly than the so-called European population and that studies showed that the economic needs of the country would compel the increasing use of non-European manpower in industry, contrary to the purposes of apartheid. Aspirations towards the enjoyment of all the opportunities open to persons free from discrimination could not fail to grow, it was stated, as a result of the aggressive information which modern technical civilization distributes, of the increasing contacts between the discriminators and the manpower subject to discrimination, and of the daily growing need of the former for the latter.

Among the population subjected to discrimination were 365,000 persons of Indian origin. Their countries of origin, India and Pakistan, were watching with increasing anxiety the development of that policy. The Commission noted the profound alarm which was spreading in Africa, the Middle East and wherever the spirit of solidarity among Coloured persons had resented the attack made upon it. The Commission was convinced that the pursuit of that policy could not fail immediately and seriously to increase the anti-White sentiment in Africa resulting from nationalist movements, the force of which must not be underestimated. There could be no doubt that the position in the Union of South Africa was, to say the least, "likely to impair the general welfare or friendly relations among the nations", in the sense of Article 14 of the Charter.

The Commission considered that the doctrine of racial superiority on which the apartheid policy was based was scientifically false and extremely dangerous to internal peace and international relations.

All the discriminatory measures described conflicted with the declaration in the Preamble of the Charter in which the signatories stated their determination to "reaffirm faith in fundamental human rights, in the dignity and worth of the human person....." Those measures were also contrary to the purposes of international economic and social co-operation laid down in Article 55 of the Charter and therefore constituted a failure by the Union Government to observe its obliga-

tions under Article 56.⁴⁴ Instead of pursuing a policy for the progressive elimination of discriminatory measures, that Government had adopted new measures likely to aggravate the situation.

The Commission's study of previous General Assembly resolutions on racial persecution and discrimination showed that the Union Government's policy was also contrary to the Universal Declaration of Human Rights, resolution 377 E (V) of 3 November 1950 entitled "Uniting for peace", and resolutions 103 (I) of 19 November 1946 and 616 B (VII) of 5 December 1952.⁴⁵

The members of the Commission had reached, it was declared, the following conclusions. It was highly unlikely that the policy of apartheid would ever be willingly accepted by the masses subjected to discrimination. They could not be convinced that the policy was based on justice and a wish to promote their material and moral interests, and not on a pride of race and a will to domination. As the apartheid policy developed, the situation was constantly being aggravated and daily becoming less open to settlement by conciliation, information or education, daily more explosive and menacing to international peace and to the foreign relations of the Union of South Africa. Soon, any solution would be precluded and the only way out would be through violence. There was a danger that the forces of agitation and subversion, which the Government was resisting by strong legislative measures, would find an increasingly favourable soil.

The report concluded with certain suggestions which the Commission stated that it felt it was in duty bound to make, at the risk of reproach for an unduly wide interpretation of its terms of reference, concerning the assistance which the United Nations could and should give to help a Member, the Union of South Africa, to solve those problems at a difficult moment in its history. The United Nations might, for instance, express the hope that the Union Government would reconsider its policy towards various ethnic groups and itself suggest ways and means in which the Union might draw up a new policy. The racial problems, nevertheless, could not be solved by the mere wish of a Government to change its policy. The effects of the historical, religious, social and economic factors from which the problem had arisen and which the apartheid policy had co-ordinated could, even in the most favourable circumstances, disappear only gradually. The economic development of the whole country, the actual diminution of the social inequality and the opening of real opportunities for individual and

collective progress, together with the sincere wish of the Government and of the European population progressively to eliminate discrimination, had to be combined if the situation was to be appreciably improved.

2. Consideration by the General Assembly at its Eighth Session

In accordance with resolution 616 A (VII), the question of race conflict in South Africa was placed on the provisional agenda of the eighth session. At its 87th meeting on 16 September, the General Committee, after hearing the representative of the Union of South Africa record his Government's protest against inclusion of the item, decided to recommend that it be included. The Assembly considered the recommendation at its 435th plenary meeting, on 17 September.⁴⁶

The representative of the Union of South Africa contested the inclusion of the item in the Assembly's agenda. Recalling the salient features of his argument at the seventh session, he argued that the Assembly was barred from considering the question by Article 2, paragraph 7, of the Charter which forbade interference in the domestic affairs of States. This prohibition, he said, applied also in regard to the promotion of human rights. After citing the records of the San Francisco Conference on that subject, he argued that if the United Nations were to be permitted to intervene under Article 55c of the Charter, concerning human rights, then it would be equally permitted to intervene in regard to economic and social matters, set out in Article 55a and b. No State, he said, would tolerate that. Articles 55 and 56, read with Article 13 of the Charter, indicated how the pledge contained in Article 56 of the Charter was to be carried out, e.g., through the Economic and Social Council, the establishment of the specialized agencies, the Commission on Human Rights, etc. Neither the Charter nor any other internationally binding instrument, he noted, contained any definition of fundamental human rights.

⁴⁴ Under Article 55c, the United Nations is to promote universal respect for, and observance of, human rights and fundamental freedoms for all without discrimination. Under Article 56, all Members pledge themselves to take joint and separate action in co-operation with the Organization for the achievement of the purposes set forth in Article 55.

⁴⁵ For texts of these resolutions, see Y.U.N., 1950, pp. 193-95, Y.U.N., 1946-47, p. 178 and Y.U.N., 1952, p. 306.

⁴⁶ The report of the United Nations Commission (see I. above) had not yet been submitted at this time.

Had they done so, there would have been no need for the current drafting of covenants on human rights with internationally binding force in respect of all signatory States.

Referring to the explanatory memorandum (A/2183)⁴⁷ of the States which had placed the item on the Assembly's agenda, he said that none of the charges listed against South Africa involved any matter affecting the legitimate rights of another State. Those matters were: the regulation of the occupation of land and premises in South Africa by South African nationals; public service facilities; the means employed in South Africa to repress Communism; the composition of South Africa's armed forces; voting rights and educational and housing facilities for non-European citizens. Those were domestic matters which fell within the exclusive domestic jurisdiction of any sovereign State. If those matters did not fall within Article 2, paragraph 7, that provision, without which few, if any, of the small States would have found it possible to sign or ratify the Charter, became purposeless.

For the same reason his Government denied the constitutionality of the Commission established by the General Assembly to study South Africa's racial policies. The report of that Commission, he said, would not render the General Assembly competent to intervene in the domestic affairs of the Union because such intervention was forbidden by the Charter. He therefore requested the General Assembly not to include the item in its agenda.

The representative of the United Kingdom also opposed inclusion of the item. The representatives of Greece and India spoke in favour of including the item in the agenda.

The Assembly decided, by 46 votes to 7, with 7 abstentions, to include this item and referred it to the Ad Hoc Political Committee, which considered it at its 31st to 43rd meetings from 20 November to 5 December 1953.

a. DRAFT RESOLUTIONS CONSIDERED BY THE Ad Hoc POLITICAL COMMITTEE

The Committee had before it the following draft resolutions:

(1) A draft resolution by the Union of South Africa (A/AC.72/L.13), submitted under rule 120 of the rules of procedure, by which the Committee would:

(a) note that the matters to which the item under consideration related and which were referred to in the explanatory memorandum (A/2183) of the Powers which had placed it on the agenda and in the report of the United Nations Commission on the Racial Situation in South Africa (A/2505), "such as the

policies and legislation of a Member State in regard to land tenure, conditions of employment in public services, regulation of transport, suppression of communism, combat service in the armed forces, nationality, the franchise, movement of population, residence, immigration, the work and practice of the professions, social security, education, public health, criminal law, taxation, housing, regulation of the liquor traffic, regulation of labour and wages, marriage, food subsidies, local government, pensions, workmen's compensation", were "among matters which are essentially within the domestic jurisdiction of a Member State";

(b) would note also "that by Article 2(7) of the Charter nothing contained in the Charter shall authorize the United Nations to intervene in matters essentially within the domestic jurisdiction of any State"; and

(c) would decide that the Committee had no competence to intervene in the matters listed above to which the said item related.

(2) A draft resolution by Afghanistan, Bolivia, Burma, Egypt, Guatemala, Haiti, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Pakistan, the Philippines, Syria, Saudi Arabia and Yemen (A/AC.72/L.14), under which the General Assembly, after noting certain conclusions of the United Nations Commission, would, in the operative part:

(1) express appreciation of the work of the Commission;

(2) request the Commission (a) to continue its study of the development of the racial situation in the Union of South Africa: (i) with reference to the various implications of that situation on the populations affected; and (ii) in relation to the provisions of the Charter and in particular to Article 14;⁴⁸ and (b) to suggest measures which would help to alleviate the situation and promote a peaceful settlement;

(3) invite the Union Government to extend its full co-operation to the Commission; and

(4) request the Commission to report to the General Assembly at its ninth session.

The following amendments to the joint seventeen-Power draft were proposed:

(1) A Chilean amendment (A/AC.72/L.15) to add a new paragraph reaffirming Assembly resolutions 103(I) of 9 November 1946, 377 A (V), Section E, of 3 November 1950 and 616 B (VII) of 5 December 1953.

(2) A joint amendment by Chile and Uruguay (submitted orally) to add a new paragraph deciding that members of the Commission unable to continue their membership should, if the Assembly were not sitting, be replaced by the President of the General Assembly in consultation with the Secretary-General.

This amendment was withdrawn subsequently, since the representatives sponsoring it felt that the problem could be dealt with when the General Assembly took up the Committee's report.

⁴⁷ See Y.U.N., 1952, p. 297.

⁴⁸ This Article provides that the Assembly may recommend measures for the peaceful settlement of disputes regardless of origin which it deems likely to impair the general welfare or friendly relations among nations, including violations of the Charter provisions concerning the Purposes and Principles of the United Nations.

b. DISCUSSIONS IN THE Ad Hoc
POLITICAL COMMITTEE

On 20 November the Chairman-Rapporteur of the United Nations Commission on the Racial Situation in the Union of South Africa, with the consent of the Committee, was invited to take a seat at the Committee table. In this connexion, the representative of the Union of South Africa stated that, if the Commission were represented at the discussions of the Committee, the presence of his delegation must not be construed as recognition by the Union Government of the Commission, which it continued to regard as unconstitutional. At that meeting, the Chairman-Rapporteur made a statement introducing the Commission's report; at subsequent meetings he gave certain clarifications of the report and replied to criticisms made by various members of the Committee, including, in particular, the representative of the Union of South Africa.

The representative of the Union declared that his Government's viewpoint had not changed since his statement before the Ad Hoc Political Committee at the seventh session.⁴⁹ Participation in the discussion was without prejudice to his Government's legal position that the United Nations was not competent to consider the question. The argument that the United Nations had dealt with the matter in the past did not render it competent and could not justify intervention of the General Assembly in the question of racial conflict in South Africa, unless (1) the Charter provisions authorized the Assembly to intervene in matters of essentially domestic concern, or (2) the item in question did not relate to matters essentially within the domestic jurisdiction of South Africa.

Regarding the first question, he stated that all Member States had safeguarded themselves at San Francisco through the introduction of Article 2, paragraph 7, which imposed an obligation on the United Nations not to intervene in the internal affairs of Member States, and stated the right of those States to maintain absolute sovereignty in that field. He reviewed his delegation's interpretation of Article 2, paragraph 7,⁵⁰ as follows:

First, the word "nothing" in the initial phrase had an over-riding effect regardless of any other provision of the Charter, except enforcement measures with which the General Assembly was not competent to deal. Secondly, the word "intervene" had its ordinary dictionary meaning and included interference; it could not mean dictatorial interference, as had been alleged, since only the

Security Council could so interfere in a question of enforcement measures under Chapter VII. Thirdly, the word "essentially" had been used in order to widen, and not narrow, the scope of domestic jurisdiction. The words "domestic jurisdiction", according to international law, concerned the relationship between a State and its nationals, which was universally recognized as a matter of allowing of no interference by another State or by any external organization, subject only to treaty obligations.

With regard to the second question, the representative of the Union Government argued that all those matters to which the racial conflict in South Africa related, such as movement of population, residence, marriage, etc. were without any doubt essentially within the domestic jurisdiction of the Union of South Africa; they covered the whole field of domestic administration. To accept the thesis that the United Nations was entitled to intervene in such matters was tantamount to denying the principle of national sovereignty and to repudiating Article 2, paragraph 1, of the Charter which affirms the sovereign equality of all Member States.

As for the contention that the matters in question were outside domestic jurisdiction because they involved human rights, the fact that the United Nations had deemed it necessary to draft an international covenant defining human rights demonstrated that they had not yet been defined and that there was as yet no international instrument imposing specific obligations on Member States with respect to them.

The preposterous allegations that the racial policy of his Government constituted a threat to international peace or was likely to impair friendly relations among nations, thus calling for action under Article 14 of the Charter, reflected a desire to exploit the basic purpose of the United Nations for tendentious purposes. Domestic legislation designed solely for the welfare of the people of South Africa in no way affected other peoples and could hardly be charged to constitute a threat, direct or indirect, to the territorial integrity or political independence of a State.

Turning to the Commission's report, the South African representative pointed out that his Gov-

⁴⁹ See Y.U.N., 1952, pp. 298-99.

⁵⁰ This paragraph reads: "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII."

eminent had not recognized the Commission because it considered it illegally constituted and he declared that the report contained a biased analysis of the internal affairs of South Africa. As for its conclusions, the Commission had gone beyond its terms of reference and had set forth a series of obiter dicta which constituted an incredible attack upon the national sovereignty of the Union; for those conclusions implied the exercise over a sovereign State of a supervision comparable to that exercised by a guardian over a ward and recognition of the United Nations as the arbiter of the destiny of the Union of South Africa.

The statement by the Chairman of the Commission, in introducing the report, that the situation in South Africa was daily becoming less amenable to treatment by conciliation and was leading to a deadlock which could only be broken by resort to force was completely unwarranted, irresponsible, and little short of an incitement to revolt. Such statements would make the Committee more easily realize why the Union Government had not co-operated with the Commission and would never be able to co-operate with such commissions in the future.

At the following meeting, the Chairman-Rapporteur of the Commission replied to the South African representative's charges of partiality and lack of objectivity on the part of the Commission, and reviewed the methods of work which the Commission had been compelled to follow owing to the absence of co-operation on the part of the South African Government.

The representative of India considered that the Commission had compiled an impressive report. He had hoped that the South African representative would submit definite observations about the facts of racial discrimination established in the report. Public opinion could not be blamed for drawing its own conclusions regarding South Africa's deliberate refusal to co-operate with a duly established commission.

Endorsing the Commission's conclusions regarding the competence of the General Assembly, he stated that those who persisted in denying such competence appeared to be claiming for the Union the unchallengeable right to disturb the peace of Africa, to impair the development of friendly relations among nations and to violate without compunction the principles of the Charter.

Racial conflict in South Africa, the representative of India said, was the consequence of a systematically developed basic policy of apartheid. Enlightened opinion unreservedly accepted the view that the problems of multi-racial com-

munities could only be solved by the full equality and co-operative development of all their elements. Member States had accepted those principles in signing the Charter. The South African Government's racial policy was not based upon the principles of Western civilization nor on the precepts of the Christian religion, but on the idea that the interests of the White minority in South Africa could only be protected by a policy of racial domination. Such a solution was contrary to the Charter and was not supported by the experience of history. A solution based on force and domination could only generate hatred and eventually make change by violence inevitable. Further, he stated, the economic effect of segregation was not, as had been alleged, to ensure the equal, though separate, economic development of all races; he quoted figures to show that the policy was directed primarily towards maintaining non-Europeans in a position of permanent inferiority, denying them access to skilled occupation and reducing them to economic serfdom.

While measures of racial and social discrimination existed in other Member States, he continued, discrimination was a diminishing and condemned social practice everywhere except in South Africa where it was a norm of social behaviour, enjoying the Government's full support. The policy of apartheid made the application of the Charter illegal in the Union. The struggle against discrimination had not ceased although the campaign of passive resistance mentioned in the Commission's report had been suspended. The Coloured people, comprising two thirds of the world's population, viewed the struggle of the non-European population of South Africa for its fundamental rights as the symbol of the struggle for human dignity and would judge the United Nations by the results obtained.

The Indian representative endorsed the Commission's conclusions and urged that the United Nations should take action in accordance with its findings.

During the course of the discussion, statements in support of the seventeen-Power draft resolution and in reply to its opponents were also made by other sponsors of the joint draft resolution. The representative of Pakistan stated that, under Article 10 of the Charter, the Assembly could discuss any matter within the scope of the Charter and, under Article 13, it should initiate studies to assist in the realization of human rights. Neither Article, he said, made any reservation in respect of the provisions of Article 2, paragraph 7. The initiation of a study by the General Assembly did not constitute intervention in the internal

affairs of a Member State. How, he asked, could the Committee ignore previous Assembly decisions and decide that it was not competent, although no new element had supervened?

The representative of Syria said that the Union Government's policy of discrimination was based on the myth of the supremacy of European civilization; it was directed towards frustrating the natural rights of the indigenous majority, who were the true masters of the country. Not only was it a form of racism stemming from a premise which history had shown to be false; it was in fact an insult, an affront to true European humanism. The degradation caused by South Africa's racial policies could not be defended in the name of European civilization.

The representative of Indonesia said that there remained in certain countries which had suffered from Western colonialism a feeling of hostility towards Westerners sometimes described as "anti-White" sentiment. His delegation regretted that the Western Powers invoked legalistic arguments in order to side with the Union of South Africa, thereby preventing the United Nations from dealing with a question that affected fundamental relations of peoples of the world.

In addition to the sponsors of the joint draft resolution, a majority of representatives, including those of Brazil, Chile, Cuba, Ecuador, El Salvador, Ethiopia, Guatemala, Israel, Mexico, Uruguay and Yugoslavia, affirmed the competence of the General Assembly, opposed the South African draft resolution and strongly supported the joint draft resolution. They congratulated the Commission on its report and stressed the need for United Nations action in connexion with the policy of racial discrimination in the Union of South Africa. The view was generally shared that there was no intention of intervening in the internal affairs of the Union and there was no animosity towards that country. However, it was felt, respect for human rights was a matter of international concern, for it was an integral element in the principles of the Charter that all Member States had solemnly pledged to defend. Accordingly, to inquire into violations of those rights, to ascertain whether such violations had been committed and to make appropriate recommendations in no way constituted intervention in domestic affairs. It was also stated that the practices of the Union Government constituted a threat to the peace since, in the present world, the way in which the people of one area lived affected all other peoples of the world. It was true that the Universal Declaration of Human Rights was not legally binding in the sense that the Charter

was; but respect for human rights was a universally accepted principle and required no legal force to be binding on all.

In expressing their opposition to the South African draft resolution and their strong support for the seventeen-Power draft resolution, the representatives of Czechoslovakia, Poland, the Ukrainian SSR and the USSR emphasized the connexion between the policy of apartheid and colonialism.

They said that the policy of racial discrimination applied against the non-European population of the Union of South Africa was an insult to all the non-White peoples of Asia, Africa and South America, who constituted more than half of the population of the world. It created dangerous tension between the States concerned. They maintained that the position taken by the colonial Powers and members of the "North Atlantic bloc" completely destroyed the myth that the Western world was a "free world". A society which oppressed millions of human beings because of the colour of their skin could obviously not claim to be "free". It was stated that certain States, in particular the Union of South Africa, were not respecting the obligations incurred under the Charter. In the Union of South Africa, these representatives held, exploiters thirsting for gain were holding down the indigenous and non-European population in a state of slavery. But the oppressed peoples were growing more and more vocal and movements toward national liberation were assuming unprecedented dimensions.

While recording the opposition of their Governments to any policy of racial discrimination, the representatives of Australia, Belgium, Canada, Colombia, France, Greece, the Netherlands, New Zealand and the United Kingdom supported, in general, the position taken by South Africa on the question of competence and the unconstitutionality of the United Nations Commission and its report. All opposed the seventeen-Power joint draft resolution and, with the exception of the representatives of Canada, the Netherlands and New Zealand, who abstained, supported the South African draft resolution.

The representative of Belgium declared that the prohibition in Article 2, paragraph 7, against intervention in matters essentially within the domestic jurisdiction of a State was a general one, affecting all the United Nations organs and all provisions of the Charter. It made no distinction between provisions imposing international obligations on States, such as those concerning respect for human rights, and those which did not do so. That prohibition, therefore, could not be evaded by invoking the existence of international

obligations resulting from the provisions of the Charter.

The view that, so long as there was no dictatorial interference, the General Assembly could undertake any discussions or studies whatsoever and even formulate recommendations misconstrued the nature of the General Assembly's powers, he said. Since the Assembly had only powers of recommendation, it was constitutionally incapable of dictatorial interference. After reviewing the proceedings of the San Francisco Conference, the Belgian representative concluded that Member States had assumed certain obligations under the Charter affecting essentially domestic questions and had recognized their imperative character, but they had not intended to make it possible for the machinery of the Charter to be used against them in such matters. The aim of Article 2, paragraph 7, was to place the reserved sphere outside the ordinary law of the Charter; and it was in that sense that the word "intervene" must be interpreted. The discussions at San Francisco, he added, also proved that United Nations organs, including the General Assembly, could not decide on their own competence when a State invoked that Article.

There was no incompatibility, it was argued, between Article 2, paragraph 7, and Articles 10 and 14 of the Charter. These Articles allowed the Assembly broad powers of recommendation in matters within domestic jurisdiction, either in the form of general provisions or else, with the consent of the State concerned, in particular cases.

The representative of the United Kingdom held that questions relating to human rights did not by virtue of Articles 55 and 56 of the Charter cease to be domestic problems and acquire an international character. Under such an interpretation, the United Nations would acquire the right to intervene in all the internal affairs of its Member States, including economic and social problems. The argument would be valid only if Article 56 created specific international obligations with respect to particular rights. Article 56 however merely pledged co-operation for the achievement of the purposes set forth in Article 55. Noting that the Commission in its report had referred to a statement by the representative of France affirming the Assembly's competence on the question of observance of human rights in Bulgaria, Hungary and Romania which was discussed at the Assembly's fourth session, the representative of France stated that in that question the United Nations had invoked a wholly exceptional competence. Similarly, on the question of forced labour the United Nations resolution had

referred to a general inquiry involving all States. The two cases were quite different from the problem before the Committee.

The representative of Colombia maintained that there could be no question of making the United Nations a forum for political minorities, yet the Commission had studied every aspect of South African rights. Supporters of the seventeen-Power joint draft resolution seemed to have forgotten that while the Union of South Africa was now being indicted by a group of countries, another nation might later find itself in the same situation. It had been said that such a development was impossible because opposition groups would have to find spokesmen in the United Nations where only Member States had the right to make such charges. But certain governments might have affinities with opposition groups in other countries and might be induced to press for discussion of questions within the domestic jurisdiction of countries other than their own. Until the Charter should be amended, the provisions of Article 2, paragraph 7, remained in force.

Canada, said its representative, was not convinced that the Assembly had absolute powers to deal with questions of human rights. That argument might create a dangerous tendency to attempt to impose the will of groups of nations on others and to encroach upon individual sovereignty. His delegation believed that a practical approach was possible. It was to be hoped that the current discussion regarding South Africa's racial policy, which many regarded as being in conflict with the Charter, would have some effect in bringing public opinion to bear on Member States. That was not intervention in the form prohibited by the Charter. It was questionable, however, whether the Assembly should go beyond discussion and the expression of concern and take the further steps suggested in the joint draft resolution. The Commission had not achieved an improvement in the racial situation and a further investigation did not seem likely to bring results. If continuance of the Commission were to cause a stiffening of attitudes instead of greater co-operation tending to better observance of human rights, it would be bad policy to extend the Commission's mandate. The Assembly must avoid rash and harmful action and work for a solution of human rights problems in a spirit of co-operation.

A number of representatives, including those of Argentina, China, Denmark, Norway, Peru, Sweden, Turkey, the United States and Venezuela, either abstained on or opposed the South African draft resolution, but all abstained on the seventeen-Power draft resolution. These representatives

generally agreed that discussion of the question of apartheid did not constitute intervention. They believed in the Assembly's right to make general recommendations in the matter but questioned whether it could adopt specific recommendations. However, they emphasized that the right to discuss the problem should be exercised with self-restraint and tolerance. The representative of Norway felt that the joint draft resolution should be amended so as to refer to racial discrimination in general, not to the policy of a particular country.

The representative of the United States noted that the question of race conflict in South Africa brought before the Assembly the entire programme of a Member State's legislation concerning the treatment of its nationals on the basis of their racial origin. While her Government did not share the extreme view that the item could not even be discussed in view of the reservations made in Article 2, paragraph 7, the United States had observed with increasing concern the tendency of the General Assembly to place on its agenda subjects the international character of which was doubtful. Action in advancing human rights in accordance with the Charter must be taken with the greatest circumspection and the highest degree of responsibility. The United States from its own experience recognized the difficulty of the problems confronting South Africa, and appreciated how acute the problems of racial relations could be rendered by shifts of population, consequent upon economic development and industrialization, and by the state of development of different groups within a population. Her delegation was convinced that resolution 616 B (VII) was the best way in which the Assembly could discharge its responsibilities. That resolution maintained the framework of solidarity of all Members of the United Nations and set forth a standard of conduct by which each one of them must judge its own policies.

During the debate, a large number of supporters of the seventeen-Power draft resolution expressed agreement with the views of the representatives of India and Pakistan that the South African draft resolution was misleading on the question of competence. Even if the matters enumerated in its preamble were essentially matters of domestic jurisdiction, the agenda item was not primarily or solely concerned with them but with the question of race conflict, which was clearly within the competence of the United Nations and which was affecting the daily life of the non-White population in South Africa. Many representatives declared that their votes against the South African

draft resolution should not be construed as an expression of the view that the matters enumerated were not within the domestic jurisdiction of the Union of South Africa.

To dear up misunderstanding of his delegation's draft resolution, the representative of the Union of South Africa stated that the contention that the General Assembly and its Committees, having once rejected a South African draft resolution on competence, could not re-open the question was not supported by the rules of procedure or by the established practice. Criticism had been levelled at the wording of the resolution. The item before the Committee constituted a charge against his country that an alleged situation had developed in consequence of its policies. The substance of the item could not be discussed without touching upon the matters listed in the original explanatory memorandum (A/2183) and the Commission's report. The South African draft resolution did no more than state that the matters constituting the item were essentially within the domestic jurisdiction of a State. Those who contended that the draft resolution should have been differently worded were seeking to escape from the implications for their own countries of the possible rejection of that draft resolution.

In a final statement, the representative of the Union Government stated that his delegation's position remained unchanged. Its silence on the substance of the question was not due to its inability to refute the charges made against the Union of South Africa, but arose from the legal position that the discussion was unconstitutional. His Government would give any information required on the racial situation in South Africa, provided that such information were given outside the United Nations.

Arguments against the South African position could, he said, be summarized as follows: first, that the question of racial conflict in the Union of South Africa involved human rights and could not therefore be regarded as essentially within the domestic jurisdiction of the Union of South Africa; secondly, that because the policy of apartheid of the South African Government was a threat to international peace it fell within the competence of the United Nations; and, thirdly, that the General Assembly was the master of its own competence.

With regard to the first contention, his delegation had shown that neither the Charter nor the Universal Declaration of Human Rights imposed legal obligations on Member States. The second allegation was unfounded. The third allegation amounted to declaring in effect that the General

Assembly had unlimited powers, when, in fact, its functions were explicitly defined in the Charter. The Assembly could not exceed those powers.

The South African delegation, he continued, remained convinced that the Commission had displayed partiality in compiling its report and this admittedly incomplete report had been used by certain speakers to present a distorted picture of the facts. The Commission, he declared, had endorsed virtually all the charges made against the Union by India, which, since 1946, had been conducting a veritable propaganda campaign of hostility against the Union. For reasons unconnected with the principles which the Union's accusers were allegedly championing, Members had been given a completely false picture of the situation in the Union of South Africa.

In concluding remarks, the representative of India observed that the most salient point of the debate had been the complete absence of any attempt to defend the South African Government's racial policies. The debate on competence had followed much the same lines as the previous sessions; the chief purpose of the South African draft resolution was to convince delegations that if the Assembly's competence in the particular case before it were once admitted, every aspect of their own governments' domestic policy would be subject to review by the United Nations. The legislation of a Member State, he argued, was relevant in so far as it indicated the existence of discriminatory practices; the question of human rights and non-discrimination had been taken out of the sphere of what was essentially domestic, so that discussion of violation of those rights did not represent intervention within the meaning of Article 2, paragraph 7, which had certainly never been intended to deprive the United Nations of the power to demand that the principles of the Charter be respected. In each instance, the extent of the limitations imposed by that provision should be determined by the whole body of the United Nations and not by the States directly concerned. It was evident, he said, that intervention would not be arbitrary so long as a two-thirds majority was required. Moreover, those denying the competence of the United Nations should consider the effects of such a denial. Were human rights to be systematically denied without remedy? Were the basic provisions of the Charter to be violated with impunity?

The only point in the Commission's findings which had been challenged was the statement that the policy of apartheid represented a threat to

international peace. In that connexion, he pointed out, the preamble to the Universal Declaration of Human Rights made it clear that friendly international relations depended on the protection of human rights, whereas, he said, in South Africa the law not only did not protect them but provided for their systematic violation.

The South African representative had suggested that a connexion existed between the non-White civil resistance movement and the Indian Government, but it was fantastic to imagine that the movement was due to any cause except spontaneous resentment against unjust laws.

A general resolution such as some delegations had suggested, affirming the Assembly's belief in the human rights provisions in the Charter, would evade the implications of the specific report with which the Committee was concerned and which dealt with racial discrimination in a particular country. The position in South Africa was unique. Discrimination certainly existed in other countries, but the distinctive feature about its application in South Africa was that it was the dominant element in the Government's philosophy and legislation.

Regarding doubts expressed about the usefulness of continuing the Commission, he said that it had not completed its task and could now proceed to formulate constructive suggestions.

In conclusion he pointed to the gravity of the effects of the situation in South Africa on the non-White populations of the world.

At its 43rd meeting on 5 December 1953, the Ad Hoc Political Committee voted on the two draft resolutions and the amendment to the seventeen-Power draft.

The representative of Bolivia proposed that the South African draft resolution (A/AC.72/L.13) be voted on paragraph by paragraph, but the representative of the Union of South Africa objected that the draft was a complete unit bearing on the question of competence and the Bolivian motion was rejected by 20 votes to 15, with 16 abstentions. The South African draft resolution was rejected by a roll-call vote of 42 to 7, with 7 abstentions.

The Chilean amendment (A/AC.72/L.15) to the seventeen-Power draft resolution (A/AC.72/L.14) was adopted by 41 votes to 4, with 7 abstentions, and the joint draft resolution was adopted in paragraph-by-paragraph votes, ranging from 41 to 7, with 7 abstentions, to 29 to 14, with 13 abstentions. The draft resolution, as a whole,

as amended, was adopted by a roll-call vote of 37 to 10, with 9 abstentions.

c. RESOLUTION ADOPTED BY
THE GENERAL ASSEMBLY

The report of the Ad Hoc Political Committee (A/2610) was considered by the General Assembly at its 469th plenary meeting on 8 December 1953.

The representative of the Union of South Africa introduced a draft resolution (A/L.172), by which the Assembly, having regard to Article 2, paragraph 7, would decide that it had no competence to adopt the draft resolution proposed by the Committee. The South African draft resolution was rejected by a roll-call vote of 42 to 8, with 10 abstentions. Voting was as follows:

In favour: Australia, Belgium, Colombia, France, Greece, Luxembourg, Union of South Africa, United Kingdom.

Against: Afghanistan, Bolivia, Brazil, Burma, Byelorussian SSR, Chile, China, Costa Rica, Cuba, Czechoslovakia, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Norway, Pakistan, Paraguay, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Ukrainian SSR, USSR, Uruguay, Yemen, Yugoslavia.

Abstaining: Argentina, Canada, Dominican Republic, Netherlands, New Zealand, Panama, Peru, Turkey, United States, Venezuela.

Chile and Uruguay orally reintroduced the proposal, previously placed before the Ad Hoc Political Committee, to add a new paragraph to the draft resolution proposed by the Committee under which the Assembly would decide that any members of the Commission unable to continue their membership should, if the Assembly were not sitting, be replaced by persons appointed by the current President of the General Assembly in consultation with the Secretary-General. The joint amendment was adopted by 36 votes to 8, with 15 abstentions.

The Assembly then adopted the draft resolution proposed by the Committee in paragraph-by-paragraph votes; the paragraphs of the preamble were adopted by votes ranging from 40 to 10, with 7 abstentions, to 34 to 12, with 9 abstentions, and the paragraphs in the operative part by votes ranging from 44 to 3, with 9 abstentions, to 32 to 15, with 7 abstentions. The operative paragraph requesting the Commission to continue its study of the racial situation in the Union of South Africa was voted on by roll call and adopted by 38 votes to 15, with 7 abstentions. Voting was as follows:

In favour: Afghanistan, Bolivia, Brazil, Burma, Byelorussian SSR, Chile, Costa Rica, Cuba, Czechoslovakia,

Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Pakistan, Paraguay, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian SSR, USSR, Uruguay, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, China, Colombia, Denmark, France, Greece, Luxembourg, Netherlands, New Zealand, Panama, Sweden, Union of South Africa, United Kingdom.

Abstaining: Argentina, Dominican Republic, Norway, Peru, Turkey, United States, Venezuela.

The draft resolution, as a whole, as amended, was adopted by a roll-call vote of 38 to 11, with 11 abstentions. Voting was as follows:

In favour: Afghanistan, Bolivia, Brazil, Burma, Byelorussian SSR, Chile, Costa Rica, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Pakistan, Paraguay, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian SSR, USSR, Uruguay, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, Colombia, France, Greece, Luxembourg, Netherlands, New Zealand, Union of South Africa, United Kingdom.

Abstaining: Argentina, China, Denmark, Dominican Republic, Norway, Panama, Peru, Sweden, Turkey, United States, Venezuela.

The resolution adopted by the Assembly (721 (VIII)) read:

"The General Assembly,

"Having considered the report of the United Nations Commission on the Racial Situation in the Union of South Africa established by resolution 616 A (VII) of 5 December 1952,

"Noting with concern that the Commission, in its study of the racial policies of the Government of the Union of South Africa, has concluded that these policies and their consequences are contrary to the Charter and the Universal Declaration of Human Rights,

"Noting that the Commission had also concluded that:

"(a) 'It is highly unlikely, and indeed improbable, that the policy of apartheid will ever be willingly accepted by the masses subjected to discrimination', and

"(b) That the continuance of this policy would make peaceful solutions increasingly difficult and endanger friendly relations among nations,

"Noting further that the Commission considers it desirable that the United Nations should request the Government of the Union of South Africa to reconsider the components of its policy towards various ethnic groups,

"Considering that, in the Commission's own opinion, the time available was too short for a thorough study of all the aspects of the problems assigned to it,

"Considering also the Commission's view that one of the difficulties encountered by it was the lack of co-operation from the Government of the Union of South Africa and, in particular, its refusal to permit the Commission to enter its territory,

"1. Reaffirms its resolutions 103 (I) of 19 November 1946, 377 A (V), section E, of 3 November 1950 and 616 B (VII) of 5 December 1952, particularly the passages in those resolutions which state respectively that 'it is in the higher interests of humanity to put an immediate end to religious and so-called racial persecution and discrimination'; that 'enduring peace will not be secured solely by collective security arrangements against breaches of international peace and acts of aggression, but that a genuine and lasting peace depends also upon the observance of all the Principles and Purposes established in the Charter of the United Nations, upon the implementation of the resolutions of the Security Council, the General Assembly and other principal organs of the United Nations intended to achieve the maintenance of international peace and security, and especially upon respect for and observance of human rights and fundamental freedoms for all and on the establishment and maintenance of conditions of economic and social well-being in all countries'; and that 'in a multi-racial society harmony and respect for human rights and freedoms and the peaceful development of a unified community are best assured when patterns of legislation and practice are directed towards ensuring the equality before the law of all persons regardless of race, creed or colour, and when economic, social, cultural and political participation of all racial groups is on a basis of equality';

"2. Expresses appreciation of the work of the United Nations Commission on the Racial Situation in the Union of South Africa;

"3. Decides that should any of the members of the Commission be unable to continue their membership, the member or members concerned shall, if the General Assembly is not sitting, be replaced by a person or persons appointed by the present President of the General Assembly in consultation with the Secretary-General;

"4. Requests the Commission:

"(a) To continue its study of the development of the racial situation in the Union of South Africa:

"(i) With reference to the various implications of the situation for the populations affected;

"(ii) In relation to the provisions of the Charter and, in particular, to Article 14;

"(b) To suggest measures which would help to alleviate the situation and promote a peaceful settlement;

"5. Invites the Government of the Union of South Africa to extend its full co-operation to the Commission;

"6. Requests the Commission to report to the General Assembly at its ninth session."

H. THE MOROCCAN QUESTION

On 19 December 1952, the General Assembly adopted resolution 612(VII), *inter alia*:

(1) expressing its confidence that, in pursuance of its proclaimed policies, the Government of France would endeavour to further the fundamental liberties of the people of Morocco, in conformity with the Purposes and Principles of the Charter;

(2) expressing the hope that the parties would continue negotiations on an urgent basis towards developing the free political institutions of the people of Morocco, with due regard to legitimate rights and interests under the established norms and practices of the law of nations; and

(3) appealing to the parties to conduct their relations in an atmosphere of good will, mutual confidence and respect and to settle their disputes in accordance with the spirit of the Charter, thus refraining from any acts or measures likely to aggravate the tension.

By a letter dated 9 July 1953 (A/2406), the representatives of Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Pakistan, the Philippines, Saudi Arabia, Syria, Thailand and Yemen requested that the Moroccan question be included in the provisional agenda of the eighth regular session of the General Assembly. They stated, in an explanatory memorandum (A/2406/Add.1) that, despite the Assembly's recommendation, the policies pursued by France had aggravated the situation. Approaches made to the French Government to urge it to take liberal measures had been ignored. Mass arrests,

deportations, extorted "confessions" had been carried out under the cover of the martial law which had been declared in Morocco in 1914 and had been in operation ever since. The information contained in a letter and enclosures addressed to the Secretary-General (communication dated 29 May 1953, SCA 264/23/02) had, it was stated, given an idea of the conditions prevailing in Morocco. The situation had been further aggravated by continuous threats and attempts to depose the Sultan. Those attempts, which had started in February 1951, had taken a very alarming aspect since May 1953. Such a serious situation, if allowed to continue, would imperil international peace and security. The United Nations could not afford to ignore it and the General Assembly, at its eighth session, should again consider the question of Morocco with a view to recommending to the French Government the action necessary to remedy the situation and to bring about peace in that part of the world.

1. Consideration by the Security Council

By a letter dated 21 August 1953 (S/3085), the representatives of Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Pakistan, the Philippines, Saudi Arabia, Syria, Thailand and Yemen requested the President of

the Security Council, under Article 35, paragraph 1, of the Charter, to call an urgent meeting to investigate the international friction and the danger to international peace and security which had arisen from the unlawful intervention of France in Morocco and the overthrow of its legitimate sovereign and to take appropriate action under the Charter.

These representatives, except those of Lebanon and Pakistan, which were members of the Council, requested (S/3088) that they be allowed to participate in the discussion of the item in accordance with the rules of procedure.

The Security Council at its 619th to 624th meetings from 26 August to 3 September considered the question of including the item in the agenda.

The representative of France stated that his Government had always refused on legal grounds, as explained in detail to the General Assembly by the French Foreign Minister⁵¹, to allow the United Nations to interfere in its relations with the Protected States of Tunisia and Morocco.

Reviewing recent events in Morocco which had led to the dethronement of the Sultan, the representative of France said that dissatisfaction against the Sultan had been mounting, due to accusations by religious and political leaders of Morocco that the Sultan, instead of being impartial and above factions, had been favouring one religious faction to the prejudice of others and jeopardizing the Moslem faith. The French authorities had been repeatedly petitioned by Moroccan caids and pashas to remove the Sultan and public demonstrations had been made against him. France, acting as mediator, had urged the Sultan to grant the reforms demanded by the people. On 15 August, the Sultan and the French Resident-General had announced the forthcoming reforms but, meanwhile, over 4,000 chiefs and notables opposing the Sultan had gathered round the Pasha of Marrakech, El Glaoui, and, despite the efforts of French authorities to mediate, had proclaimed Sidi Mohamed Ben Moulay Arafa as religious leader. This had been a purely religious decision and the French Government was not entitled to take sides, the French representative said.

If in the larger cities the Sultan's supporters had staged some minor demonstrations in his favour, in the rural areas and among the tribes the Moroccans and their leaders had rallied almost unanimously within the next few days around the new religious leader. Under the present theocratic regime, such a separation of the spiritual and the temporal powers could not be endured, and

throughout the Empire an irresistible movement was being launched to deprive the Sultan of a power which Moslems considered to be illegal because irreligious. On an appeal by the Sultan, the French Government had given the Resident General instructions to try to save the Sultan by every peaceful means, but his proposals had been rejected absolutely by the Pasha. In the meantime, Rabat, the capital, had been virtually beleaguered by all the tribes which had converged to depose the Sovereign and it became apparent that the Sultan could be saved only at the price of a bloody conflict. The only remaining duty of the French authorities was to ensure the personal security of the Sultan and the continuation of the Alaouite dynasty. At the request of the Resident General, the Sultan, unprotesting, had taken a plane to Corsica. The same evening, the entire Sherifian Government had proclaimed Sidi Mohamed Ben Moulay Arafa, from the Alaouite dynasty, as the only legitimate Sovereign of the Sherifian Empire. The next day, the ceremonies of allegiance to the new Sovereign had been held throughout the territory without any disturbance of the public order. Thus, France had fulfilled the three-fold obligation provided in article 3 of the 1912 Treaty of Fez. It had preserved the personal safety of the Sultan, safeguarded the continuity of the throne and of the Alaouite dynasty, and saved the peace of the Sherifian Empire from an armed internecine conflict.

France denied the competence of the United Nations in the matter. Though Morocco had remained a sovereign State, it had, by the Treaty of Fez, transferred to France the exercise of its external sovereignty. By the terms of that Treaty, Morocco had agreed that no dispute between France and itself could be referred by it to the judgment either of an international judicial organ or of an international political organ. Any matter covered by the Treaty of Protectorate fell in essence within the national jurisdiction of France, its representative declared. It was actually internal in a two-fold sense: before falling essentially within France's national competence by virtue of the Treaty of Fez, it fell within the national competence of Morocco. An intervention from the United Nations in such matters would therefore be a double violation of Article 2, paragraph 7, of the Charter.

There was no basis for the request to inscribe the question in the agenda; there was no dispute between the French and the Sherifian Governments, and obviously there was no threat to international security.

⁵¹ See Y.U.N., 1952, p. 279.

Besides, the representative of France argued, if the Council decided to grant the request, it would be difficult for it to propose any action. It could not condemn Morocco for deposing its Sovereign and rallying peacefully around his successor, nor could it condemn France for not changing its mediation into compulsion and not maintaining by force of arms a Sovereign rejected by his people. It could not initiate collective measures to restore the Sultan to power, imposing him at the same time on Morocco as Sultan and on the Protecting Power as protégé. The Council should not cast doubts on the position of the new Sovereign by reopening discussions and engaging in recriminations.

The Security Council, therefore, could do nothing other than reject the request, the representative of France concluded.

The representatives of Lebanon and Pakistan, in the course of various statements, insisted that the purpose of the request for the inclusion of the question in the agenda was only to allow the Council to decide whether the subject matter constituted a situation the continuance of which endangered the maintenance of international security. The Security Council could not refuse to be informed about a situation which had alarmed at least fifteen Member States. It should include the item in the agenda and, in any case, give the thirteen countries which were co-sponsors of the request the opportunity of participating in the discussion.

As to the legal aspects of the case, these representatives contended that the matter did not lie within domestic jurisdiction and Article 2, paragraph 7, of the Charter did not therefore apply. Morocco was not a part of France and it had been determined by the International Court of Justice in a judgment dated 27 August 1952 that France did not have jurisdiction to legislate in respect of Morocco.⁵² Consequently, it could not be claimed that the internal affairs of Morocco were "essentially" within the domestic jurisdiction of France. Moreover, under the Act of Algeciras of 1906, Morocco was a sovereign State and the question therefore was of an international character. Further, the fact that this Act had been signed by twelve States meant that such a fundamental change as the deposition of the Sultan had international implications. It was true that, on account of the 1912 Treaty, Morocco could not submit the dispute between itself and France directly to the Security Council but, it was contended, this Treaty itself was in question and its very existence removed the matter from domestic jurisdiction. Moreover, the consideration of this matter during

the seventh session of the General Assembly had already established that the question was not within the domestic jurisdiction of France under Article 2, paragraph 7, of the Charter. The situation was undoubtedly an international one.

By resolution 612(VII), the General Assembly had enjoined France to take the path of negotiation and conciliation. Disregarding that resolution, France had used every effort to stage a revolt against the Sultan it had itself installed on the throne 26 years ago. In fact, the trend of events in Morocco could only be interpreted as instigated by France to sabotage the Moroccan national movement.

The Sultan, since the adoption of the resolution, had addressed three memoranda to the President and the Government of the French Republic for a resumption of negotiations. France had answered by deposing the Sultan and converting Morocco into a colony.

The representative of Lebanon contended that the French Press, in France as well as in Morocco, had repeatedly expressed the opinion that the events in Morocco had been created by the French authorities because the Sultan had not yielded to French demands. He quoted various Press articles and declarations made by French authorities to that effect.

In 1951, he recalled, when the Sultan had refused to disavow the Istiqlal Nationalist Party, the French Resident-General had threatened him with deposition. But the Sultan had not surrendered and a so-called congress had been held in Fez, attended by El Glaoui, Pasha of Marrakech, together with some French officials, to condemn publicly the Istiqlal Party. Later, a so-called petition had been signed by 270 caids and assistants demanding the dethronement of the Sultan. Of those signatories, the name of El Glaoui had been the only one published. The Assembly of Ulama, the only body entitled to invest or dethrone the Sultan, had immediately addressed a telegram of protest to the French Government. Besides a popular Moroccan reaction, several French organizations had emphasized the repercussions that the violation of the religious traditions of Morocco could not fail to bring about. However, when the Sultan had refused to sign some decrees, the authorities, in pursuance of their policy, had ordered a certain "High Council of 12 Caids and Pashas", under the chairmanship of El Glaoui, to choose a new Sultan. Then the series of events

⁵² *I.C.J. Reports 1952*, p. 176; see also *Y.U.N.*, 1952, pp. 776-84.

had followed which had led to the exile of the Sultan.

The situation, it was stated, was so tense that peace and security were at stake. Not only might there be conflict between France and Morocco, but international complications might arise from the fact that the Sultan had jurisdiction over the whole Moroccan territory; his removal involved Spain, the Protecting Power of Spanish Morocco, and the international territory of Tangier. Such complications could come also from the strategic interests of the United States in Morocco and from the close cultural and political ties existing between the people of Morocco and the Arab Moslem and Eastern peoples in general. The Council could not refuse to consider a situation which could produce resonant reverberation of such an evidently international character.

The representatives of Colombia, the United Kingdom and the United States opposed the inclusion of the item in the agenda.

Emphasizing that the present discussions were limited to the procedural point of the inclusion of the item in the agenda, the United States representative said that, despite the fact that his country favoured increasing self-government in Morocco and elsewhere, it considered that the situation in Morocco did not in fact endanger international peace and security. For the Security Council to depart from its primary function of maintaining peace to deal with other questions under the guise of international security was the surest way for it to undermine its position.

The representative of the United Kingdom recalled that in April 1952 the Security Council had been faced with a very similar situation in regard to Tunisia.⁵³ The Council had then decided not to include the Tunisian item in its agenda. The United Kingdom delegation had expressed its opinion on the matter at that time and again when the Moroccan question had been discussed in the General Assembly.⁵⁴ The consideration of the question would have involved interference in the domestic affairs of a Member State, in violation of Article 2, paragraph 7, of the Charter. Under the Franco-Moroccan Protectorate Treaty, which had been recognized by the Permanent Court of International Justice and the International Court of Justice, the entire conduct of the external affairs of Morocco was vested in France, and therefore the relations between the two States fell within French domestic jurisdiction.

The proper function of the Council was to deal with threats to international peace. Not only did such threats not exist in Morocco, but experience

had shown that the United Nations debates on both Tunisia and Morocco were usually accompanied by immediate outbreaks of violence in those countries. Interference by the United Nations, therefore, might well provoke the very international friction which it was intended to

As for the request by the thirteen countries (S/3088) to participate in the Council's consideration of the question, it would be unusual to invite countries which were not members of the Council to take a seat at the table before the Council had decided the preliminary question of the adoption of the agenda. If the representatives of those thirteen countries were invited to make statements, the debate would be inevitably extended far beyond the immediate question of the adoption of the agenda.

The representative of Colombia stated that under the Protectorate system, the protected State retained its full internal sovereignty while ceding to its protector the right to exercise its sovereignty in foreign affairs. Actually, the judgment of the International Court, to which reference had been made, had dealt exclusively with fiscal and jurisdictional matters which had always been within the domestic sovereignty of States. The Court did not and could not state that Moroccan sovereignty in those matters had proved that Morocco had recovered the right to exercise its sovereignty in external affairs.

General Assembly resolution 612(VII) had merely expressed the hope that France would continue to fulfil its obligations under Articles 73 and 74 of the Charter; it could not be interpreted to mean that Morocco had resumed the right to exercise sovereignty in external matters which it had ceded to France by the Treaty of Fez.

On the other hand, Morocco had retained its sovereignty in internal matters. The Council could not pass judgment on the way in which the Moroccan people had acquired a new government without intervening in Morocco's domestic affairs.

It had been asserted that France had violated the provision of the Treaty of Fez under which it undertook to protect the Sovereign against any danger to his person or his throne. But to interpret the provision as meaning that that protection should be confined to one particular Sovereign would imply an obligation to intervene in the domestic affairs of Morocco in support of that Sovereign against his own people. In any case, if the signatories of the Treaty of Fez thought that

⁵³ See Y.U.N., 1952, p. 266.

⁵⁴ See Y.U.N., 1952, p. 282.

it had been violated and if they were parties to the Statute of the International Court of Justice, the proper course would have been for them to refer the matter to the Court, in accordance with its Statute.

The representative of Greece stated that he would abstain from voting on the inclusion of the item in the agenda. In the opinion of his Government, the United Nations should be willing to consider any problem within the purview of its purposes and activities, provided such consideration did not run counter to the relevant articles of the Charter. In the present case, however, the views expressed had been so diametrically opposed that there was little hope of achieving any positive solution. Any substantive discussion of the Moroccan case would, he felt, unavoidably result in recriminations and a decision on the matter would ultimately be blocked by a veto. Such treatment could not benefit the situation. He also drew the attention of those countries proposing the item to Article 12 of the Charter, according to which, if the item were on the agenda of the Security Council, the General Assembly, which would meet a few weeks later, could not make any recommendations on the matter.

The representatives of Chile, China and the USSR, on the other hand, considered that the item should be included in the Council's agenda. The representatives of Chile and the USSR also stated that they would support the request of thirteen States to participate in the Council's discussions.

The representative of the USSR stated that, despite what had been said by the colonial Powers, the situation which had arisen in Morocco undoubtedly called for the attention of the Security Council. The Treaty of Fez establishing the French Protectorate over Morocco limited Moroccan sovereignty only as regards foreign affairs. It did not follow, however, that no quarrel between France and Morocco could fall outside the framework of that Protectorate. Furthermore, the 1906 Act of Algeiras, which enshrined in its preamble the principle of Moroccan sovereignty, had been signed by ten other countries in addition to France, Spain and Morocco. This multilateral international agreement recognized Moroccan sovereignty and, consequently, the United Nations was competent to consider the present situation.

Morocco, he said, was one of the Non-Self-Governing Territories falling within the scope of Chapter XI of the Charter. The United Nations was thus entitled to take an interest in the situation there. When the responsible Power had violated its obligations and thus endangered inter-

national security, it became an urgent duty for the United Nations to deal with the question.

The USSR representative considered that the thirteen States which had requested participation in the Council debates should be invited to take part during the discussion on the inclusion of the item in the agenda because before a decision on that question was reached the Council should acquaint itself with all the relevant facts.

The representative of Chile said that the state of tension now prevailing in Morocco had seriously affected friendly relations between France and that country and also between France and Spain, and therefore constituted a serious threat to peace. The problem had moreover caused deep concern to fifteen Members of the United Nations. There could therefore be no doubt that those events were endangering international peace and security, the maintenance of which was the chief purpose of the Security Council.

The representative of China favoured the inclusion of the item in the agenda, but without prejudice to the question of the Council's competence. The broad fact remained, he said, that there were troubles in Morocco concerning the relations between France and that country. The Security Council should decide on its competence only after more detailed consideration. The representative of France had contended that the recent events in Morocco were doubly domestic in the sense that they were largely the work of different groups of the Moroccan people. It would be most extraordinary, however, if the Sultan could have been deposed and a successor installed against the wishes of the French Government. It had been said that the events in Morocco did not in the least threaten peace and security, but, actually, where deep nationalistic aspirations were not satisfied, momentary quiet could not be construed as peace. There was a further contention that the Security Council could not do anything about Morocco. Last year, some members of the Council had taken the same view about Tunisia. If question after question was dismissed on the ground that the Council could not do anything about them, the world might get the impression that the Security Council and the entire United Nations could do nothing for the promotion of peace.

The representative of China stated that he would vote against the request that representatives of thirteen States be given a hearing on the adoption of the agenda. The Chinese delegation considered that rule 37, under which the request had been made, could not be interpreted to mean participation in a procedural debate such as the present one.

The representatives of Lebanon and Pakistan added that, even if the foreign affairs of Morocco must, under the Treaty of Fez, be dealt with by France, the French Government was only a vehicle for the expression of the foreign policy of the Government of Morocco and had no discretion in the matter, beyond conveying to foreign governments the desires of the Moroccan Government. They asserted that, before being forcibly deposed, the Sultan had handed over to the French Resident General a written request to the Security Council to investigate the grave situation under Article 35 of the Charter. It might therefore be argued that the Security Council had been approached through the proper channels with a request to consider the matter.

The representative of France strongly denied that any appeal to the United Nations or to the Security Council had been transmitted to the French Resident General by the Sultan before his departure from Morocco, either directly or indirectly.

At the Council's 624th meeting, a motion by Pakistan that the thirteen delegations which were co-sponsors of the request and not members of the Security Council be invited to appear before the Council to explain their case (S/3088) was rejected by 5 votes (Colombia, Denmark, France, United Kingdom, United States) to 4 (Chile, Lebanon, Pakistan, USSR), with 2 abstentions (China, Greece). Another motion, presented by Lebanon, according to which the Security Council would agree to listen to two representatives of that group, was rejected by 5 votes in favour (Chile, Greece, Lebanon, Pakistan, USSR) to 5 against (Colombia, Denmark, France, United Kingdom, United States), with 1 abstention (China.)

The provisional agenda was then voted on but was not adopted, receiving 5 votes in favour (Chile, China, Lebanon, Pakistan, USSR), 5 against (Colombia, Denmark, France, United Kingdom, United States), and 1 abstention (Greece).

2. Consideration by the General Assembly at its Eighth Session

At its 435th plenary meeting on 17 September, the General Assembly, on the recommendation of the General Committee, decided to include the question in its agenda and referred it to the First Committee for consideration and report.

In a letter dated 7 October (A/C.1/L.58), the representative of France informed the Chairman

of the First Committee that the French delegation would abstain, as it had in the previous session, from participating in the Committee's debate on the Moroccan question. The French Government considered that such discussion represented outright intervention by the United Nations in matters which fell essentially within the domestic jurisdiction of France, and thus contravened the provisions of Article 2, paragraph 7, of the Charter.

a. DISCUSSIONS IN THE FIRST COMMITTEE

The First Committee considered the question at its 629th to 640th meetings from 7 to 19 October. In the first of these meetings, Pakistan submitted a draft resolution (A/C.1/L.59) providing that the Chairman of the First Committee, on behalf of the members of the Committee, should request the Government of France to reconsider its decision to abstain from the debate on the Moroccan question in the Committee and, by its presence, assist the Committee to come to an equitable solution. At the next meeting on 8 October, the representative of Pakistan withdrew his draft resolution since it appeared, he said, that it would not obtain the unanimous support of the members of the Committee.

(1) Thirteen-Power Draft Resolution

On 9 October, Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen submitted a joint draft resolution (A/C.1/L.60), which provided, *inter alia*, that the General Assembly should:

(1) recommend that the existing state of martial law and all other exceptional measures in Morocco should be terminated, that political prisoners should be released and that all public liberties should be restored;

(2) recommend that democratic representative institutions for the people of Morocco through free elections on the basis of universal suffrage should be established;

(3) recommend that all necessary steps should be taken to ensure within five years the complete realization by the people of Morocco of their rights to full sovereignty and independence; and

(4) request the Secretary-General to communicate with the French Government with a view to the implementation of the resolution and to report to the General Assembly at its ninth session.

In the course of the discussion, many of the speakers referred to the statements they had made on the Moroccan question at the previous session of the General Assembly⁵⁵ and at the Security

⁵⁵ See Y.U.N., 1952, p. 278-84.

Council's meetings the previous month (see above).

The representatives of Afghanistan, Burma, Czechoslovakia, Egypt, Guatemala, India, Indonesia, Iraq, Lebanon, Liberia, Pakistan, Saudi Arabia, Syria, the USSR, Yemen and Yugoslavia spoke in support of the thirteen-Power draft resolution. They pointed out that, far from justifying the confidence expressed in resolution 612(VII), the French Government had replied by deposing the Sultan who advocated Moroccan independence and the re-establishment of a democratic form of government, and by declaring the Istiqlal party illegal. The sole purpose of the action had been to eliminate all opposition to the so-called reforms prepared at the request of the French settlers. Those reforms, which degraded the Protectorate to the status of a colony, had been enacted only two weeks after the banishment of the Sultan. Under the new regime, the votes of the various Councils were assured by the fact that the French residents had 50 per cent of the seats while the remainder went mainly to their followers. The Councils were consultative in nature and were controlled as to the subject of their discussions. Legislative and executive powers had been vested in a special authority composed of two Councils, the members of which were appointed by and were subservient to the Resident General. Under such a regime, which conferred upon French nationals unjustified political rights, contrary to the Act of Algeciras and the Treaty of Fez and to the principles of the Charter and the rules of international law, neither the Moroccan throne and the Moroccan people nor France exercised any authority; the authority was in fact in the hands of the French residents in Morocco, who enjoyed considerable influence on the Paris Government. Their practical programme had been carried out almost completely by the machinery of military occupation. Thus, they had obtained the deposition of the Sultan, the removal of his heir, the increase in the powers of the Resident General and then the implementation of the French plan of reforms.

The General Assembly's responsibility in this matter had become all the more serious since the Security Council had just refused to discuss the matter, and had not even allowed thirteen out of the fifteen Member States which had drawn the Council's attention to the situation to participate in a simple procedural debate which preceded the decision.

The absence of the French delegation was most regrettable. Such a negative attitude certainly did not justify the confidence in France demonstrated

by the General Assembly at the seventh session. It was a challenge to the powers of the Assembly itself as defined in Article 10 of the Charter.

The Sultan, after the adoption of resolution 612(VII), had sent to the President and the Government of the French Republic three memoranda, in which he endeavoured to fulfil the hopes expressed by the General Assembly by asking the French Government to enter forthwith into negotiations with a view to developing the free political institutions of the Moroccan people with due regard to the legitimate rights and interests of France and the French settlers in accordance with established principles. In reply, the French Government had brought increasing pressure to bear on the Sovereign to compel him to accept the so-called plan of reforms which he had repeatedly rejected since 1947.

Despite the French representative's statement that the question of Morocco fell essentially within France's domestic jurisdiction, the General Assembly, in deciding the previous year and again in the present year to discuss the question, and by adopting its resolution 612(VII), had confirmed its competence in the matter. Moreover, the General Assembly's competence was based on several factors, such as the violation by the French Government of the Act of Algeciras and the Treaty of Fez, the infringement of the obligations of the French Government under Chapter XI of the Charter, dealing with Non-Self-Governing Territories, and the violation of human rights and of the rules of international law. The General Act of Algeciras signed by thirteen States in 1906 was a kind of international Charter of modern Morocco. It formally recognized the Sultan's sovereignty and independence, the integrity of his domains and the economic liberty of Morocco on an equal footing with all States trading with that country. It was a multilateral international treaty which continued to be operative and to govern the present situation.

As for the Treaty of Fez of 1912, a close scrutiny of it revealed that:

- (1) the Treaty had been imposed by force;
- (2) assuming that it was valid, it did not extinguish Morocco as a sovereign State;
- (3) the rights conferred upon France in Morocco derived from an international treaty, thereby negating the principle of French domestic jurisdiction in the case; and
- (4) the Treaty of Fez was only a link in the chain of international treaties related to the question.

The intervention of the United Nations was essential in order to bring about an orderly evolution through the process of real negotiations be-

tween Morocco and France. It was all the more necessary since the Act of Algeciras and the Treaty of Fez had no fixed time-limit. The Treaty of Fez could not be eternal and should not be kept in force if its objectives were attained, nor if France pursued a policy directly opposed to those objectives. In the latter case, the very actions of France would constitute a reason for terminating the Treaty.

Actually, France was undertaking actions and practising policies in Morocco in contravention of the spirit and letter of its treaty obligations. The first important step in French policy was a policy of occupation and direct rule. The French forces were not intended to provide collective security, but merely to help protect French interests against the Moroccans. Another example of that policy was the over-burdening of the Moroccan budget by the cost of a double administration: a Moroccan one, which was only for show, and the real French one. French policy was also leading to the disruption of Moroccan unity and the undermining of its existence as a nation, and of its Arab culture. It was clear that, within the last four decades, France had resorted to a policy which to-day proved to be wrong, inexpedient and impracticable. Thus, the French had arbitrarily divided Morocco into so-called Arab and Berber regions in order to encourage local tendencies as opposed to the common life of the nation. Another attempt to divide the country had been made by the creation of three types of region, namely civil, military, and forbidden regions, thereby restricting the free circulation of the Moroccan people. A further effort at breaking the unity of Morocco had been made by encouraging and subsidizing fraternities in schismatic activities.

Since the end of the Second World War, a policy of French settlement had been officially instituted. The colonists were favoured by the tax policy and were assured of legal, administrative and financial facilities for the expropriation of land and for subsoil concessions. They had the benefit of family allowances, social security and trade union rights. They enjoyed advantages in education and health expenditures. Disregarding the fundamental rights of the Moroccan people, the French settlers ruled the whole territory exclusively in their own interests.

The representatives of Australia, Belgium, Brazil, Canada, Chile, Cuba, the Dominican Republic, Ecuador, Haiti, Israel, the Netherlands, New Zealand, Norway, Peru, South Africa, Turkey, the United Kingdom, the United States and Uruguay stated that they would vote against the thirteen-Power draft resolution. Some of them

based their opposition on the doubts which had already been expressed concerning the competence of the United Nations in the matter. The Treaty of Fez, which had been expressly accepted by all the signatories to the Act of Algeciras, provided that the conduct of Morocco's external affairs was the sole responsibility of France. France could not conduct a dispute with itself and it followed that, if there were any dispute between France and Morocco, it must necessarily be an internal and not an international dispute. The fact that the Assembly accepted information regarding Morocco transmitted by France in accordance with Article 73e of the Charter supported the case. It could not be maintained both that Morocco was a Non-Self-Governing Territory, about which information had to be transmitted, and also that it possessed those attributes of sovereignty which would make a dispute between it and France an international question.

The question of Morocco might have been considered an international one had there been other States signatories to the Treaty of Fez. But that was not the case. Consequently, there was no other party which had the right to pronounce upon the interpretation of the Treaty. It had been claimed that the situation in Morocco had led or was likely to lead to a threat to international peace and security; but there certainly was no other State which feared invasion from France and Morocco. The most that had been suggested, rightly or wrongly, was that peace and security were in danger within Moroccan territory itself, and that would raise an internal and not an international problem. Nor could the clauses in the Charter concerning human rights be invoked, even if such issues were in fact involved, because they were not matters of precise international obligation. Article 2, paragraph 7, of the Charter was categorical. The sole exception which it permitted related to the application of enforcement measures under Chapter VII. No such exception had been made with regard to the application of the clauses in the Charter concerning human rights, nor to the authority of the General Assembly under Articles 10 and 11, nor to that of the Security Council under Article 34.

The representative of the United Kingdom pointed out that any matter which was within the domestic jurisdiction of any State was, by virtue of Article 2, paragraph 7, automatically removed from the scope of the Charter as mentioned in Article 10. That Article, he said, referred equally to discussion and to the making of recommendations and gave no grounds for the view that discussion, as distinct from recommendations, did

not amount to intervention under the terms of Article 2, paragraph 7,

Furthermore, some of those speakers expressed their fears that, far from having a useful effect, the discussion would lead to a stiffening of attitude, inflame feelings and prevent the parties concerned from progressing towards agreement. Experience had shown, they said, that discussion of subjects of that kind in the United Nations had not best served the interests of the people concerned. The result had too often been disturbances, bloodshed and the suspension of all negotiations on the spot, at any rate for the duration of the debate. This opinion was shared by some representatives who, although they considered the Organization was competent, would not support the draft resolution.

The representatives of Bolivia, China, Greece, Mexico, Sweden and Thailand declared that they would abstain from voting on the draft resolution in its present form.

Some of them underlined that, as the final objective of French policy was to grant self-government of Morocco, the quarrel was not concerned with an issue of principle, but with the question of how soon that objective would be attained. It must be realized, they said, that the pace of evolution was slow in such a matter. It would therefore be unwise for the United Nations to impose a solution or set a time-limit. The whole question was one of creating an atmosphere conducive to the success of negotiations between the French and the Moroccans. Those representatives were ready to support any resolution which would achieve that result. They did not feel, however, that the thirteen-Power proposal, in its present form, could be of any help in the matter.

At its 640th meeting on 19 October, the Committee rejected the thirteen-Power draft resolution (A/C.1/L.60) by a roll-call vote of 28 to 22, with 9 abstentions.

(2) Bolivian Draft Resolution

Meanwhile, at the 638th meeting on 16 October, the representative of Bolivia stated that outright rejection of the thirteen-Power draft resolution might be interpreted in two ways: (1) as giving France a free hand to take such action as it deemed fit with regard to the Moroccan people and as justifying all its actions and possible mistakes of policy; and (2) as a tacit condemnation of resolution 612(VII).

Bolivia therefore submitted a draft resolution (A/C.1/L.61) which provided, *inter alia*,

that the General Assembly, considering that "the purposes and objectives" of its resolution of 19 December 1952 continued to have the merit of "expressing a general desire" for the development of free political institutions of the Moroccan people, and considering also that the inclusion of the present item in the agenda indicated that "that desire" had not been fulfilled, would renew its appeal for the reduction of tension in relation to the question of Morocco and again express its confidence and hope that the free political institutions of the people of Morocco would be developed in conformity with the spirit of the Charter. (For text of resolution as adopted by the Committee, see below).

Several representatives, including those of Brazil, China, Cuba, Uruguay and Venezuela, who had opposed the thirteen-Power draft resolution considered that the Bolivian draft resolution was in fact a re-statement of General Assembly resolution 612(VII) and announced their intention of supporting it. Others, including the representatives of the Dominican Republic, Ecuador, Peru and the United Kingdom, said they could not vote for it, either because they formally contested the competence of the Assembly to deal with the matter or because they felt that the draft resolution, in its fourth paragraph, improperly passed judgment on French policy.

At the 640th meeting on 19 October, India, Indonesia and Burma jointly submitted four amendments (A/C.1/L.62, see below) to the Bolivian draft resolution. In introducing the amendments, the representative of India said that they did not change the fundamental objectives of the Bolivian draft resolution but merely sought to give those objectives greater precision and solidity. Without those changes, the Bolivian draft resolution could not contribute effectively to the peaceful realization of the Moroccan people's right to self-determination. The most it could be said to do was to express the confidence that that right would be implemented in due course. Recent events in Morocco had done nothing to justify the confidence reposed in France by the General Assembly the previous year, and to reaffirm that sentiment in the face of events would be both ineffective and unreal. For those reasons, if the amendments proposed to the Bolivian draft resolution were not adopted, India would be unable to support it.

At the 640th meeting the Committee adopted the four joint amendments and the amended draft resolution in paragraph-by-paragraph votes.

The first amendment proposed to refer in the preamble to the "motives and objectives", instead of to the "purposes and objectives", of Assembly resolution 612(VII) and to state that that resolution had the merit of "recognizing the necessity", instead of "expressing a general desire", for the development of Moroccan free political institutions. It was adopted by

33 votes to 15, with 10 abstentions, and the third paragraph, as thus amended, was adopted by 34 votes to 17, with 5 abstentions.

The second amendment proposed to state in the fourth paragraph that it was indicated that "those objectives" instead of "that desire" had not been fulfilled. It was adopted by 30 votes to 18, with 9 abstentions, and the fourth paragraph, as thus amended, was adopted by 31 votes to 21, with 7 abstentions.

The third amendment, to add a fifth paragraph to the preamble recognizing the Moroccan people's right to self-determination, was adopted by a roll-call vote of 36 to 13, with 9 abstentions.

The fourth amendment, to substitute a new text (see below; for the operative paragraph of the Bolivian draft resolution, was adopted by 30 votes to 18, with 9 abstentions.

The first two paragraphs of the Bolivian draft resolution were adopted, with some drafting changes, by 40 votes to 9, with 9 abstentions.

The draft resolution, as a whole, as amended, was adopted by a roll-call vote of 31 to 18, with 9 abstentions.

The First Committee therefore recommended (A/2526) to the General Assembly the adoption of the following resolution:

"The General Assembly,

"Having considered the question of Morocco proposed by fifteen Member States in document A/2406,

"Recalling General Assembly resolution 612(VII) of 19 December 1952,

"Considering that the motives and objectives of that resolution had and continue to have the merit of recognizing the necessity of the development of the free political institutions of the people of Morocco,

"Considering that the fact that this item has been included in the agenda of the General Assembly at its eighth session indicates that those objectives have not yet been fulfilled,

"Recognizing the right of the people of Morocco to complete self-determination in conformity with the Charter,

"Renews its appeal for the reduction of tension in Morocco and urges that the right of the people of Morocco to free democratic political institutions be ensured."

b. CONSIDERATION BY THE GENERAL ASSEMBLY

At its 455th plenary meeting on 3 November 1953, the General Assembly considered the draft resolution recommended by the First Committee. The representatives of Australia, Brazil, Colombia, India, Indonesia and Pakistan made statements along the lines of those they had made in the First Committee.

The representatives of India, Indonesia and Pakistan stated that they would support the draft

resolution submitted to the General Assembly. They deplored the fact that the thirteen-Power draft resolution had been rejected in the First Committee. There was nothing revolutionary in that proposal, which undoubtedly was within the competence of the Assembly. However, a majority of the members of the Committee considered they could not support it. These representatives noted that thirteen Members of the United Nations had opposed the fifth paragraph of that draft resolution, thus refusing to recognize the right of the people of Morocco and, implicitly, of any other dependent peoples to self-determination in conformity with the Charter. Instead of that thirteen-Power proposal, the Committee had adopted the amended Bolivian draft resolution, in which there was nothing to which anyone in the General Assembly could possibly take exception. It was full of good intentions. There was not a word in it of condemnation or reproach. It would be most unfortunate and would increase the sense of frustration of the Moroccan people if the General Assembly were to fail to adopt any resolution at all and they therefore appealed for its adoption.

The representatives of Australia, Brazil and Colombia opposed the draft resolution proposed by the First Committee. The representative of Brazil stated that, far from promoting the attainment of the legitimate aspirations shared by all the freedom-loving peoples, such a proposal would only hinder a process of development which had reached a delicate juncture. Only political sagacity, tact, moderation, patience and the necessary time could lead safely to the desired goal.

The representatives of Australia and Colombia protested against the interpretation given to the negative vote cast by certain Member States on the fifth paragraph of the draft resolution. For those who considered that the Assembly was not competent to deal with such matters, the only course open was to vote against each paragraph, since if they abstained, the draft resolution might be adopted. They opposed the text, not on the grounds that it was good or bad, but because they thought the Assembly should not adopt any resolution.

The draft resolution was voted on paragraph-by-paragraph by roll call.

The first paragraph was adopted by 41 votes to 9, with 9 abstentions; the second paragraph by 36 votes to 8, with 15 abstentions; the third paragraph by 35 votes to 14, with 10 abstentions; and the fifth paragraph by 37 votes to 13, with 9 abstentions. The fourth paragraph obtained 31

votes in favour, 23 against and 5 abstentions, and was rejected, having failed to obtain the required two-thirds majority. The sixth paragraph, containing the operative part of the draft resolution, obtained 32 votes in favour, 22 against and 5 abstentions. Voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Burma, Byelorussian SSR, China, Czechoslovakia, Denmark, Egypt, Ethiopia, Guatemala, Iceland, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Norway, Pakistan, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Ukrainian SSR, USSR, Uruguay, Yemen, Yugoslavia.

Against: Australia, Belgium, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Haiti, Honduras, Luxembourg, Netherlands, New Zealand, Nicaragua, Panama, Paraguay, Peru, Turkey, Union of South Africa, United Kingdom, United States.

Abstaining: Canada, El Salvador, Greece, Israel, Venezuela.

The operative part of the draft resolution having failed to obtain the required two-thirds majority, the draft resolution (A/2526) recommended by the First Committee was rejected.

I. THE TUNISIAN QUESTION

In resolution 611(VII) of 17 December 1952,⁵⁶ the General Assembly, *inter alia*:

(1) expressed its confidence that, in pursuance of its proclaimed policies, the Government of France would endeavour to further the effective development of the free institutions of the Tunisian people, in conformity with the Purposes and Principles of the Charter;

(2) expressed the hope that the parties would continue negotiations on an urgent basis with a view to bringing about self-government for Tunisians in the light of the relevant provisions of the Charter; and

(3) appealed to the parties concerned to conduct their relations and settle their disputes in accordance with the spirit of the Charter and to refrain from any acts or measures likely to aggravate the existing tension.

In a letter dated 16 March 1953 (A/2371), addressed to the President of the General Assembly, the representatives of Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen drew attention to the dangerous situation still existing in Tunisia and the repressive measures which, they believed, continued to be taken by the French Government. They stated that the French Government was insisting that negotiations proceed only on the formula of its own choice and only with a so-called Tunisian Government of its own making. It had, they said, extended and intensified its policy of repression both through its armed forces and through the machinery of the military tribunals in Tunisia. It had taken no effective measures to curb the campaign of terrorism directed by underground organizations against nationalist leaders. That policy of the French Government was contrary both to the spirit of the Charter and to the appeal to both parties in resolution 611(VII) to refrain from any acts or measures likely to aggravate the existing tension.

On 9 July 1953, the permanent representatives of the same fourteen Members and of Thailand

requested (A/2405) the inclusion of the Tunisian question in the provisional agenda of the Assembly's eighth session. In an explanatory memorandum (A/2405/Add.1), those representatives stated that the French Government had taken no effective measures to implement the Assembly's recommendations. On the contrary, it had imposed so-called reforms which were incompatible with the aspirations of the Tunisian people. The French Government had created, and continued to maintain permanently unsettled conditions which, if allowed to continue, might dangerously threaten international peace and security. In view of those circumstances, they stated, the Tunisian question was again brought to the attention of the Assembly, so that it might consider the steps necessary to prevent a further deterioration of the situation, and make recommendations for its peaceful settlement.

The question was referred by the Assembly to the First Committee. In a letter dated 7 October 1953 (A/C.1/L.58), the representative of France informed the Chairman of the First Committee that the French delegation would abstain, as it had at the previous session, from participating in the Committee's discussions on the Tunisian question. The French Government considered that the General Assembly could not, without contravening Article 2(7) of the Charter, interfere in the relations between France and its two North African protectorates, and, in those circumstances, the French delegation was unable to associate itself with discussions which, in its opinion, represented outright intervention by the United Nations in matters which were essentially within the domestic jurisdiction of France.

The First Committee considered the Tunisian question at its 641st to 647th meetings from 21 to 26 October.

⁵⁶ See Y.U.N., 1952, p. 278.

On 22 October, the representatives of Afghanistan, Burma, Egypt, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen submitted the following joint draft resolution (A/C.1/L.64):

"The General Assembly,

"Having considered the question of Tunisia, as proposed by fifteen Member States in document A/2405,

"Recalling its resolution 611(VII) of 17 December 1952,

"Noting that the objectives of this resolution have not yet been achieved,

"Desirous of creating the necessary conditions for the restoration between France and Tunisia of normal relations based on the principle of equality of rights of nations large and small,

"Convinced that full effect should be given to the sovereignty of the people of Tunisia by the exercise, as early as possible, of their legitimate rights to self-determination and self-government in conformity with the Charter,

"1. Recommends:

(a) That all necessary steps be taken to ensure the realization by the people of Tunisia of their right to full sovereignty and independence; and especially

(b) That the existing state of martial law and all other exceptional measures in operation in Tunisia be terminated, that political prisoners be released and that all civil liberties be established;

(c) That negotiations be undertaken without delay with representatives of a Tunisian Government established through free elections held on the basis of universal suffrage and enjoying the necessary guarantees of freedom, with a view to enabling the Tunisian people to exercise all the powers arising from their legitimate rights to full sovereignty;

"2. Requests the Secretary-General to transmit this resolution together with the record of the proceedings to the French Government and to report to the General Assembly at its ninth session."

During the discussion, the representatives of Burma, Egypt, India, Indonesia, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria, the USSR and Yemen who, among others, fully supported the draft resolution, dealt with the history⁵⁷ of the struggle of the Tunisian people for independence. They stated that, by the Treaty of Bardo of 1881 and the La Marsa Convention of 1883 which governed the relations between France and Tunisia, the Bey had entrusted the exercise of only some of his rights to France. Both instruments, it was claimed, had formally recognized his sovereignty. However, the French had taken the position that subsequent actions of the Bey had modified the initial character of the protectorate and established a co-sovereignty—a position which was never accepted by the Tunisians. It was maintained that the policy of the French Residents had been to create a de facto colony and to hope

that the legal status would follow. In order to affirm their sovereignty all the Beys had resisted the French representatives, and the nationalism of the Tunisian people had become more ardent with each French violation of the treaties. In 1950, after prolonged resistance to French domination, a new Tunisian Government had been formed, acceptable to the Bey and to the French Government. The new Cabinet was to negotiate such institutional changes as might lead to self-government. In 1951, due to the pressure of French colonists in Tunisia, that policy was reversed and in August 1952 draft reforms were presented which were not acceptable to the Tunisian people.

On 9 September 1952, the Bey had informed the French authorities that he could not approve the draft reforms which had been submitted to him, since study by a group representing all sections of Tunisian opinion had made it clear that they would impair Tunisian sovereignty, legalize direct administration and in no way represent progress towards the internal autonomy which the French Government had promised. On 16 December, referring to the resolution adopted by the First Committee on 12 December, the Bey had informed the French Government that a resumption of negotiations was desirable. The French Government had refused that offer and had preferred to present the Bey with the alternative of consenting to the reforms or being deposed. A general atmosphere of terror and repression was then created throughout Tunisia. The members of the former Government, from whom the Bey had not withdrawn his confidence, were closely watched by the French authorities. The nationalist leader, Mr. Bourguiba, as well as the other qualified representatives of the Tunisian people, were put under arrest. More recently, Farhat Hached, the trade union leader and trusted counsellor of the Bey, had been assassinated. The Bey's palace was isolated by French troops, while military operations and summary executions were carried out. In those circumstances, these representatives said, the Bey had been compelled, on 20 December 1952, to affix his seal to the so-called reforms. The General Assembly resolution of 17 December (611(VII)) had thus been violated by the French Government the day after its adoption. The so-called reforms had in no way affected the basic problem and had made no change in French control over Tunisia. They had continued the principle of co-sovereignty and had vitiated the principle of democratic representation by permitting a grossly disproportionate position to the

⁵⁷ The points mentioned were substantially those covered in Y.U.N., 1952, pp. 275-76.

French colonists. The rural and municipal elections during April and May 1953 had been accompanied by severe repressive measures, martial law and Press censorship. Candidates had been forced upon the electors and they were forced to go to the polls, with threats of reprisals if they did not vote. Despite these measures, candidates could not be found for several towns and the majority of the people had boycotted the elections. Serious disturbances had broken out throughout the country, resulting in a large number of casualties. It was emphasized that the situation constituted a threat to international peace and security, calling for a decision by the United Nations.

If France desired useful negotiations, they would have to be conducted with the true representatives of the Tunisian people, many of whom were imprisoned, and not with the new Prime Minister, Mr. E. Baccouche and his ministers, these representatives said. Only complete independence and sovereignty, it was maintained, would put Tunisia in a position to recognize the work done by France under the protectorate.

Turning to the economic aspects of the question, these representatives stated that the development of Tunisia had been for the benefit and profit of the colonists and French investors. In this connexion, the representatives of Poland and the USSR analysed the economic and social conditions prevailing in Tunisia where, they stated, the average arable area of land per French settler was 200 hectares as against two hectares held by Tunisian farmers. One third of the arable land was held by five or six thousand settlers, it was stated. The Tunisian workers, they maintained, were paid starvation wages, and in February 1953 there had been 500,000 unemployed receiving no unemployment benefits. Foreign trade had maintained its colonial structure, characterized by export of mineral and agricultural products and import of manufactured goods. Under the colonial regime, the lot of the Tunisians had been high taxes, low wages, malnutrition, lack of sanitation, disease, illiteracy and famine.

The representative of the USSR also stated that the United States had already established a network of military bases in Tunisia. He considered that the freedom and independence of the Tunisian people were being sacrificed to the plans of aggressive American circles.

Dealing with the question of the Assembly's competence, representatives supporting the draft resolution argued that France and Tunisia were sovereign States bound by treaties, and no part of the affairs of a sovereign nation could fall

within the domestic jurisdiction of another. Accordingly, Article 2(7) of the Charter was not applicable. Even if the Treaty of Bardo and the Convention of La Marsa, under which France was made responsible for Tunisia's external relations, were valid, Tunisia, it was contended, could appeal to the United Nations, because the questions under consideration did not relate to its external affairs but were internal administrative problems within Tunisia's competence.

In reply to an argument advanced by Robert Schuman in Paris that France's obligations in respect to Tunisia were regulated by Article 73⁵⁸ of the Charter, it was argued that Article 73b imposed upon France the obligation to develop self-government in Tunisia. That Article, read with Article 103,⁵⁹ had precedence over any inconsistent obligation, and prevailed over any other obligation or right that might be established by any other treaty. Moreover, it was said, the Assembly was competent to discuss the question under Article 10 which enabled it to discuss any question within the scope of the Charter.

Reference was also made to the precedents established by the General Assembly's action in discussing the observance in Bulgaria, Hungary and Romania of human rights and fundamental freedoms.

The representative of Guatemala stated that he would vote for the thirteen-Power draft resolution as it was in line with his delegation's attitude regarding the principle of self-determination of peoples. A similar statement was made by the representative of Yugoslavia. The representative of Mexico declared similar support for the draft resolution except for paragraph 1(c) which, he considered, was not justified since it prescribed the manner in which the Tunisian Government should be elected. He would therefore abstain on that paragraph, he said. The representative of China said that, while concurring with the spirit of the draft resolution, he would abstain on paragraph 1(b) which should have emphasized the bilateral nature of the negotiations and on paragraph 1(c) which, he stated, unjustifiably prescribed the manner of the election.

The representatives of Australia, Belgium, New Zealand, the Union of South Africa and the United

⁵⁸ This Article contains a "Declaration Regarding Non-Self-Governing Territories", under which Members responsible for administering such Territories undertake certain obligations for promoting the well-being of the inhabitants of the Territories.

⁵⁹ Article 103 provides that in the event of a conflict between the obligations of Members under the Charter and their obligations under any other international agreement, their obligations under the Charter shall prevail.

Kingdom considered that the General Assembly was not competent to discuss the question. The Assembly, it was stated, was a diplomatic gathering of representatives of governments, and not a court of justice or a world parliament. Its competence was limited by Article 2, paragraph 7, which forbade intervention in matters which were essentially within the domestic jurisdiction of any State. The treaties between France and Tunisia, it was emphasized, were organic in character and established the general political conditions to which the reciprocal relations of the contracting States were subject. They directly affected the constitutional structure of States and the normal operation of their organs of government. It could not be denied that those matters were essentially within the domestic jurisdiction, within the meaning of Article 2, paragraph 7. In reply to the argument that the question was no longer within the domestic jurisdiction of a State, since it had been covered by an international treaty, it was maintained that the Charter of the United Nations and the Covenant of the League of Nations had been based on totally different principles. Article 15 of the Covenant had established the criterion of exclusive competence, in accordance with which a question ceased to be within the province of domestic jurisdiction once it had been covered by a convention. However, the San Francisco Conference had deliberately rejected that criterion and had adopted the new criterion of essentially domestic jurisdiction. It had also been argued that the General Assembly was competent to discuss any question under Article 10 of the Charter, since that Article would be meaningless if domestic jurisdiction could be invoked to oppose the discussion of any question. That argument concluded that there was a conflict between Article 10 and Article 2, paragraph 7, and that the former must prevail. However, it was necessary to draw a distinction between a general discussion of questions within the framework of the Charter, such as human rights or full employment, for example, and the discussion of particular domestic measures adopted by States within their own domain. If that distinction were kept in mind, it would be realized that Article 10 and Article 2, paragraph 7, were compatible.

The representatives of the Dominican Republic, Haiti, Israel and the Netherlands, opposing the joint draft resolution, argued that the proceedings in the United Nations might serve to inflame passions instead of promoting a just and realistic solution in North Africa. The debate had shown that there were great differences of opinion concerning the Assembly's competence and the extent

of that competence. If the United Nations were to overstep its rights, some important States might be estranged by such action. The solution of the Tunisian question would not be facilitated by polemics, or by unjustified pressure or intervention.

There could be no doubt, it was stated, that the situation in North Africa was causing concern. Those who were competent, directly engaged and responsible should handle the situation with tact and wisdom, in order to avoid jeopardizing the healthy development of self-government in those regions and adversely affecting their security. It was argued that the possibilities of negotiation between France and Tunisia had not yet been exhausted. Thus, in his first audience with the Bey on 26 September 1953, the new Resident General, Mr. Voisard, had stated that France intended to continue with the friendly development of Tunisian institutions within the framework of Tunisian sovereignty. The Bey had replied that the uselessness of violence had been recognized and that, as reason had triumphed, mutual understanding and confidence would be restored. The Bey had noted Mr. Voisard's statement and had asserted that by undertaking—by full agreement between both parties—to fulfill legitimate Tunisian aspirations, France would have further reason to deserve the gratitude of his country. It was felt that this propitious atmosphere would not be encouraged by the adoption of the joint draft resolution.

At the 647th meeting on 26 October, the Committee voted on the draft resolution, paragraph by paragraph (for text, see above), by roll-call vote. The paragraphs of the preamble were adopted by votes ranging from 38 to 11, with 5 abstentions, to 29 to 16, with 11 abstentions. Of the first operative paragraph, sub-paragraph (a) was adopted by 32 votes to 19, with 5 abstentions; sub-paragraph (b) was rejected by 26 votes to 23, with 7 abstentions; and sub-paragraph (c) was rejected by 26 votes to 22, with 8 abstentions. The second operative paragraph was adopted by 26 votes to 25, with 5 abstentions. The draft resolution as a whole, as amended, (i.e., with the exception of operative paragraph 1(b) and (c)) was adopted by 29 votes to 22, with 5 abstentions.

In explanation of his vote, the representative of the United States said that he had voted against the draft resolution because it would not serve the cause of Tunisian independence; he had voted against the fifth paragraph of the preamble because it might give rise to serious controversy in regard to the sovereignty of the Non-Self-Governing Territories and their progress towards independence.

The representative of Brazil stated that he considered it discourteous, as proposed in the second operative paragraph of the draft resolution, to communicate to a Member State a resolution which it considered irregular. Furthermore, this paragraph would prejudice the course of future events and place the question automatically on the agenda of the next session. He had therefore voted against the draft resolution.

At its 455th and 457th plenary meetings on 3 and 11 November, the General Assembly considered the draft resolution recommended by the First Committee (A/2530).

The representative of Iceland submitted amendments (A/L.166) to the draft resolution to:

- (1) delete the third paragraph of the preamble;
- (2) substitute for the first operative paragraph a new text recommending that negotiations between France and Tunisia be undertaken to ensure the realization by the people of Tunisia of their right to self-determination; and
- (3) delete the second operative paragraph.

The representative of Iceland said that he had proposed the deletion of provisions which had been regarded as controversial in the First Committee. The amendments, he said, were presented in a spirit of conciliation and in an attempt to show appropriate regard for both parties. He expressed the fear that repeated frustrations in the United Nations, such as those which had recently been seen in the case of Morocco, would unavoidably cause many people throughout the world to lose their faith in the Organization.

In explanation of their votes, the representatives of China, Egypt, Indonesia, Lebanon and Pakistan made statements similar to those they had made in the First Committee in support of the draft resolution. The representatives of Israel, the Union of South Africa and the United States reiterated the stand they had taken in the Committee opposing the adoption of the draft resolution and the amendments thereto.

The representative of Argentina, while affirming the competence of the Assembly to discuss and make recommendations on the question, stated that his delegation preferred conciliatory action as opposed to unilateral expressions of opinion. His vote had also been influenced, he said, by the position taken by the Assembly in "refusing to take a decision in respect of the similar problem of Morocco".⁶⁰

The representative of Colombia stated that the new paragraph proposed by the representative of Iceland would go beyond the provisions of resolu-

tion 611(VII), in which the Assembly had confined itself to appealing to the parties to conduct their relations and settle their disputes in accordance with the Charter. Moreover, he considered, the General Assembly was precluded by Article 2, paragraph 7, from making recommendations on the question. He would therefore vote against both the draft resolution and the amendments proposed by Iceland.

The representative of Cuba said that he would vote against the draft resolution and the amendments because he considered that resolution 611 (VII) was still in force and he hoped that the French Government would continue negotiations to bring about an agreement.

The first amendment was adopted by 39 votes to 4, with 10 abstentions.

The second amendment was voted on by roll call and was adopted by 32 votes to 16, with 11 abstentions. Voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Burma, Byelorussian SSR, China, Czechoslovakia, Denmark, Egypt, Ethiopia, Guatemala, Iceland, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Norway, Pakistan, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Ukrainian SSR, USSR, Uruguay, Yemen, Yugoslavia.

Against: Australia, Belgium, Colombia, Cuba, Dominican Republic, Ecuador, Haiti, Honduras, Israel, Luxembourg, Netherlands, Nicaragua, Panama, Paraguay, Union of South Africa, United Kingdom.

Abstaining: Brazil, Canada, Chile, Costa Rica, El Salvador, Greece, New Zealand, Peru, Turkey, United States and Venezuela.

The draft resolution proposed by the First Committee, as amended, was then put to the vote by roll call. It received 31 votes in favour and 18 against, with 10 abstentions. Voting was as follows:

In favour: Afghanistan, Bolivia, Burma, Byelorussian SSR, China, Czechoslovakia, Denmark, Egypt, Ethiopia, Guatemala, Iceland, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Norway, Pakistan, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Ukrainian SSR, USSR, Uruguay, Yemen, Yugoslavia.

Against: Australia, Belgium, Colombia, Cuba, Dominican Republic, Ecuador, Haiti, Honduras, Israel, Luxembourg, Netherlands, Nicaragua, Panama, Paraguay, Turkey, Union of South Africa, United Kingdom, United States.

Abstaining: Argentina, Brazil, Canada, Chile, Costa Rica, El Salvador, Greece, New Zealand, Peru, Venezuela.

The resolution was not adopted, having failed to obtain the required two-thirds majority.

⁶⁰ See pp. 203-208.

J. THE PALESTINE QUESTION

1. Communications and Reports Received by the Security Council

a. COMMUNICATIONS

The following communications were received by the Council:

(1) A letter dated 28 February 1953 from the Minister for Foreign Affairs of Syria (S/2456), communicating to the Secretary-General his Government's comments upon that section of the report of the Chief of Staff (S/2833) dealing with the work of the Israel-Syrian Mixed Armistice Commission.

(2) A letter dated 9 September 1953 from the acting representative of Israel (S/3093), to the President of the Council, protesting the alleged detention on 2 September by the Egyptian Authorities at Port Said of the S.S. Parnon, a Greek merchant vessel carrying cargo from Haifa en route, via the Suez Canal, to Elath in Israel, and thence to Mombasa.

(3) A letter dated 2 October 1953 from the permanent representative of Egypt (S/3101), alleging that on 28 September Israel armed forces had advanced beyond the demarcation line of the demilitarized zone of Al-Auja and had occupied a position in that area.

(4) A letter dated 15 October 1953 from the permanent representative of Syria (S/3107), alleging that Israel police had recently expelled eleven Palestinian Arabs from the Safad district and had placed them at the Syrian frontier.

(5) A letter dated 29 October 1953 from the permanent representative of Israel (S/3129), enclosing a copy of a letter addressed by the managing director of the Palestine Electric Corporation to the Chief of Staff of the United Nations Truce Supervision Organization on 9 October 1953 on the concessionary rights of the corporation, in the Banat Ya'Qub canal project.

(6) A letter dated 18 December 1953 from the permanent representative of Israel (S/3153), alleging that on 14 December the Egyptian Authorities at Port Said had intercepted an Italian vessel, the S.S. Franca Maria, bound from Massawa in Eritrea to Haifa in Israel.

(7) A letter dated 28 December 1953 from the permanent representatives of Egypt, Iraq, Lebanon, Saudi Arabia and Syria (S/3151), alleging that, on Friday 18 December, Captain Mansur Mouawad, a Lebanese physician in the service of the Army of the Jordan, had been murdered in the most brutal and barbaric manner by an Israel armed group.

b. REPORTS

The Council received the following reports from the Chief of Staff of the Truce Supervision Organization:

(1) A report dated 8 May 1953 (S/3007) on a recent serious violation in Jerusalem and on the action which had been taken in that connexion.

(2) A report dated 14 May 1953 (S/3015) on the results of the inspection held in the demilitarized zone of Mount Scopus.

(3) A report dated 8 June 1953 (S/3030), informing the Council that conversations between Israel and Jordan delegates to the Mixed Armistice Commission had resulted in the conclusion, on the same date, of an Israel-Jordan Local Commanders' Agreement with a view to suppressing illegal crossings of the demarcation line. The full text of that Agreement was included in the report.

(4) A report dated 19 June 1953 (S/3040), transmitting, for the Council's information, the text of a letter addressed to the Chief of Staff by the Acting Director of the Israel Ministry of Foreign Affairs concerning the demilitarized area of Mount Scopus.

(5) A report dated 30 June 1953 (S/3047), informing the Council of an agreement made at a meeting on 29 June between the Senior Military Commanders of Israel and Jordan that both parties would take certain measures to curb infiltration.

2. Report of the United Nations Conciliation Commission for Palestine

On 4 January 1954, the Conciliation Commission for Palestine submitted its thirteenth progress report (A/2629), covering the period from 28 November 1952 to 31 December 1953. In that report, the Commission stated that, since the General Assembly at its seventh session had not taken any new decisions bearing upon the Commission's work, the Commission considered that it was still guided by resolution 512(VI) adopted by the Assembly on 26 January 1952.⁶¹ The Commission stated that, having failed to obtain results by the procedures at its disposal, and in view of the unchanged attitude of the parties, it had decided to continue for the present meeting at United Nations Headquarters where it would pursue its efforts to solve the questions of compensation for the Palestine refugees and the release of Arab refugee bank accounts blocked in Israel.

The Commission recalled that, under the agreement reached between it and the Government of Israel for the complete release of Arab accounts blocked in Israel banks, the scheme for payment of the first instalment to Arab refugees had come into effect at the beginning of March 1953. The total number of applications filed before the deadline date of 31 August 1953 had reached approximately 3,200, of which some 1,590 had been approved for payment. It was estimated that, when all the applications had been processed, the total value of the payments approved would amount to approximately £750,000. The Commission con-

⁶¹ See Y.U.N., 1951, p. 309.

sidered that progress to date on the release of the blocked accounts had been reasonable. It was convinced that the final settlement of that question would remove a constant irritant in the relations between Israel and the Arab States. Consequently, it had decided to pursue with the Government of Israel the question of obtaining the total release of all blocked accounts regardless of amounts.

With regard to the identification and evaluation of Arab property, the report stated that an office established for that purpose was examining microfilms of the Palestine Land Registers and extracting information regarding ownership, area, description and value of the hundreds of thousands of parcels of land involved. The Commission felt that the work could not be completed exclusively on the basis of the microfilmed documents available in New York and that a sub-office must be set up in the area. It had therefore decided to establish such an office in Jerusalem.

The Commission stated that on 23 March 1953 it had received a memorandum from the permanent representatives to the United Nations of the Governments of Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Yemen, alleging that the Government of Israel had recently undertaken the disposal of property in Israel belonging to Palestinian Arab refugees and that the proceeds from the transactions were being used to finance the settlement of new immigrants to Israel. On receipt of that memorandum, the Commission had sought and obtained from the Israel delegation the following information:

(1) the disposal of property had been authorized by the Government of Israel and effected in accordance with the provisions of the Absentees' Property Law 5710-1950;

(2) under the above law, that property had become vested in the Custodian of Absentees' Property and had been transferred to the Development Authority set up under the terms of the Development Authority Law, 5710-1950;

(3) funds realized in consideration for the property had been treated in accordance with the provisions of section 4 (d) of the Absentees' Property Law and the countervalue had been credited to the property for which it had been received; and

(4) the policy of the Government of Israel had been to ensure the integration of those refugees who had been legally authorized to enter Israel.

The report stated that, on 16 July 1953, the Secretary-General had received and transmitted to the Commission identical letters from the permanent representatives of Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Yemen, protesting against the decisions of Israel to transfer its Ministry for Foreign Affairs to Jerusalem. In its reply to the

Secretary-General, dated 2 September, the Commission recalled that in March 1949 it had addressed a letter to the Prime Minister of Israel, pointing out that the transfer of Ministries of the Israel Government to Jerusalem would be incompatible with paragraph 8 of Assembly resolution 194(III) stating the Assembly's intention that Jerusalem should be placed under an international regime. The Commission still adhered to that position, it stated.

Finally, the report stated that the Commission had decided to send a liaison representative to Jerusalem early in January 1954. His task would be to carry out the Commission's instructions with regard to the questions of compensation and blocked accounts and to keep the Truce Supervision Organization and the Commission mutually informed with regard to those activities which each might consider of interest to the other.

3. The Incident of Qibya

a. COMPLAINT BEFORE THE SECURITY COUNCIL

By a letter of 16 October 1953 (S/3113), the Envoy Extraordinary and Minister Plenipotentiary of Jordan to the United States informed the President of the Security Council that on 14 October 1953 at 9:30 p.m. a battalion scale attack had been launched by Israel troops on the village of Qibya in the Hashemite Kingdom of Jordan. The Israelis had entered the village and systematically murdered all occupants of houses, using automatic weapons, grenades and incendiaries. On 14 October, the bodies of 42 Arab civilians had been recovered; several more bodies had been still under the wreckage. Forty houses, the village school and a reservoir had been destroyed. Quantities of unused explosives, bearing Israel army markings in Hebrew, had been found in the village. At about 3 a.m., to cover their withdrawal, Israel support troops had begun shelling the neighbouring villages of Budrus and Shuqba from positions in Israel. The letter added that at an emergency meeting on 15 October, the Mixed Armistice Commission had condemned Israel, by a majority vote, for the attack by Israel's regular army on Qibya and Shuqba and for the shelling of Budrus by a supporting unit of the Israel attacking forces. The Commission had passed a resolution calling upon the Israel Government to take immediate and most urgent steps to prevent the recurrence of such aggressions. Finally, the letter stated, the Jordan Government had taken appropriate measures to meet the emergency. However, it felt that the criminal Israel aggression was so

serious that it might start a war in Palestine. In conclusion, it called for immediate and effective action by the United Nations and especially by those nations party to the Tripartite Declaration of 25 May 1950.

In identical letters dated 17 October 1953, the representatives of France (S/3109), the United Kingdom (S/3110) and the United States (S/3111) requested the President of the Security Council to call an urgent meeting of the Council to consider, under "the Palestine question" the tension between Israel and the neighbouring Arab States, with particular reference to recent acts of violence and to compliance with and the enforcement of the General Armistice Agreements. These representatives considered that, in order to prevent a threat to the security of the area, the Security Council must give urgent consideration to the question and, in that connexion, hear the Chief of Staff of the Truce Supervision Organization in Palestine.

b. ADOPTION OF THE AGENDA

At its 626th meeting on 19 October 1953, the Security Council had before it a provisional agenda (S/Agenda/626) containing two items:

- (1) adoption of the agenda; and
- (2) the Palestine question (a) letter dated 17 October 1953 from the representatives of France, the United Kingdom and the United States addressed to the President of the Security Council (S/3109, S/3111, S/3111).

Opposing the provisional agenda as it stood, the representative of Lebanon contended that the Council could not treat the text of a letter as an agenda item but that it should adopt a particular topic. He recalled that the Palestine question had been on the agenda of the Council for almost two years in an inactive status and requested the representatives of France, the United Kingdom and the United States to explain to the Council the causes that had led them to reopen the question. Furthermore, he stated, the text of the three identical letters had referred to recent acts of violence and he was at a loss to understand why the representatives of the three Powers would not indicate their reasons for requesting an urgent meeting of the Council by referring particularly to recent acts of violence committed by the Israel army against Jordan. For his part, he formally proposed (S/Agenda/627/Rev.1/Add.1) that paragraph 2 of the provisional agenda should read "recent acts of violence committed by Israeli armed forces against Jordan".

At the 627th meeting on 20 October 1953, the Council, after further discussion, unanimously

adopted, with minor changes, the wording proposed by Greece, as follows:

"The Palestine question: compliance with and enforcement of the General Armistice Agreements, with special reference to recent acts of violence, and in particular to the incident at Qibya on 14-15 October: Report by the Chief of Staff of the Truce Supervision Organization".

C. DISCUSSION IN THE SECURITY COUNCIL

The Security Council discussed the question at its 629th to 643rd meetings, from 19 October to 25 November. Following the adoption of the agenda, the representatives of France, the United Kingdom and the United States expressed the concern of their Governments at the reports of the various incidents which had occurred along the demarcation line between Israel and the neighbouring Arab States, culminating in the Qibya incident. Such incidents represented a grave threat to the peace and security of the area, and the situation should be considered by the Council, which should, however, first obtain accurate information concerning the facts from its representative, the Chief of Staff of the Truce Supervision Organization, Major General Vagn Bennike. The proposal that the Chief of Staff be invited to report to the Council was supported by the representative of Lebanon.

At the 630th meeting on 27 October, the Council invited Major General Bennike as well as the representative of Israel to take their places at the Council's table. At its 635th meeting on 9 November, a similar invitation was extended to the representative of Jordan.

- (1) Report by the Chief of Staff of the Truce
Supervision Organization

Before introducing the Chief of Staff to the Council at the 630th meeting, the Secretary-General expressed his special concern regarding the outbreaks of violence and the recent incidents which had taken place in Palestine, thereby creating new tensions in the Middle East. Those incidents constituted serious violations of the General Armistice Agreements of 1949. He recalled that those Agreements had included firm pledges against any acts of hostility between the parties. He also expressed the hope that the parties concerned would give full consideration to their obligations under the Armistice Agreements and that they would refrain from any action contrary to those Agreements and prejudicing the attainment of permanent peace in Palestine. He concluded by making a strong appeal to the parties to refrain from spreading rumours and from provocative acts, and especially to avoid any

premature actions which would jeopardize the Council's present endeavours.

The Chief of Staff of the Truce Supervision Organization read a report concerning the activities and decisions of the Mixed Armistice Commissions giving a detailed description of the situation along the armistice demarcation line between Israel and Jordan. However, before talking about the Qibya incident, he made extensive reference to previous incidents which, he believed, had also constituted grave violations of the cease-fire between Jordan and Israel.

Regarding the Qibya incident, he stated that, following the receipt of a Jordan complaint that a raid on the village of Qibya had been carried out by Israel military forces during the night of 14-15 October between 9:30 p.m. and 4:30 a.m., a United Nations investigation team had departed from Jerusalem for Qibya in the early morning of 15 October. On reaching the village, the Acting Chairman of the Mixed Armistice Commission had found that between 30 and 40 buildings had been completely demolished. By the time the Acting Chairman left Qibya, 27 bodies had been dug from the rubble. Witnesses had been uniform in describing their experience as a night of horror, during which Israel soldiers had moved about in their village blowing up buildings, firing into doorways and windows with automatic weapons and throwing hand grenades. A number of unexploded hand grenades, marked with Hebrew letters indicating recent Israel manufacture, and three bags of TNT had been found in and about the village. An emergency meeting of the Mixed Armistice Commission had been held in the afternoon of 15 October and a resolution condemning the regular Israel army for its attack on Qibya, as a breach of article III, paragraph 2,⁶² of the Israel-Jordan General Armistice Agreement, had been adopted by a majority vote. The Chief of Staff stated that he had discussed with the Acting Chairman of the Mixed Armistice Commission the reasons why he had supported the resolution condemning the Israel army for having carried out the attack, and that, after listening to his explanations, he had asked him to state them in writing; the technical arguments given by Commander Hutchison in his memorandum appeared to the Chief of Staff to be convincing.

The Chief of Staff then reviewed the history of the local commanders' agreement and its implementation. He observed that since 22 January 1953, when the agreement on measures to curb infiltration had been considered, the number of complaints reaching the Mixed Armistice Commission had steadily increased. Efforts, however,

had been made to persuade the parties to revive local commanders' meetings which, from a practical viewpoint, had been more useful than formal meetings of the Mixed Armistice Commission. Despite the useful work done in local commanders' meetings, tension had not subsided; the situation was still dangerous and should be watched closely.

In commenting upon the Qibya incident, the Chief of Staff said that that incident, as well as others to which he had referred, could not be considered as isolated incidents, but as culminating points or high fever marks. They indicated that tension had increased to breaking point, either locally or generally between the two countries. He also said that a review of the incidents he had mentioned showed that each of them had been preceded by a period of growing tension.

The Chief of Staff then described the problems facing the other three Mixed Armistice Commissions. The main difficulties faced by the Egyptian-Israeli Mixed Armistice Commission had, he said, arisen along the demarcation line of the "Gaza strip" and in connexion with the El-Auja demilitarized zone, and concerned, for the most part, infiltration into Israel for the theft of materials, cattle and crops from the Negeb settlements. The Egyptian authorities had taken measures to cope with this problem, but their task had been rendered particularly difficult by the presence of 200,000 Palestine refugees in the area.

The application of the Israel-Lebanese General Armistice Agreement, the Chief of Staff said, had given rise to relatively few and minor difficulties, due largely to the fact that the demarcation line coincided with the Lebanese-Palestinian international frontier. Cases of infiltration, almost all from Lebanon into Israel, were normally settled by the Sub-Committee on Border Incidents.

As regards the implementation of the General Armistice Agreement between Israel and Syria, the difficulties which had arisen were connected with the application of provisions relating to the demilitarized zone. Apart from the most recent difficulty, concerning the Israel canal project within the demilitarized zone, the other difficulties were those reported upon by the Chief of Staff during the past two years, namely, the economic situation of the Arabs in the demilitarized zone, the encroachments on Arab lands, the control exercised by the Israel police over the greater part of the zone, and Israel opposition to the fulfilment by the Chairman and United Nations Observers

⁶² Paragraph 2 prohibits the commission of any war-like act by either party against the other.

of their responsibility for ensuring the implementation of article V⁶³ of the General Armistice Agreement. Difficulties along the international border between Syria and Palestine, which existed primarily in connexion with the demilitarized zone, could, he considered, be largely solved if the provisions of article V of the General Armistice Agreement were applied in the light of the Acting Mediator's comment, accepted by both parties in 1949, regarding the restrictions imposed upon civilian activities and the total exclusion of military activities within the demilitarized zone.

The Chief of Staff declared that the current situation on the Israel-Jordan demarcation line was, to a large extent, due to the problem of infiltration. That problem was particularly difficult because that line was about 620 kilometres long and because it divided the former Mandated Territory of Palestine haphazardly, separating, for instance, many Arab villages from their lands. To solve that problem there were two methods available to the parties. The first was for both parties to take measures against infiltration and to co-operate with each other by transmitting information. This could be done through the procedure of local commanders' meetings; its results might not be spectacular but it was effective to the extent actually possible. The second method was the resort to force. It reflected impatience with the slow results of peaceful means and a preference, instinctive or deliberate, for retaliation.

In conclusion, the Chief of Staff said that he was aware of the existence of problems other than those he had dealt with which increased the tension. There was in Israel an impatience with the General Armistice Agreements, due to the fact that they had not yet been replaced by final settlements. That impatience extended to the personnel of the Truce Supervision Organization, especially when it tried to exercise supervisory powers in the demilitarized zone. On the Arab side, the usual criticism was that the General Armistice Agreements had not given the Arabs security and that the Truce Supervision Organization was too weak to prevent what they considered to be Israel breaches of the Armistice Agreements. However, those opposite criticisms should not lead to the conclusion that the General Armistice Agreements should be discarded before they could be replaced by peace settlements. Those Agreements had lasted too long not to have lost part of their effectiveness. They still constituted, however, a barrier to breaches of the peace in the Middle East. The Chief of Staff concluded by stating that he had annexed to his report statistics which were based on the records of the Israel-Jordan Mixed

Armistice Commission. At his suggestion, these were included as an annex to the verbatim record of the 630th meeting.

At the 632nd meeting held on 29 October 1953, the representatives of the United Kingdom, France, the United States, Greece, Lebanon and Israel asked the Chief of Staff certain questions concerning general conditions, implementation of the Armistice Agreements, the functioning and improvement of the supervision machinery operation and the efficacy of the local commanders' agreement, and the causes and effects of the tension along the demarcation line. They also asked for clarification of certain points in General Bennike's report. The answers of General Bennike were given at the 635th meeting on 9 November, and the Council decided to annex them to its official records. The majority of the questions had been submitted with a view to clarifying mainly the responsibility for the latest outbreak of violence in Palestine. The following is a summary of the main conclusions of the Chief of Staff.

In answer to a question by the representative of the United Kingdom about the alleged murder of a woman and her two children in the village Yahude, as a possible cause for the retaliatory raid on Qibya, the Chief of Staff replied that there had been no evidence to indicate who had committed the crime and that Jordan had given full co-operation in trying to trace those responsible for the attack.

Replying to another question, General Bennike expressed the belief that improved contacts between the police on either sides of the frontier would improve conditions along the border. Police officers were familiar with the local situation and could cooperate professionally with success. The Jordan authorities had for several years advocated that the settlement of day-to-day incidents along the demarcation line should be decentralized to local police officers all along the border. They also felt that when would-be criminals saw the police forces of the two countries acting in close co-operation they were constrained greatly to reduce their activities.

In reply to further questions concerning the operations of the observer corps, General Bennike replied that he had at present nineteen military Observers on his staff and that some of them were serving as Chairmen of the Mixed Armistice Com-

⁶³ Article V of the Israel-Syrian General Armistice Agreement created a demilitarized zone between Syria and Israel. The administration of that zone was entrusted to the Chairman of the Israel-Syrian Mixed Armistice Commission and the United Nations Observers attached thereto.

missions. He added that only five Observers had been assigned to the Jordan-Israel Mixed Armistice Commission. It was not uncommon for them to be called into quick action to obtain a cease-fire and in this they had been very effective on several occasions. With 620 kilometres of demarcation line between Israel and Jordan to cover, and the fact that 345 complaints had been handled so far that year, it was easy to see that the task of the Observers was not an easy one.

In answer to a question by the representative of France, General Bennike said that the operation of the Mixed Armistice Commissions would be improved if, instead of acting as lawyers defending a case in Court, delegates of the parties acted in conformity with the spirit and the letter of the Armistice Agreements. Another unsatisfactory aspect of the procedure was that voting in the Commissions was on the basis of draft resolutions presented by either side. While in some respects the Chairman's position might be compared to that of a judge, he was at a disadvantage in that he could not formulate the verdict by submitting a draft resolution of his own, since that would be tantamount to announcing his vote in advance. The Chief of Staff offered some suggestions with a view to improving the operation of the Commissions.

In answer to a question by the representative of Greece concerning the advisability of strengthening the Observer corps in such a way as to permit it to play a preventive role, particularly at dangerous points along the frontier, General Bennike stated that the experience of the Truce Supervision Organization in its early years had tended to support the view that the presence of observers at certain points along the cease-fire line was helpful in preventing possible incidents. His intention was to station a small number of observers along both sides of the Israel-Jordan demarcation line and hoped that he could thus assist both parties in preventing incidents. But the extent to which this could be done would depend on the increased effectiveness of the local commanders' meetings and the co-operation extended to them by the authorities of both parties.

In answer to a question by the representative of Lebanon as to whether the life of the Chief of Staff or of any of his group had ever been threatened, General Bennike answered that he and the personnel of the Truce Supervision Organization were in Palestine by virtue of the Council's resolutions and that they must rely upon the governments concerned to take the necessary safety measures. He was satisfied that the govern-

ments concerned were aware of their responsibilities in that respect. He added that lately the Israel authorities had insisted that he should be accompanied by a police escort while in their territory and that, shortly afterwards, the Jordan authorities had requested his permission to patrol the grounds of his house at night, because of its proximity to the demarcation line. He said that he had given his concurrence in both cases but that he was not inclined to be influenced, either by rumours of threats or by any precautionary measures which the governments concerned might find it necessary, in their own interests, to take. In a further reply, General Bennike admitted that his organization had sometimes been prevented from performing its functions, citing various obstructions encountered from Israel civilians and over-zealous officers in the demilitarized zones.

In reply to questions by the representative of Israel concerning the types of arms used by raiders on the frontier, General Bennike said that the records of complaints and inquiries of the Israel-Jordan Mixed Armistice Commission since 1949 contained no evidence to show that border villages had ever been furnished with Bangalore torpedoes, 2-inch and 81 mm. mortars and demolition charges. Nor did the history of incidents show the necessity of border villages being furnished with such weapons. Moreover, the records showed that attacks against villages and persons in Israel took the pattern of raids carried out by small armed groups using hit-and-run tactics. For defence against that type of action, he could see the usefulness of machine guns, small automatic weapons and even hand grenades, but certainly not of mortars, Bangalore torpedoes and demolition charges. Furthermore, United Nations observers, who had visited many border villages, had never reported seeing weapons other than machine guns, grenades, rifles, automatic weapons such as Bren-gun, Sten-gun and Thompson sub-machine guns, and side arms. In answer to another question as to whether he had called the attention of the parties concerned to a paragraph in the Armistice Agreement calling for a peace settlement in Palestine, General Bennike said that he had not done so except in so far as any of those principles might have a bearing on the actual implementation of any Armistice Agreement in a concrete case.

Finally, in answer to questions submitted by the representative of Jordan, General Bennike said that, in the light of events since the beginning of the year, attacks by regular forces of Israel on Jordan territory were becoming more frequent and

had had more serious results so far as loss of life was concerned.

(2) **Statements by Israel and Jordan**

At the 637th meeting on 12 November 1953, the representative of Israel reviewed the history of the Armistice Agreements and their operation. He described in detail Israel's security problems, stating that Israel was within easy reach of its hostile neighbours, that the Arabs refused to live at peace with Israel and that they refused to comply with the calls of the Security Council to negotiate final peace settlements. He added that the political hatred on Israel's frontiers was reinforced by a violent economic war.

He then gave a detailed historical background of the tension along the armistice lines, particularly along the Israel-Jordan frontier until the Qibya incident. He expressed his Government's profound and unreserved regret for the loss of innocent life at Qibya, stating that it was an unfortunate explosion of pent-up feeling and a tragic breakdown of restraint. However, he said, the circumstances of the incidents were precisely those outlined in Mr. Ben-Gurion's statement of 19 October 1953. The representative of Israel dealt extensively with the problem of infiltration and marauding and described Israel's efforts to secure a transition from the armistice stage to a permanent peace, offering Israel's ideas as to the prospect of a final solution.

He said, further, that his Government had repeatedly declared its desire to find a solution to the deteriorating security situation along the Israel-Jordan border, and for that purpose had expressed willingness on several occasions to enter into discussions with representatives of the Jordan Government. Existing channels of contact and procedure, he said, had not proved effective or sufficient in the increasingly complex situation. Consequently, his Government proposed that senior political and military representatives of Israel and Jordan should meet at United Nations Headquarters without delay to discuss armistice problems, and especially the prevention of border incidents and the co-operation of the respective authorities in maintaining border security.

In conclusion, he stated that the Council should take the following measures:

(1) The tension should be diagnosed truthfully as a threat to security arising from the absence of peaceful relations between Israel and the Arab States. To that primary cause, the Council should justly ascribe the whole sequence of violence which had come to its notice and should remind the parties of their duty under the Charter to harmonize their efforts for the establishment of peace.

(2) Attention should be drawn to the fact that the main objective of the Armistice Agreements, mainly the transition to permanent peace, had not been achieved and that this had a clear priority and urgency over all other subsidiary provisions of the Agreements, which, however, should still be maintained.

(3) Attention should be drawn to the fact that the Security Council's own past resolutions on peace and security, including especially the resolution on blockade and belligerency, adopted on 1 September 1951,⁶⁴ had not been implemented. The Council should also refer to the absence of any effort to implement article VIII⁶⁵ of the Israel-Jordan General Armistice Agreement, notwithstanding the text of that Agreement itself, and of the Council's injunction of 17 November 1950.⁶⁶

(4) The Council could take note of the only conclusion agreed to by Israel and the Arab countries, and indicated very clearly in General Bemmike's report, that the most specific source of current tension was marauding and infiltration into Israel territory, especially from Jordan. The Council, he urged, should express special concern about infiltration which was the source of the original bloodshed and of reactions which had sometimes gone beyond all proper limits. But it should also urge special attention to article IV (3), requiring the restraint of illegal border crossings.

(5) The Chief of Staff and the Chairmen of the Mixed Armistice Commissions should be asked to pay special attention to those provisions of the Agreements and the Council's decisions which had not yet been implemented, particularly the provisions for a transition to permanent peace.

(6) The signatories of each Armistice Agreement should be called upon to enter into direct negotiations with a view to the replacement of the Armistice Agreements by final peace settlements.

At the 638th meeting on 16 November 1953, the representative of Jordan made a statement commenting briefly on the statement by the representative of Israel. He said that there was a difference between individual Jordanian infiltration and the alleged aggression carried out by Israel organized military forces against Jordan and reviewed briefly the efforts of his Government to prevent infiltration by adopting extraordinary and emergency measures. As for the Israel proposal concerning the meeting at United Nations Headquarters between senior political and military representatives of Israel and Jordan to discuss armistice problems, he explained that his delegation

⁶⁴ The resolution (S/2322) calls upon Egypt to terminate restrictions on the passage of international shipping through the Suez Canal. For text, see Y.U.N., 1951, p. 299.

⁶⁵ Article VIII of the Agreement set up a special committee of each party for formulating agreed plans and arrangements to deal with such problems as resumption of the normal functioning of the cultural and humanitarian institutions on Mt. Scopus as well as free access to the Holy Places and cultural institutions.

⁶⁶ This resolution (S/1907), *inter alia*, reminded Egypt, Israel and Jordan that the Armistice Agreements were binding, and authorized the Chief of Staff of the Truce Supervision Organization to recommend steps to prevent infiltration of nomadic Arabs across international frontiers. For text, see Y.U.N., 1950, p. 320.

had been empowered to express its Government's views on the Qibya massacre and possessed no credentials to enter into any other discussions. Moreover, it seemed to him that if Israel had some proposals to submit to Jordan, the proper channel would be through the Chief of Staff. In the event of agreement, the most suitable plans for such discussions would likely be Jerusalem because of its proximity and facilities for communications with the two Governments.

In conclusion, he requested that:

- (1) Israel be condemned for the Qibya massacre in the strongest of terms which should match the atrocity and horror of that action of Israel armed forces;
- (2) Israel be asked to proceed with the trial and punishment of all Israel officials, be they military or civilians, responsible for that horrible crime;
- (3) Israel be asked to prevent the repetition of any kind of aggression by its military forces or other armed forces against Jordan;
- (4) no military aid or financial assistance be granted to Israel without specific guarantees that such help would not contribute to further aggression by Israel; and
- (5) all other possible measures be taken without delay to check Israel aggressive and expansionist policy.

At the 642nd meeting on 24 November 1953, the representative of Israel informed the Council that on 23 November he had addressed a letter to the Secretary-General (S/3140), stating that since his proposal for a meeting between senior political and military Jordan and Israel representatives had not been accepted by the representative of Jordan, he formally invoked article XII of the Jordan-Israel General Armistice Agreement, requesting the Secretary-General to convoke a conference of representatives of the two parties to review that Agreement as envisaged in paragraph 3 of that article. He also noted that article XII made it obligatory for the parties to participate in such a conference. He explained that his Government had taken that action because of its growing concern for the future of peace and security in the area. The representative of Israel also commented on the draft resolution before the Council (see below).

(3) Views Expressed in the Council

At its 640th meeting, France, the United Kingdom and the United States submitted a draft resolution, which, in its final revision (S/3139/-Rev.2), would, among other things, have the Council:

- (1) recall its previous resolutions on the Palestine question, in particular those of 15 July 1948, 11 August 1949 and 18 May 1951 concerning the maintenance of the armistice and the settlement of disputes through the Mixed Armistice Commissions;

- (2) note the reports of 27 October and 9 November of the Chief of Staff of the Truce Supervision Organization and the statements of Israel and Jordan;

(3) find that the retaliatory action at Qibya taken by Israel armed forces and all such actions violated the Council resolution of 15 July 1948 and were inconsistent with the parties' obligations under the Armistice Agreement and with the Charter;

- (4) express the strongest censure of that action calling upon Israel to prevent future recurrence of such actions;

(5) note that there was substantial evidence of infiltration and request the Government of Jordan to strengthen measures to prevent this;

- (6) call upon the Governments of Jordan and Israel to ensure the effective co-operation of local security forces;

(7) reaffirm that it was essential in order to settle the outstanding issues peacefully for the parties to abide by their obligations under the Armistice Agreement and the resolutions of the Security Council;

- (8) emphasize the obligations of Jordan and Israel to co-operate with the Chief of Staff;

(9) request the Secretary-General to consider with the Chief of Staff ways of strengthening the Truce Supervision Organization and to furnish necessary additional personnel to the Chief of Staff; and

- (10) request the Chief of Staff to report to the Council within three months on compliance with the Armistice Agreements with particular reference to this resolution, and taking into account any agreement reached in pursuance of the request by the Government of Israel for the convocation of a conference under article XII of the General Armistice Agreement between Israel and Jordan.

During the discussion, the representatives of these three countries concurred in the view that the testimony of the Chief of Staff of the Truce Supervision Organization had proved that responsibility for the incident at Qibya lay on Israel whose military forces had been proved to be implicated in the raid. The action, it was stated, was a flagrant violation of the cease-fire resolution of the Security Council of 15 July 1948 and of the Jordan-Israel General Armistice Agreement. Their Governments, therefore, strongly condemned the action which had threatened the peace and security of the whole area.

Elaborating on the question, the representative of the United Kingdom referred to a statement by the Israel Prime Minister of 19 October, in which he had denied the allegation that 600 Israel troops had taken part in the action and that no unit had been absent from its base on the night of the attack on Qibya. The representative of the United Kingdom felt that the statement did not preclude the conclusion that Israel forces were responsible for the raid. Whether the attack had been made by the militia or by regular forces of Israel was beside the point. The apparent unwillingness of Israel to punish those responsible

could only encourage a recurrence of such incidents which would cause further retaliation.

Dealing with the allegation that the Qibya raid had been due to provocation by infiltrators, the representative of the United Kingdom said that no one denied the existence of border infiltrators, nor that they involved the loss of life and property in Israel. Although Israel was justified in taking measures to check infiltration, it must be borne in mind that not all crossings were with criminal intent. A reprisal raid such as the one in Qibya would only cause an increase in the number of persons crossing into Israel to avenge themselves by taking life for life. Thus, more and more incidents would occur, the Armistice Agreements would be torn to shreds and general hostilities would follow.

The only way to control that vicious circle, the United Kingdom representative said, was by local co-operation between the police and defence forces of the two countries. For that reason, the United Kingdom Government had always favoured the existence and operation of local commanders' agreements, and had used its good offices to have them restored whenever they had been broken off. Finally, since the personnel of the United Nations Truce Supervision Organization was responsible for the peace of the area, his Government considered it of the highest importance that the parties to the Armistice Agreement should respect the officers of that organization and give them full facilities in the performance of their duties. Combined with the proper observance of the local commanders' agreements, that freedom of investigation might considerably improve the general atmosphere. In conclusion, the representative of the United Kingdom said that if Israel was to preserve the sympathy of its friends throughout the world, then it would certainly be well advised not to try to show that the Qibya incident had been justified and, indeed, the logical conclusion of a chain of events.

Formally introducing the draft resolution, the representative of the United States explained in some detail its various paragraphs. He pointed out that the joint draft recognized that the incident at Qibya was one among many which were prejudicial to the establishment of peace in the area, that it took note of the fact that violence was a common result of failure to maintain the security of the demarcation lines and that it expressed the views of the three sponsoring Governments that it was only by the strictest adherence to the obligations of the parties under the General Armistice Agreement and the resolutions of the Security Council and the General Assembly that progress

towards settlement of the outstanding issues between the parties could be made.

In conclusion, he said that the United States realized that there were grave and difficult problems which even the strictest compliance with the Armistice Agreements might not necessarily solve. His Government was, however, deeply concerned with those problems and sincerely desired to help in solving them. The established machinery for the maintenance of security in the area must be upheld and strengthened if those fundamental problems were to be solved in a spirit of justice and good will. While adherence to the Armistice Agreement alone would not bring peace, it was impossible to achieve it without that adherence. The representatives of France and the United Kingdom concurred in these views.

At the 637th meeting, the representative of Lebanon quoted several excerpts from the answers given by the Chief of Staff to the representative of Israel, to show Jordan's record of co-operation with Israel in the Mixed Armistice Commission. He said that the following findings were fully justified by the facts cited in documents submitted by the agent of the United Nations in Palestine:

- (1) Israel military forces had planned and carried out an attack on Qibya in Jordan, on 14 to 15 October 1953;
- (2) the attack constituted an act of aggression against Jordan;
- (3) that act of aggression was not an isolated incident but the culmination of a planned and calculated policy of violation of the General Armistice Agreements carried out by the Israel armed forces;
- (4) that policy and that act of aggression had disturbed the peace in the Near East;
- (5) unless that policy was curbed and that act of aggression was properly punished, the maintenance of international peace and security in the Near East was likely to be endangered; and
- (6) the recurrence of such an aggression by Israel would certainly lead to a breach of the peace in the Near East.

He suggested that the Council should request Israel to:

- (1) take all the necessary measures to bring to justice the perpetrators of that act;
- (2) make a general request that no military or economic assistance be given to Israel without proper guarantees that it would refrain from such acts; and
- (3) make it dear to Israel that any repetition of such acts would lead the Council to consider the appropriate measures to be taken under Chapter VII of the Charter.

Later, at the 643rd meeting on 25 November, in explaining his vote on the draft resolution, the representative of Lebanon requested that a systematic treatise which he had prepared on "the system of Qibya" be annexed to the proceedings. He said

that an honest examination of the fourteen propositions found therein would reveal that the condemnation of Israel by the Council had been very mild and that a much stronger condemnation was fully justifiable. As for the larger question of peace in the Middle East he made six observations:

(1) The representative of Israel had spoken of invoking article XII of the Jordan-Israel Armistice Agreement allegedly to review the relations between the two countries. Such a review would however reveal the fact that the Armistice Agreements had been systematically flouted by Israel.

(2) The representative of Israel had said derisively that the notions that the Arab States had a "sovereign right to maintain the Armistice Agreement in perpetuity" and a sovereign right never to talk to Israel were both false. But the Arabs could not be forced to change the Armistice Agreements nor to talk to Israel.

(3) The representative of Israel had threatened that the adoption of the three-Power resolution would be prejudicial to peace and would affect adversely the entire atmosphere and effort of peace. The truth was the exact opposite.

(4) Israel's demand for a negotiated peace settlement was possible only if: (a) Israel scrupulously respected the Armistice Agreements; (b) implemented the standing decisions of the United Nations regarding boundaries, the internationalization of Jerusalem and the Arab refugees; and (c) the Arabs were strengthened so that they would not feel themselves at the mercy of Israel.

(5) So long as Israel's policy and outlook were marked by ambition and arrogance the situation would be governed by three irreducible facts: (a) the Arabs did not trespass on anybody's territory—the Jews had come and taken away a piece of Arab territory and had driven away the original Arab inhabitants of that territory; (b) Israel needed the Arabs, whereas the Arabs did not need Israel; (c) Israel, because it was now strong, could fume and threaten but the Arabs would not remain eternally weak.

(6) Peace was the fruit of justice, firmness and truth with respect both to Israel and to the Arabs.

The Lebanese representative criticized the resolution for failing to:

(1) request Israel to bring to justice those responsible for the Qibya massacre;

(2) request Israel to pay compensation for the loss of life and damage to property caused by that aggression;

(3) contain a warning to Israel that, if such attacks were repeated in the future, the Council would have to deal with the matter under Chapter VII of the Charter;

(4) refer to compliance with the General Assembly resolutions on Palestine as a condition for the peaceful and lasting settlement of the issues outstanding between the parties; and

(5) emphasize that it was only the Government of Israel which was not co-operating fully with the Chief of Staff of the Truce Supervision Organization.

On the other hand, the resolution, he said, had the following decided merits:

(1) It condemned the Qibya incident as a violation of the cease-fire provisions of the Council's resolution of 15 July 1948, of the Armistice Agreement and of the Charter.

(2) It called only upon Israel to take effective measures to prevent all such actions in the future, thereby showing that only Israel was able and willing to repeat such an action.

(3) It recognized that the Government of Jordan had already taken measures to prevent the border crossings.

(4) It adopted the thesis of Jordan and General Bennike on the usefulness of the co-operation of local security forces to curb infiltration.

(5) It emphasized that respect for and compliance with the General Armistice Agreement was the only condition towards a lasting peaceful settlement of the issues outstanding between the parties.

(6) It provided for the strengthening of the Truce Supervision Organization.

In view of the merits of the resolution he had not voted against it.

The representative of Israel, speaking at the 642nd meeting, analysed the joint draft resolution, stating that by omitting a direct call for a peace negotiation the sponsors had yielded to the lack of will on the part of the Arab States to hear the concept of peace frankly proclaimed.

He said that there was no radical method of improving the situation in the Middle East except by direct contact and negotiation. He criticized the joint draft resolution as being inaccurate in certain respects, notably in its finding on the Qibya raid, and selective in other respects, notably in the omission of any special reference in its preamble to those resolutions which placed obligations upon the Arab Governments. The draft resolution, he said, dealt disproportionately with the admittedly regrettable incident at Qibya, putting it above other cases, many of which, unlike Qibya, had been of a uniformly aggressive character and had taken a far greater toll of life. Israel most severely objected to what was almost an acceptance and a condonation of existing Jordan policies in respect of infiltrations or incursions which were the source of Israel's current security problems. Finally, his Government believed it a great error for the Council to abandon its invariable policy of calling upon the Governments concerned to negotiate a final settlement of all questions outstanding between them.

The representative of Pakistan made a detailed statement in which he analysed the statement of the representative of Israel. He reviewed briefly the history of the Palestine question, describing the alleged responsibility of those who had been originally responsible for bringing about the current state of affairs in Palestine, as well as the alleged responsibility of both sides concerning the inci-

dents. He then dealt with the Qibya incident, quoting extensively from the reports of the Chief of Staff did not wish to cooperate in the maintenance of the Armistice Agreements and that the raid against Qibya had been carried out by the regular army of Israel. As for the joint draft resolution, he found the paragraph censuring Israel wholly inadequate, since it described the raid on Qibya as a retaliatory act. He asked what had been the cause of such retaliation. Moreover, he found no provision in the joint draft regarding compensation to those who had lost their lives or had been wounded at Qibya.

Later, in explaining his vote, he said that his delegation had voted for the resolution since its first objection had been met by the firm conclusion that the Qibya aggression had been undertaken by the Israel army, presumably in pursuance of general directions based upon policy or a particular direction received from the Government of Israel. His delegation had been confirmed in that conclusion by a complete absence of any explanation by the representative of Israel as to who, as the result of its investigations, had carried out that expedition. His delegation had refrained from presenting any amendments, first, in the interest of expedition, and, secondly, because it had felt that the majority of the Council had not been ready to entertain any amendments.

The representatives of Chile, China, Colombia, Denmark and Greece also made statements at the Council's 643rd meeting on 25 November, explaining their votes in favour of the joint draft resolution.

These representatives deplored the Qibya incident, which, it was stated, was the worst of a series of incidents and, as had been shown by the reports of the Chief of Staff, constituted a gross violation of the Armistice Agreement. The terms of the resolution, these representatives held, were fully justified. The three Powers had tried to be impartial and fair, as was shown, the representative of Greece stated, by their adding to the second revision of their text a paragraph concerning Israel's proposal regarding the implementation of article XII of the Israel-Jordan Armistice Agreement. The representative of Denmark pointed out that the resolution, while referring to Qibya, declared that all such actions constituted a violation of the Council's resolution of 15 July 1948, as well as the General Armistice Agreement. He expressed the hope that the additional personnel to be placed at the disposal of the Chief of Staff would be sufficient to be effective. All these representatives expressed the hope for the

earliest possible permanent settlement of the problems dividing Israel and the Arab States.

d. RESOLUTION ADOPTED BY THE SECURITY COUNCIL

The joint draft resolution of France, the United Kingdom and the United States (S/3139/Rev.2) was adopted by the Council, at its 642nd meeting on 24 November 1953, by 9 votes to none, with 2 abstentions (Lebanon and the USSR). It read as follows:

"The Security Council,

"Recalling its previous resolutions on the Palestine question, particularly those of 15 July 1948, 11 August 1949, and 18 May 1951 concerning methods for maintaining the armistice and resolving disputes through the Mixed Armistice Commissions,

"Noting the reports of 27 October 1953 and 9 November 1953 to the Security Council by the Chief of Staff of the United Nations Truce Supervision Organization and the statements to the Security Council by the representatives of Jordan and Israel,

A

"Finds that the retaliatory action at Qibya taken by armed forces of Israel on 14-15 October 1953 and all such actions constitute a violation of the cease-fire provisions of the Security Council resolution of 15 July 1948 and are inconsistent with the Parties' obligations under the General Armistice Agreement and the Charter;

"Expresses the strongest censure of that action which can only prejudice the chances of that peaceful settlement which both Parties in accordance with the Charter are bound to seek, and calls upon Israel to take effective measures to prevent all such actions in the future;

B

"Takes note of the fact that there is substantial evidence of crossing of the demarcation line by unauthorized persons often resulting in acts of violence and requests the Government of Jordan to continue and strengthen the measures which they are already taking to prevent such crossings;

"Recalls to the Governments of Israel and Jordan their obligations under Security Council resolutions and the General Armistice Agreement to prevent all acts of violence on either side of the demarcation line;

"Calls upon the Governments of Israel and Jordan to ensure the effective co-operation of local security forces;

C

"Reaffirms that it is essential in order to achieve progress by peaceful means toward a lasting settlement of the issues outstanding between them that the Parties abide by their obligations under the General Armistice Agreement and the resolutions of the Security Council;

"Emphasizes the obligation of the Governments of Israel and Jordan to co-operate fully with the Chief of Staff of the Truce Supervision Organization;

"Requests the Secretary-General to consider with the Chief of Staff the best ways of strengthening the Truce Supervision Organization and to furnish such additional personnel and assistance as the Chief of Staff of the

Truce Supervision Organization may require for the performance of his duties;

"Requests the Chief of Staff of the Truce Supervision Organization to report within three months to the Security Council with such recommendations as he may consider appropriate on compliance with and enforcement of the General Armistice Agreements with particular reference to the provisions of this resolution, and taking into account any agreement reached in pursuance of the request by the Government of Israel for the convocation of a conference under article XII of the General Armistice Agreement between Israel and Jordan."

4. Complaint by Syria against Israel Concerning Work on the West Bank of the River Jordan in the Demilitarized Zone

a. COMMUNICATIONS

In a letter dated 12 October 1953 (S/3106), the permanent representative of Syria to the United Nations informed the Secretary-General that on 2 September 1953 the Israel authorities had started works to change the bed of the river Jordan in the central sector of the demilitarized zone between Syria and Israel in order to make it flow through Israel-controlled territory. Moreover, partial mobilization had been carried out behind the central sector of that zone. The Israel authorities, the letter said, had thus violated the Israel-Syrian General Armistice Agreement, particularly article V of that Agreement under which no military force might be stationed in the zone. That zone, it was stated, was not subject to the authority of either of the parties but was the responsibility of local authorities under the Chairman of the Mixed Armistice Commission. Consequently, the Israel authorities were not entitled to undertake any works in any sectors of the demilitarized zone. It was further alleged that the effect of the works was to deprive the riparian inhabitants along the Jordan of the water they needed to irrigate their land. Article V of the General Armistice Agreement explicitly provided for the exercise of normal activities by the population of the demilitarized zone. The rights of Syrian riparian landowners to the waters of the Jordan, which separated Syria from Palestine, were of long standing and had never been disputed. Furthermore, article II of the General Armistice Agreement provided that neither of the parties should gain any military advantage; by attempting to change the course of the Jordan, the Israel authorities had gained a military advantage in contravention of this article. Thus, the Israel authorities had violated the provisions of the Israel-Syrian General Armistice Agreement by:

(1) infringing the rights of the inhabitants of the demilitarized zone;

(2) preventing the Syrian riparian population from irrigating their land with water from the Jordan; and

(3) militarily occupying a sector of the demilitarized zone.

The letter finally recalled that the Syrian Government had brought the above facts to the attention of General Vagn Bennike, Chief of Staff of the Truce Supervision Organization for Palestine. As Chairman of the Israel-Syrian Mixed Armistice Commission, General Bennike had requested the Israel authorities to stop the operations begun in the demilitarized zone. Despite the explicit terms of that request, the Israel authorities had refused to comply with it. Such an attitude was both arbitrary and illegal and constituted a proof that the Israel authorities did not mean to respect the Armistice Agreement which they had signed on 20 July 1949.

In another letter, dated 16 October 1953 (S/3108/Rev.1), the permanent representative of Syria addressed a similar complaint to the President of the Security Council, requesting him to convene a meeting of the Council so that that question might be placed on its agenda and a prompt decision be taken.

On 23 October 1953, the Chief of Staff of the Truce Supervision Organization submitted a report (S/3122) containing the text of a decision he had taken on 23 September 1953, to the effect that the authority which had started work in the demilitarized zone on 2 September 1953 was instructed to cease working in the zone so long as an agreement was not arranged. The report also contained a letter dated 24 September from the Israel Foreign Minister and the comments made thereupon by the Chief of Staff.

b. SECURITY COUNCIL RESOLUTION OF 27 OCTOBER

In 1953, the Security Council considered the question at its 629th to 654th meetings, between 27 October and 29 December.

At the 629th meeting on 27 October, the representatives of Syria and Israel were invited to the Council's table. At the outset of that meeting, the representative of Pakistan stated that, before the Council proceeded to hear the parties upon the merits of the case, it would be wise to endorse the request made by the Chairman of the Israel-Syrian Mixed Armistice Commission on 23 September 1953 that the works might be suspended pending the consideration of the case by the Security Council. He then submitted a draft reso-

lution (S/3125/Rev.1), by which the Council would, *inter alia*,

request the State of Israel that the authority which had started work in the demilitarized zone on 2 September 1953 be instructed to cease working in the zone pending the consideration of the question by the Security Council.

At the 631st meeting on 27 October, the representative of Israel informed the Council that he was empowered to state that his Government was willing to arrange such a temporary suspension of the works in the demilitarized zone for the purpose of facilitating the Council's consideration of the question, without prejudice to the merits of the case itself.

The representative of France declared that the statement of the representative of Israel appeared to have made the Pakistan draft resolution unnecessary. He felt that the Council should take note, in the form of a resolution, of the undertaking given by the Israel delegation, express its satisfaction with it and also request the Truce Supervision Organization to supervise its implementation during the Council's deliberations. He then submitted his suggestion in the form of a draft resolution (S/3128), which was unanimously adopted, as follows:

"The Security Council,

"Having taken note of the report of the Chief of Staff of the Truce Supervision Organization dated 23 October 1953 (S/3122),

"Desirous of facilitating the consideration of the question, without however prejudicing the rights, claims or position of the parties concerned,

"Deems it desirable to that end that the works started in the Demilitarized Zone on 2 September 1953 should be suspended during the urgent examination of the question by the Security Council,

"Notes with satisfaction the statement made by the Israel representative at the 631st meeting regarding the undertaking given by his Government to suspend the works in question during that examination,

"Requests the Chief of Staff of the Truce Supervision Organization to inform it regarding the fulfilment of that undertaking."

At the 633rd meeting on 30 October, the President informed the Council of the receipt of a letter from the Chief of Staff, pursuant to the Council's request of 27 October, informing it that the works on the project had stopped on 28 October at midnight. He added that some water was presently leaking into the Canal and that divers were attempting to plug the leaks in the concrete dam.

c. STATEMENTS BEFORE THE COUNCIL

At the 633rd meeting, the representative of Syria made a detailed statement explaining the reasons his Government had requested the inclu-

sion of the item in the agenda. He outlined the history of the development of the dispute, considered the nature of the Armistice Agreement, particularly article V, recalled the history of the demilitarized zone and described the military advantages to Israel accruing from the project. He stated that the object of the works was to divert the Jordan River, which was an essential element of civilian life in the demilitarized zone, into Israel-controlled territory, making it a military factor within Israel's borders. The works were being carried out in defiance of the Armistice Agreement and the decision of General Bennike and they showed a policy by Israel of defying United Nations machinery and disregarding the Armistice Agreements.

He declared that the Security Council should ask Israel to refrain from prejudicing the rights, claims or positions of the other side which had been safeguarded by the Armistice Agreements. He asked that the status quo should be restored in the demilitarized zone. The representative of Syria suggested that, in order to strengthen the machinery for the implementation of the Armistice Agreement, the Council should uphold the local international authority by practical and unambiguous decisions and build up that machinery by providing additional personnel.

The representative of Israel, in a preliminary statement, gave a brief history of the dispute and said that the Security Council had already rejected the notion of a Syrian veto over legitimate development projects of Israel in its decision in the case of the Huleh Marshes in 1951. He also dealt with the alleged military aspect of the dispute and said that the hydro-electric project involving the construction of the Jordan Canal was a legitimate civilian project and of vital economic importance for Israel. The canal, when completed, could easily be integrated either into national or regional water projects conducive to the general welfare of the region. He said that the Jordan waters which were the subject of the present dispute did not pass through Syria at a single point and therefore the Syrian complaint was completely unfounded. As a matter of general equity, Syria, which could not itself use the water, should not be encouraged to deny its use to Israel, for which the Jordan was the only source of water.

Further, the representative of Israel contended, the powers of the Chief of Staff in the matter, defined in General Bennike's letter of 20 October, related to the protection of land and water interests in the demilitarized zone and the fulfilment of the role of the zone under the Armistice Agreement. That letter clearly stated that those were

the only issues which would determine whether Israel had the right to continue the project. The representative of Israel said that the project did not affect land or water rights, since the Government of Israel had prohibited land encroachments, however slight, and had taken care that sufficient water was available for all existing irrigation needs. The Government of Israel was prepared to give an undertaking to that effect and to discuss procedures whereby such an undertaking could be statutorily invoked, even in an area where Israel had no legal duty to make such provisions. As regards the question of military advantage, the Government of Israel adhered to the terms of the Armistice Agreement, according to which the consideration of military advantage was relevant only to the truce, which had now been replaced by the armistice. Moreover, the practical effect of the new canal would be to make the aggressive movement of armed forces in either direction through the demilitarized zone more difficult than it was at present, and the maintenance of the exact topography of the zone was not something which either party was entitled to invoke.

At the 636th meeting on 10 November 1953, the Council invited Major General Vagn Bennike, Chief of Staff of the Truce Supervision Organization for Palestine, to take part in the Council's deliberations.

At the same meeting, the representative of Syria made a detailed statement in answer to the statement of the representative of Israel. He pointed out the differences between the situation regarding the Huleh marshes and the present case.

He stated that Israel's action to divert the Jordan River from its bed without any prior arrangement based on the consent of both sides to the Armistice Agreement was an unwarranted unilateral action and a fait accompli which had grave military and other consequences and was a breach of the armistice. Israel, instead of interpreting the Armistice Agreement in terms of article 7 or seeking to have it modified under article 8, chose to interpret or modify the Agreement unilaterally whenever it did not suit its purposes. Moreover, the project was not the only one that Israel or others could undertake in order to utilize the Jordan waters. In fact, the execution of that project would thwart other projects such as the TVA-Jordan project. All such projects should be kept as tentative plans until suitable international arrangements could be made with the consent of the authorities legitimately concerned. Syria's opposition was not to projects, as such, but to unilateral actions unjustly affecting all other projects. The representative of Syria urged that the Armis-

tice Agreement must be fully and unhesitatingly implemented so as to close the door to arrogant unilateral actions and faits accomplis and to contribute to confidence in international arrangements and in the authority of international institutions and law. That confidence was an essential prerequisite for dealing with Near Eastern issues. The Council's decisions should be aimed not at changing, but at implementing, the Agreement until other arrangements were arrived at by the mutual and free consent of the two parties to that Agreement.

The representative of Lebanon stated that, from the report of the Chief of Staff as well as from the various statements made to the Council, the following seven facts were established beyond any doubt:

- (1) large scale work had been started unilaterally by one party in the demilitarized zone created by the Israel-Syrian Mixed Armistice Agreement without the agreement of or consultation with the other party;
- (2) the work had been started and continued without a prior authorization from the Chief of Staff, who was responsible for the implementation of article V of the Armistice Agreement relating to the zone;
- (3) although the project affected the water, lands and properties of the inhabitants of the zone, no previous arrangement had been made with the inhabitants regarding their rights and properties;
- (4) the work would bring about substantial modifications in the geophysical features of the zone;
- (5) the work had military consequences which were all, according to the Chief of Staff, who was the only objective and neutral authority on the question, to the advantage of one party to the Agreement;
- (6) the work would result in a definite integration of the zone into the economic and hydro-electric system of one of the two parties, an integration not stipulated in the Armistice Agreement and not permitted by it; and
- (7) the work would produce a total change in the flow of the waters of an international river, the Jordan River.

These facts, the representative of Lebanon argued, constituted a violation of both the letter and the spirit of the Armistice Agreement and, whichever was the party responsible for this violation, it should not be allowed to resume the work until it had reached an understanding with the other party.

The canal project, he said, went beyond the Huleh case, as pointed out by the Chief of Staff, in that it involved not only the supervision of the gradual restoration of normal civilian life in the demilitarized zone, but prejudiced the ultimate settlement, in contravention of the Armistice Agreement. It also raised the problem of the military objective of creating and maintaining the demilitarized zone, thereby amounting to a

unilateral alteration of some clauses of the Agreement. Moreover, he added, the Council's decision in the Huleh case had proved ineffective. The decision, which, among other things, had called for the return of Arab civilians removed by Israel from the demilitarized zone and for the withdrawal of Israeli police units from the zone, had not been faithfully implemented by Israel.

Regarding the legal status of the demilitarized zone, the representative of Lebanon stated that, regardless of the Israel or Syrian claims to sovereignty, the interpretation given by United Nations officials and the Security Council was that, until final settlement was reached, no State was sovereign in the zone. The Israel project established a de facto situation which prejudiced the question of sovereignty in its favour to the disadvantage of other States.

As regards the contention that the whole economic life of a State was involved in the Canal project, he stated that the question involved was one of principle, involving the whole status of the demilitarized zone and, even more, the question of respect for international obligations.

The representative of Pakistan requested that the Chief of Staff or Secretariat might answer the following questions:

(1) How the frontier of Israel as visualized in the General Assembly resolution of 1947 ran through the demilitarized zone?

(2) What were the existing and past uses in respect of irrigation or other advantages enjoyed by Syrian nationals within Syrian territory from the disputed stretch of the river?

(3) What was the area of the Buteiha Farm which received irrigation from the Jordan and whether there were other lands that derived advantage from the river?

(4) Would it be possible at a later stage to convert the work into an irrigation project?

(5) If so, what was the maximum quantity of water that might at any time be withdrawn from the river for that use? Would the volume of water or the volume of salinity of Lake Tiberias be affected?

(6) How would the advantages derived by the Kingdom of Jordan be affected?

The President suggested that in view of the technical nature of these questions, General Bennike or experts conducting a study on the spot might answer them. The latter course, he said, might possibly be proposed by a member of the Council. As to the final point, the President believed that it would be up to General Bennike to decide whether to supply additional comments.

At the 645th meeting of the Council on 3 December 1953, the Chief of Staff replied to some of the questions submitted by the representative of Pakistan. He explained that the water from the

stretch of the River Jordan which would be affected by the completion of the projected canal was being used for irrigating lands, watering cattle and operating mills within the boundaries of Syria. The lands under irrigation and the water mills in operation—seven altogether—were in the area of Buteiha Farm. He further stated that he had been informed that the area in that farm at present under irrigation was 18,280 dunams, or approximately 4,570 acres; the area under irrigation was only a small part of the total area of Buteiha Farm. He was not in a position to state the extent to which the area not at present irrigated was capable of receiving irrigation. To his knowledge, the irrigated lands of Buteiha Farm were the only lands in Syria which received irrigation from the stretch of the River Jordan in question. With regard to the demilitarized zone, he had been informed that approximately 5,000 dunams of land—2,924 of which belonged to the owners of Buteiha Farm—received irrigation from that stretch of the river. Finally, in answer to the last set of questions, he declared that he was not in a position to give an adequate answer. He added, however, that under the Israel scheme which had been outlined to him, the water of the River Jordan which would be diverted into the projected canal would be returned to Lake Tiberias, so that the completion of the canal would affect only the stretch of the river north of Lake Tiberias. In such circumstances, the problem which arose was that of existing uses based on, and advantages received from, that stretch of the river. Another problem would arise if, following a conversion of the Israel project into an irrigation project, the volume of the waters of Lake Tiberias and of the River Jordan below that lake had been reduced and their salinity consequently increased. In that event, the interests of the State of Jordan would be affected.

At the same meeting, the representative of Pakistan stated that the basic question was not whether the project was beneficial to Israel, but whether the project contravened the Armistice Agreement. According to the United Nations, sovereignty in the demilitarized zone was in abeyance unless there was an agreement to the contrary between the parties. Further, the representative of Pakistan stated, the project would give Israel military advantages by allowing it the alternative control of the river through the use of the canal, or vice versa. The project would also affect adversely the irrigation of Arab lands and the operation of water mills. He concluded by stating that the Israel police was still exercising sovereignty in the demilitarized zone in contra-

vention of the relevant provisions of the Armistice Agreement. Finally, he endorsed the request of General Bennike that the work on the project should be stopped until the parties could come to an agreement.

d. DRAFT RESOLUTIONS SUBMITTED TO THE SECURITY COUNCIL

Two draft resolutions were submitted to the Council:

(1) A draft resolution submitted jointly by France, the United Kingdom and the United States (S/3151) at the 648th meeting on 16 December. It read as follows:

"The Security Council,

"1. Recalling its previous resolutions on the Palestine question;

"2. Taking into consideration the statements of the Representatives of Syria and Israel and the reports of the Chief of Staff of the Truce Supervision Organization on the Syrian complaint (S/3108/Rev.1);

"3. Notes that the Chief of Staff requested the Government of Israel on 23 September 1953 to ensure that the authority which started work in the Demilitarized Zone on 2 September 1953 is instructed to cease working in the Zone so long as an agreement is not arranged;

"4. Endorses this action of the Chief of Staff;

"5. Recalls its resolution of 27 October 1953, taking note of the statement by the Representative of the Government of Israel that the work started by Israel in the Demilitarized Zone would be suspended pending urgent examination of the question by the Council;

"6. Declares that, in order to promote the return of permanent peace in Palestine, it is essential that the General Armistice Agreement of 20 July 1949 between Syria and Israel be strictly and faithfully observed by the Parties;

"7. Reminds the Parties that, under article 7, paragraph 8, of the Armistice Agreement, where the interpretation of the meaning of a particular provision of the Agreement other than the preamble and articles 1 and 2 is at issue, the Mixed Armistice Commission's interpretation shall prevail;

"8. Notes that article 5 of the General Armistice Agreement between Syria and Israel gives to the Chief of Staff, as Chairman of the Syrian-Israel Mixed Armistice Commission, responsibility for the general supervision of the Demilitarized Zone;

"9. Calls upon the Chief of Staff to maintain the demilitarized character of the Zone as defined in paragraph 5 of article 5 of the Armistice Agreement;

"10. Calls upon the Parties to comply with all his decisions and requests, in the exercise of his authority under the Armistice Agreement;

"11. Requests and authorizes the Chief of Staff to explore possibilities of reconciling the interests involved in this dispute including rights in the Demilitarized Zone and full satisfaction of existing irrigation rights at all seasons, and to take such steps as he may deem appropriate to effect a reconciliation, having in view the development of the natural resources affected in a just and orderly manner for the general welfare;

"12. Calls upon the Governments of Israel and Syria to co-operate with the Chief of Staff to these ends and to refrain from any unilateral action which would prejudice them;

"13. Requests the Secretary-General to place at the disposal of the Chief of Staff a sufficient number of experts, in particular hydraulic engineers, to supply him on the technical level with the necessary data for a complete appreciation of the project in question and of its effect upon the Demilitarized Zone;

"14. Directs the Chief of Staff to report to the Security Council within 90 days on the measures taken to give effect to this resolution."

At the 651st meeting, the sponsors added the following paragraph to the joint draft resolution (S/3151/Rev.1):

"Affirms that nothing in this resolution shall be deemed to supersede the Armistice Agreement or to change the legal status of the Demilitarized Zone thereunder".

(2) A draft resolution by Lebanon (S/3152) submitted at the 649th meeting as an alternative to the three-Power joint draft resolution. It read:

"The Security Council,

"Recalling its previous resolutions on the Palestine question,

"Taking note of the statements of the Representatives of Syria and Israel and the reports of the Chief of Staff of the United Nations Truce Supervision Organization on the Syrian complaint (S/3108),

"Recalling the conclusion of the Chief of Staff in paragraph 8 of his report (S/3122) that both on the basis of the protection of normal civilian life in the area of the Demilitarized Zone and of the value of the Zone to both Parties for the separation of their armed forces, he does not consider that a Party should, in the absence of an agreement, carry out in the Demilitarized Zone work prejudicing the objects of the Demilitarized Zone as stated in article 5, paragraph 2, of the General Armistice Agreement, as well as his request to the Israel Government to ensure that the authority which started work in the Demilitarized Zone on 2 September 1953 is instructed to cease working in the Zone so long as an agreement is not arranged,

"1. Endorses that action of the Chief of Staff of the United Nations Truce Supervision Organization and calls upon the parties to comply with it;

"2. Declares that the non-compliance with this decision and the continuation of the unilateral action of Israel in contravention of the Armistice Agreement is likely to lead to a breach of the peace;

"3. Requests and authorizes the Chief of Staff to endeavour to bring about an agreement between the Parties concerned and calls upon the parties to co-operate in the Mixed Armistice Commission and with the United Nations Chief of Staff in reaching that agreement."

In introducing the joint draft resolution, the representative of the United States said that his delegation had come to the following conclusions. First, strict compliance with the Armistice Agreement between Israel and Syria was of vital importance to the peace of the area. Secondly, the

primary responsibility of the Council in the matter was to uphold that Armistice Agreement which it had endorsed in its resolution of 11 August 1949 as superseding the truce and facilitating the transition to permanent peace; the agent of the Council for those purposes was the Chief of Staff of the Truce Supervision Organization. Thirdly, development projects which were consistent with the undertakings of the parties under the Armistice Agreement and which were in the general interest and did not infringe upon established rights and obligations should be encouraged. He added that the decision of the Chief of Staff regarding the Jordan River diversion project should be subject to those considerations. The Chief of Staff, who was responsible for the general supervision of the demilitarized zone, was the proper authority to determine whether the project met those conditions. Any unilateral action from whatever side, which was not consistent with that authority, threatened the effective operation and the enforcement of the Armistice Agreement, the United States representative said. Similarly, he added, no Government should exercise a veto power over legitimate projects in the demilitarized zone. On the basis of those conclusions, his delegation had joined with France and the United Kingdom in submitting the above draft resolution.

The representative of the United Kingdom stated that the report of the Chief of Staff, as well as the various statements made to the Council, had clearly established the following basic facts:

(1) that the Palestine Electric Corporation had begun to dig in the demilitarized zone a canal which would take water to a power station on Israel territory;

(2) that, being informed of the work some time after it had started, General Bennike had asked the Government of Israel to ensure that the authority which had started the work should be instructed to suspend working in the zone so long as agreement had not been arranged; and

(3) that, after an exchange of communications with General Bennike, the Government of Israel had not complied with that request.

He considered it unfortunate that Israel should have ignored General Bennike's request. Consequently, the Council was faced, not with the question of whether the canal was in itself a good and useful project, but solely with the question of the failure by one party to the Israel-Syrian Armistice Agreement to comply with a request of the Chairman of the Mixed Armistice Commission—the only authority which stood for some sort of order and which was probably the only barrier against complete chaos. The United Kingdom representative added that it was his

Government's view that General Bennike had been fully entitled under the Armistice Agreement to make the request that he had made to the Government of Israel and that the Council was justified in expecting that the Government of Israel would not start work again on the canal without General Bennike's authorization. He had listened, he said, with the greatest attention to the arguments which had endeavoured to show that the work could not proceed without the consent of the Government of Syria, but his delegation had not been convinced by those arguments. It was important, he emphasized, that the Council should endeavour to give General Bennike the best guidance and all the help it could for the further handling of the problem. Though he believed that neither party could carry out projects, however beneficial, which were contrary to the terms of the Armistice Agreement, it seemed to him that a determined effort should be made to reconcile conflicting interests. Indeed, as a general proposition, he believed that the longer the temporary armistice arrangements continued, the more desirable it was that some way be found which would allow constructive projects in the area to be undertaken provided that it could be demonstrated that no interest would suffer thereby. He therefore considered that the joint draft resolution constituted the right approach by providing:

(1) that the Council should call upon the Government of Israel to suspend operations until such time as the United Nations Chief of Staff agreed that they might proceed; and

(2) that General Bennike should be given all possible help in forming a definitive opinion on whether the project would contribute to the orderly development of the natural resources affected, and should be authorized to explore the possibility of reconciling the interests involved in the dispute.

The representative of France said that one of the parties to the Armistice Agreement had brought before the Council a complaint based upon the alleged refusal of the other party to comply with the provisional request of the Chief of Staff. The Council was, therefore, faced with the very obvious duty of confirming the decision of the Chief of Staff. While it had been gratifying that the defendant party should have announced before the Council that it would suspend the work during the discussions, it must be understood that, in the view of the Council, the suspension should not be limited in time: the work should be stopped, not only until the end of the discussion in the Council but until the decision given by the Chief of Staff on 23 September 1953 ceased to have effect. The authority exercised by General Bennike was, in fact, that of the Security

Council, and though, under the Armistice Agreement, the Council was the supreme arbiter it could not permit the parties to call the authority of the Chief of Staff in question.

The representative of France maintained that, divested of its political elements, the problem to be resolved by the Chief of Staff was that of the utilization, in the best interest of each of the parties, of one of the rare sources of water in that part of Palestine. It was, of course, necessary that all the rights involved should be respected and those rights were intermingled in a very complex manner. Syria and Israel alike were entitled to have the Armistice Agreement strictly applied; private persons were entitled to respect for their property; riparian owners, particularly the owners of Buteiha Farm, were entitled to use the water for irrigation. Further, he said, the discussions had shown that satisfaction of the rights of one party was not necessarily opposed to satisfaction of the rights of the other. Part of the waters of the Jordan might be diverted, while at the same time the influx of water into the irrigation channels was assured by control. The water catchments might be so arranged as not to prejudice the rights of any owner without his consent. There might also be a solemn undertaking under the guarantee of the Security Council that no authorized installation would create a vested interest in favour of any of the States concerned at the time of a final territorial settlement. His delegation did not even discard the possibility of a partition of those demilitarized zones, the status of which so often caused the difficulties with which the Council was familiar. His Government, he said, viewed such a partition as highly desirable. One of its consequences might be the settlement of that very case of the waters of the Jordan. For all those reasons, it seemed to his delegation that an effort should be made to explore at least the possibilities of a peaceful settlement, having regard to all the interests and rights involved; the Chief of Staff alone was qualified for that task.

In conclusion he stated that, in spite of all the efforts made by the Secretary-General, the staff under General Bennike, though superior in quality was still very limited in number. Even with his extensive technical knowledge, the General was unable to attend to all details himself. His delegation, the representative of France stated, hoped that the experts made available to the Chief of Staff would enjoy the full co-operation of the parties in carrying out their appointed task, which was in the common interest. In selecting the experts, the Secretary-General would

surely bear those considerations in mind and would endeavour to enlist the services of technicians whose authority would be accepted by both parties without question. Once their report had been submitted, the final decision would rest with the Chief of Staff. The representative of France also said that if there had been less water in the Jordan river it would have constituted a less serious military obstacle. But, after all, the experience of the last war had shown how easily a trained army could cross water lines very much wider than the Jordan. In his delegation's opinion, it would be unjust and contrary to the spirit of the United Nations if a region's future and economic development were to be decided by theoretical military exercises carried out on maps. Surely Israel, by planning the construction close to its frontier of hydro-electric installations essential to its economy was demonstrating its faith and confidence in the peaceable spirit of its neighbours.

At the 649th meeting on 17 December 1953, the representatives of Israel and Syria reviewed their respective positions concerning the question. They also offered their comments upon the joint draft resolution. Israel gave its qualified consent, whereas Syria indicated its opposition to it.

At the 650th meeting on 18 December 1953, the representative of China analysed the joint draft resolution and expressed his delegation's readiness to uphold the authority of the Chief of Staff. However, he preferred that paragraph 11 of the draft resolution be more definite in meaning and more limited in scope. He believed that the Council should specifically state that it was the duty of the Chief of Staff to seek the agreement of the two parties by way of reconciliation; in case he should fail in obtaining the necessary agreement of the two parties, he should report to the Council for final decision. He also believed that the second part of paragraph 11 dealing with the development of the natural resources might well be put in a separate paragraph, using the words of the representative of the United States to the effect that development projects which were consistent with the undertakings of the parties under the Armistice Agreement and which were in the general interest and did not infringe upon established rights and obligations should be encouraged. He added that the Chief of Staff himself, in making his decision of 23 September, must have thought that the objections of Syria to that development scheme had been reasonable and serious. Therefore, it was only right and proper that the Council's first effort in solving

the problem must be to secure the agreement of Syria. He considered that paragraph 11 as it stood was unsatisfactory and said that, unless changed, it would affect the attitude of his delegation towards the whole draft resolution.

The representative of Pakistan said that, according to the instructions of his Government, he was not authorized to support the three-Power draft resolution in its present form. The two main reasons for his delegation's attitude were:

(1) that in the circumstances of the case as presented to the Council by Syria that draft resolution was irrelevant at first glance; and

(2) that, when examined closely, it was full of most dangerous ambiguities.

He analysed the details of the complaint before the Council as well as the joint draft resolution, which he criticized for not stating whether the projected canal was contrary to the Armistice Agreement or not and for concentrating on an economic solution. Moreover, he said, the joint draft resolution seemed to have ignored the contents and meaning of General Bennike's report. Also, it did not take into account the military aspect of the complaint. After analysing the various paragraphs of the joint draft resolution, the representative of Pakistan singled out paragraph 11, characterizing it as a masterpiece of obfuscation. For example, he said, he could not understand the interests referred to in that paragraph: did it mean the interests of the people in the demilitarized zone or those of Syria? The statements made by the sponsors of the joint draft were also, he maintained, useless as a guide for General Bennike; they had ignored not only his advice, but also the military implications of the situation. Instead of helping and guiding General Bennike, said the representative of Pakistan, the Council, in its discussions, was thwarting, misleading and misguiding him. In conclusion, he said that the Council could not pretend, by stressing only the economic problems, that the political difficulties did not exist. Anyone who thought of the prosperity of the region in question and who had the welfare of its people at heart should apply himself to the political difficulties involved.

The representative of Lebanon expressed his inability to support the joint draft resolution in its present form. He believed that at that stage of the deliberations the following three basic objectives should be affirmed:

(1) the inviolability of the Armistice Agreement ought to be stressed to the utmost;

(2) as part of that inviolability, the inviolability of the status of the demilitarized zone must be emphasized,

because that zone was part and parcel of the Armistice Agreement;

(3) whatever economic development was contemplated for the area, particularly the exploitation of its water resources, care should be taken so as not to close the door to any possibility of the regional arrangements that might be developed subsequently.

Consequently, he submitted an alternative draft resolution (S/3152, see above).

Defining his delegation's position towards the three-Power draft resolution, the representative of the USSR said that, after careful consideration, it was impossible not to agree with the criticism which had already been levelled against the draft in the Council. Almost half of the preamble consisted of references to other material and, consequently, had no independent significance. The operative part, he said, was unacceptable and he did not see how it could be improved, because the whole drafting from beginning to end was completely unsatisfactory.

Paragraph 11 ignored what, in his delegation's opinion, was an exceedingly important condition for the settlement of any question connected with the aims and purposes of the demilitarized zone, namely, the condition that any particular measures could be carried out only with the agreement of both parties. Nowhere in the draft was any reference made either to Syria or to Israel or to the dispute which had caused the whole question to be considered by the Council. There was not even an allusion to the parties concerned, yet all the time it was primarily the interests of those parties which were involved, since the whole subject was connected with the position in the demilitarized zone and the significance of that zone. Paragraph 11 made a sufficiently clear reference to the need for adopting measures calculated to reconcile "the interests involved in this dispute"; that was a very vague phrase. If the interests were those of Israel and Syria why not say so openly. If any other interests were involved, then again it should be stated precisely what interests were envisaged. That it was not exactly the interests of Israel and Syria which were involved, but the interest of some other States was, the USSR representative stated, emphasized further on in paragraph 11, where reference was made to the necessity of the development of the natural resources for the general welfare. No one, of course, would object to the promotion of the general welfare, but when the Council was concerned with a particular matter, namely, the dispute which had arisen between Israel and Syria, and when, instead of referring to the interests of those two adjacent States, it was found necessary to make use of

the wording which spoke of the general welfare, then it was obvious that paragraph 11 completely failed to meet the problem facing the Council, which had undertaken to settle certain outstanding questions which had arisen between Israel and Syria in connexion with the construction of a canal in the demilitarized zone.

His delegation considered that, in view of those serious defects in the three-Power draft resolution, its adoption, in view of the absence of agreement between the two sides on the disputed points, could lead only to a further deterioration in the relations between those States, and that would be contrary to the interests of the maintenance of peace in the area.

The representative of Lebanon made a detailed statement in which he analysed, paragraph by paragraph, the joint draft resolution. After offering his suggestions and comments on the various paragraphs, he analysed in a more detailed manner paragraph 11, which he found unacceptable. He said that he saw no reason why paragraphs 11, 12 and 13 should, at that stage, be included at all in the joint draft. Should, however, the sponsors insist on retaining paragraph 11, he maintained that the paragraph must define exactly what was meant by the words "interests involved" and "natural resources affected". In the circumstances, he completely repudiated any notion that the Chief of Staff, under the joint draft resolution or any resolution pertaining to the Armistice Agreement between Syria and Israel, could extend his investigations or explorations to include any matters appertaining to Lebanon. Moreover, he insisted that the text define the words "general welfare", since the paragraph seemed to him to be so general as to be unacceptable because of its very dangerous implications, of which his delegation was genuinely afraid. Paragraph 13, he said, was also unacceptable, because it did not make the appointment of the proposed experts subject to the consent of the two parties to the dispute. Finally, he declared that if Syria's consent was necessary to change any provisions of the Armistice Agreement, that consent was also necessary for any contemplated change in the demilitarized zone.

At the 652nd meeting on 22 December, the representative of Syria reviewed the entire question and analysed in detail the joint draft resolution which, he stated, was unacceptable. He said that his Government found that the text of the joint draft failed to deal with its complaint, did not satisfy the provisions of the Armistice Agreement and would not even serve as an expedient in dealing with a grave situation. Syria, as a

Member of the United Nations, had, he said, in accordance with the Charter, brought a complaint before the Council, a complaint based on the fact that Israel's action had contravened the Armistice Agreement and that Israel's persistence in attempting to exercise sovereignty and public power in the demilitarized zone and beyond the armistice demarcation line had constituted a repudiation by Israel of the Armistice Agreement. Syria's complaint had been substantiated by sufficient proof and justification. The Council could not, without shirking its duties and responsibilities under the Charter, refrain from pronouncing itself on the complaint and giving its verdict. The three-Power draft resolution did not constitute a Council verdict on the matter brought before it; it tended to bypass the Syrian complaint and to shift it into other domains. The draft resolution implicitly invited the Council to refrain from acting on the complaint and thus invited it to deny justice to a Member State.

He added that, under the Charter, the Security Council could try to conciliate a dispute between two or more parties. The question before the Council was undoubtedly a dispute. The joint draft resolution, however, failed to follow the conciliation procedures laid down in the Charter. The effect of the joint draft resolution would be to paralyse the Security Council in respect of matters of security and to draw it into domains wherein the responsibility belonged exclusively to the Economic and Social Council. Finally, under the three-Power draft, General Bennike would have to assume the functions of a judge to ascertain whether certain private rights existed or not. The Chief of Staff was not equipped for such a purpose. He could not administer directly the demilitarized zone under the Agreement and had no authority to pass judgments. He had the authority to supervise the zone, but had no authority to consider hydraulic projects except to the extent that they affected the Armistice Agreement.

At the 653rd meeting on 22 December, the Council decided to release General Bennike from attending the meetings and to return to his headquarters in Palestine.

At the 654th meeting on 29 December, the Council was informed by the representative of Denmark that all efforts at finding an acceptable text had been in vain. The Council then decided to adjourn until early January 1954. In the course of that meeting, the representative of the USSR suggested that the three sponsors withdraw their text altogether and endeavour to submit a new one, dealing with the question under

consideration. He explained that his delegation could not support the three-Power draft because it did not relate directly to the problem under discussion, but rather constituted an attempt to substitute for that question the problem of how the United States could obtain mastery over the economy of the Middle and Near East using the opportunity provided by the dispute between Syria and Israel on the building of a canal and a hydro-electric station.

At the end of 1953 the matter was still under consideration by the Council.⁶⁷

5. Assistance to Palestine Refugees

a. REPORT OF UNRWA

The Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) submitted a report (A/2470) to the eighth session of the General Assembly covering the period 1 July 1952 to 30 June 1953, stating that, five years after the outbreak of hostilities in Palestine, the number of refugees dependent on international aid was the same—872,000. The natural increase in the refugee population added an estimated 22,000 to 25,000 to the relief rolls every year. However, the failure to reduce the number of relief recipients had not resulted in increased expenditure, which remained at the \$23 million set by the General Assembly. This was made possible by a slight reduction in prices and by certain administrative measures. Another favourable development, the Director reported, was the conclusion of four programme agreements with three of the host countries (Jordan, Syria and Egypt) envisaging an expenditure of \$111 million. The same countries had been added to the membership of the Advisory Commission, a fact to which the Director attached great importance.

The report further stated that the attitude of the refugees toward resettlement had not changed and constituted a formidable obstacle to their rehabilitation. The Agency alone could not do much to change that situation since it would require the combined efforts of the governments identified with the UNRWA programme. The fact that Jordan, Syria and Egypt were prepared to negotiate agreements with the Agency, the Director stated, indicated that they appreciated that the refugee's acceptance of a house and an opportunity to resume a normal life did not in any way affect his right to repatriation or compensation when the time came. However, the tone of manifestoes submitted on behalf of refugees and of the local press showed that that

fundamental principle was either not widely understood or was deliberately ignored.

The number of relief recipients would not have decreased significantly by the time the Agency's mandate came to an end in June 1954, the report said.

The Director suggested that it would be more appropriate for the governments to assume responsibility for administration of the relief programme. However, the timing of such a transfer demanded careful attention, as well as the probable duration of the programme and its cost. In his opinion, it would be six years before an appreciable reduction in relief could take place; unless other measures were taken, many refugees would lack means of self-support for a still longer period. That, the report said, pointed to the need for parallel programmes of economic development to supplement the plan of the Agency.

If financial assistance could be guaranteed by the international community, the host governments would have no grounds for objecting to assumption of administrative responsibility for relief, the report said. Various relief functions and also education should be transferred before the end of June 1954, while the transfer of responsibility for procurement and distribution should be possible by the middle of 1955. If these suggestions were adopted, the Director of the Agency concluded, the future role of the Agency in the relief field would be gradually to transfer the administration for health, camps, welfare, supply and education and to retain only technical assistance and financial auditing functions. In the rehabilitation field, UNRWA's functions would also include the co-ordination of projects financed by the Agency with the over-all development plans of the host governments.

The report stated that the Agency's total income for the fiscal year amounted to some \$49.5 million, consisting of \$48.8 million in cash contributions, \$492,000 in contributions in kind and \$446,000 in miscellaneous receipts, less \$208,000 for exchange adjustments. Thus, after taking into account \$18.8 million in cash held at the beginning of the year, the sum of \$68.3 million was available for the Agency's operations during the year. This was far short of the budget of \$122.9 million authorized by the General Assembly. Nevertheless, it was stated, the Agency

⁶⁷ At the 656th meeting on 22 January 1954, the Security Council voted on a second revision of the three-Power draft resolution (S/3151/Rev.2). There were 7 votes in favour, 2 against (USSR and Lebanon) and 2 abstentions (China and Brazil). The resolution was not adopted due to the negative vote of one of the permanent members of the Council.

possessed ample resources for its operations, since expenditure on rehabilitation was (as might be expected) far less than the amounts reserved or committed, for which the Agency must secure cash or firm pledges before agreements with the governments might be signed.

The report gave the following major sources of cash contributions: United States \$36,000,000; United Kingdom \$9,600,000; France \$928,571; Near East Governments \$501,774; other governments \$1,618,409; other contributors \$148,022. The total unpaid pledges amounted to \$56,577,648. The unpaid pledges of the United States and the United Kingdom, amounting, respectively, to \$44,063,250 and \$9,800,160, were, the report stated, mainly sums reserved for the rehabilitation programme agreements or projects which had not yet been initiated. The unpaid pledge of France of \$2,214,286 was available to the Agency when French francs were needed and was paid when needed by the Agency.

The total expenditure of the Agency was \$26,778,934, out of which \$23,400,729 was spent on the relief programme and \$3,378,205 on the project programme.

The report stated that more than 58 per cent of project expenditures was incurred in projects negotiated with Jordan, mainly on engineering surveys for the Yarmuk Valley scheme and the Ghor Nimrin tent factory, which would shortly be in production. In addition, the Agency contributed another \$140,000 to the funds of the Jordan Development Bank, bringing its total investment to \$560,000. Expenditure in Syria was mainly for vocational training courses, principally in skilled trades. Over \$90,000 was spent on the exploitation of uncultivated lands to determine their suitability for agricultural use. Industrial loans were made to Iraq for the purpose of establishing two factories.

For the next financial year 1953-54, the Director of the Agency recommended an increase in the relief budget over that for the previous year, in order to enable the Agency to provide shelter for refugees who had been living outside camps but whose means were now exhausted, and to distribute additional food to certain categories of refugees—in particular to young children—in order to counter the risk of malnutrition to which the experts from the Food and Agriculture Organization (FAO) had drawn attention. The sum recommended by the Director was \$25.7 million, representing an increase of \$2.4 million over the previous year. This recommendation was amended later to \$24.8 million for relief.

As regards the rehabilitation of refugees, the report stated that by the end of June 1953, in addition to the four programme agreements with Jordan, Syria and Egypt (referred to above) for projects envisaging schemes to make refugees self-supporting, a general agreement for an unspecified amount had been concluded with the Libyan Government.

The report noted the following progress in the implementation of these programmes:

Jordan—The first agreement with the Jordan Government was signed on 5 August 1952. It reserved a total of \$11 million for projects calculated to make 5,000 refugee families self-supporting. The expenditure would be distributed over: research, planning and surveys; agriculture; industry and commerce; urban housing; and vocational training.

Under the heading "research, planning and surveys"; a soils laboratory was set up in Amman and hydrological surveys were carried out in the Wadi Faras, the Ghor land at the southern end of the Dead Sea and the Shera'a region. Investigations were also made at Azrak. None of these regions proved suitable for cultivation and the projects were abandoned.

In the agricultural sector, two small agricultural schemes, begun before the signing of the agreement, at a cost of, respectively, \$92,000 and \$17,000 had absorbed 32 refugee families in one case and 100 in the other, the report stated. New agricultural schemes undertaken after the signing of the agreement had taken the form of a series of small settlements along the Jordan-Israel frontier.

In the Category of urban housing, the Agency had undertaken with the Jordan Government the building of 50 houses on the outskirts of Amman. The scheme, costing \$68,000, had helped to remove 250 names from the Agency's lists. Similar projects were being considered for other towns in Jordan.

In the category of vocational training was the establishment of a technical training school for 600 boys at Kalundia, near Jerusalem, at an estimated cost of \$400,000. A similar scheme for girls was under preparation. Other training schemes in progress included courses in midwifery, pharmaceutical training, teaching, laboratory training, nursing, and statistical training.

The report further stated that, at the end of March 1953, a second broad programme agreement with the Jordan Government was concluded concerning the Yarmuk-Jordan Valley scheme for the irrigation of the Jordan Valley. It was estimated

that the scheme would benefit some 150,000 refugees.

Syria—Under the programme agreement signed with Syria, the Agency undertook to reserve \$30 million for a programme which would improve the living conditions of refugees in Syria, over a period ending 30 June 1954. The programme would include technical training, education, industry and commerce and agriculture. Up to the end of June 1953, the report stated, the amount spent was approximately \$500,000.

Some \$102,000 had been allotted for courses to university students, teachers, shorthand typists and accountants, dressmakers, medical orderlies, midwives and other medical personnel. An amount of \$231,000 was earmarked for education for refugee children in Syria for the past year and had also been debited to the \$30 million, the report said. Some \$145,000 had been spent on agricultural projects, mainly of a preliminary and experimental nature. Progress in this field had been disappointing, due to the nature of the soil.

Egypt—Under a programme agreement signed with Egypt in December 1952, \$300,000 were earmarked for a vocational training scheme in Gaza. A sum of \$17,000 had been allotted so far for the construction of a school which would accommodate about 400 students. It would give courses for foundry-workers, blacksmiths, and carpenters and for car maintenance and repairs.

On 30 June 1953, a broad programme agreement was signed between the Agency and the Egyptian Government providing for the co-operation of the two parties in searching for practicable projects in the Sinai Peninsula, as well as in the Gaza district. The Agency undertook to reserve an amount of approximately \$30 million for these projects, pending the completion of economic and engineering surveys, for which it would advance a maximum of \$50,000. If, as a result of the surveys, it should be decided to proceed with specific schemes, project agreements would be negotiated defining the amount of money to be committed by the Agency and the approximate number of refugees to be rendered self-supporting.

Libya—On 23 November 1952, an agreement was concluded between the Agency and the Government of Libya, by which it was agreed that the Government would admit a number of refugees and would allow them to be established on a self-supporting basis, and would in due course confer on those who applied the rights and privileges enjoyed by citizens of Libya.

Although the number of refugees was not specified in the agreement, an understanding was

subsequently reached by an exchange of letters, as a result of which 1,200 families (about 6,000 persons) would be covered by the scheme, of which 1,000 would be agricultural and 200 artisan families. On the evidence at present available, it was expected that some \$2 million would be involved in the rehabilitation of this number of refugees in Libya. All that had so far been achieved was the establishment of a few artisan families who were assisted by the Agency to find work. Investigations were being made into the possibilities of large-scale agricultural projects.

In addition to those negotiated with governments, a limited number of projects of a more general nature were being operated as headquarters' schemes. These included research projects, placement activities, projects involving the acquisition of capital equipment (such as drilling rigs) for general use, and training courses run in countries, such as Lebanon, with which no programme agreement had as yet been concluded. A total of \$179,000 had been spent on such headquarters projects up to 30 June 1953.

In addition, any rehabilitation activity in Iraq was currently classified as headquarters expenditure. The Iraqi Government had from the beginning taken full responsibility for the 5,000 refugees within the country and the Agency therefore maintained only a small office in Baghdad. A teachers' training course for 60 refugee students from Syria, Jordan, Lebanon and Gaza had already been completed; and two loan agreements had been concluded for establishing respectively a clothing factory and a candy factory to employ refugees from other countries. By the end of the fiscal year, neither of these projects had reached the stage of production and difficulties were being experienced in obtaining entry visas for prospective refugee employees.

Reporting on health conditions, the Director stated that the total cost of the health and camp maintenance programmes for refugees during the period covered by the report was \$3,294,000. Of the "treaty diseases" (cholera, yellow fever, smallpox, typhus and louse-borne relapsing fever), only one case of epidemic typhus was recorded. The immunization campaigns against smallpox, enteric fevers and diphtheria succeeded in eliminating smallpox and in reducing greatly the incidence of enteric fevers and diphtheria. The incidence of malaria, it was reported, had generally declined due to anti-malaria campaigns. The report further gave an account of special campaigns carried out to prevent eye diseases, to supervise and advise expectant mothers, to prevent syphilis and to provide nursing services.

As regards education, the Director reported that in September 1952 a total of 52,776 pupils were registered in UNRWA-UNESCO schools. In addition, an estimated number of 57,681 pupils were reported as in attendance in private and government schools. By May 1953, the registration in UNRWA-UNESCO schools had increased by approximately 19,000 pupils, and that in government and private schools by approximately 1,500 pupils. The teaching staff, which had been 955 at the end of the school year 1951-52, had increased to 1,536 in June 1953. For the school year 1953-54, the Agency was making provision for nearly 95,000 children in its own schools. If the number of children in government and private schools remained constant, this would mean that 150,000 children would be receiving primary education.

With regard to secondary education, the report stated that comparatively few refugee children were maintained in secondary classes. However, during the school year 1953-54, it was planned to provide secondary education in government and private secondary schools and, in some cases, in UNRWA classes, for approximately 5,000 pupils.

During the school year 1952-53, grants-in-aid amounting to \$12,000 were given to universities in Beirut and partial assistance was extended to nearly 100 students at the University of Syria. A literacy campaign, partly successful, was conducted, during the year, in Gaza.

The report also dealt with: welfare activities, such as social case work and individual care, operation of social welfare centres and training of social welfare workers; sponsorship of arts and crafts activities for girls and women; distribution of donated clothing; co-ordination of work with voluntary agencies; and distribution of milk.

Under the heading "Co-operation with other United Nations organizations", the Director expressed appreciation of the assistance rendered by the United Nations Children's Fund (UNICEF) and the specialized agencies of the United Nations. UNICEF, the report said, had contributed \$2,125,447 in supplies including currants, fats, milk-powder and sugar.

A joint special report of the Director and the Advisory Commission of the Agency (A/2470/Add.1), dated 26 October 1953, stated, *inter alia*, that, despite all efforts, including the conclusion of programme agreements with three Middle Eastern Governments, it was practically impossible to bring about the rehabilitation of all Arab refugees in the existing economic and political

circumstances. There was, however, a prospect that, by their early employment on projects under consideration by the host governments and UNRWA, many refugees would be able to become self-supporting.

The special report stated further that the sum of \$25.7 million recommended by the Director for the relief programme in 1953-54 might be reduced to \$24.8 million in view of the delay in the implementation of these recommendations and the purchase of one basic commodity at a greatly reduced price. With regard to the transfer of administration of relief to host governments, as suggested by the Director, the Commission recommended that the Director negotiate on this subject with the individual host governments and report to the General Assembly at its next session. It also recommended that the General Assembly should, among other things:

(1) extend the mandate of UNRWA as an interim measure until 30 June 1955 and review the problem at its ninth session;

(2) authorize the Director to adopt a provisional budget for relief of \$18 million for the fiscal year 1954-55, to be subject to review at the Assembly's ninth session;

(3) authorize the Director to undertake a relief programme during 1953-54 at a cost of \$24.8 million, and to introduce additional measures outlined in his report;

(4) increase to \$293 million the amount of \$250 million originally envisaged in the three-year plan adopted by resolution 513(VI),⁶⁸ and invite the Negotiating Committee for Extra-Budgetary Funds to initiate negotiations with Member and non-member States with a view to obtaining contributions for the additional funds required.

Among the specialized agencies, the World Health Organization (WHO) made a contribution to the Agency of approximately \$43,000 as well as providing a chief of the UNRWA Health Division and two other staff members for the technical supervision of the Agency's health programme.

The United Nations Educational, Scientific and Cultural Organization (UNESCO), the Director stated, undertook, as in the past, to contribute the sum of \$70,000 towards the cost of the education programme for Arab refugees, and to appoint and pay the salaries of two education officers to take charge of the technical execution of the programme. It also made arrangements for donations in the form of gift coupons from Canada, the Netherlands, Portuguese East Africa, the United Kingdom and the United States to the UNRWA-UNESCO schools, amounting to \$8,879 for the year under review. The Swedish National Com-

⁶⁸ For text, see Y.U.N., 1951, pp. 315-16.

mission of UNESCO sent a special contribution in kind—school equipment—worth \$10,000; American teachers sent reference books for the teachers' seminars, which were held during the year to improve the standard of teaching in refugee schools.

Under a special agreement concluded between UNESCO and UNRWA for a programme of technical assistance for training and re-training of children, youths and adults among the Palestine refugees, a UNESCO technical assistance mission to UNRWA commenced operating in 1952-1953. It comprised a fundamental and adult education specialist, a vocational training specialist, a visual aid specialist and a cameraman. UNESCO's contribution towards the cost of the team amounted to \$50,000. The mission, reduced to three specialists and with a budget of \$35,000, was renewed for 1954.

At the end of March, the Agency was informed that the General Conference of UNESCO, at its seventh session, had authorized the Director-General to continue, in collaboration with UNRWA, to provide assistance for Palestine refugees in the Middle East. The Conference also appropriated the sum of \$90,000 for the calendar year 1953 as a contribution towards UNRWA's expenditure on education. As in the past, this sum included the salaries of the two UNESCO field officers in charge of the execution of the programme, so that the actual cash transfer would amount to approximately \$70,000 per annum.

Acknowledging the contribution of the International Labour Organisation (ILO), the Director stated that basic agreement between ILO and UNRWA for the provision of technical assistance was signed at the end of 1952, as well as a supplementary agreement, under which ILO undertook to provide one vocational training expert for a period of one year to act as adviser to the Principal of the vocational training centre for refugees at Kalundia, and three vocational training experts for a period of one year each to act as workshop supervisor instructors at the same centre. In addition, four fellowships for study abroad for three months in building trades, metal working and electrical trades, vocational education and school administration were to be provided for staff members of the centre.

Between May and August 1952, ILO had lent an expert to undertake studies in the area, with a view to the possible development of handicrafts and cottage industries among the refugee population.

As regards the Food and Agriculture Organization of the United Nations, the report stated that

the senior supervisory officer of the Nutrition Division of FAO, accompanied by the nutrition and home economics officer of the FAO Regional Office for the Near East, visited the Agency in February 1953 in order to advise on nutritional problems. This visit was in the nature of a follow-up visit for nutritional surveys made in conjunction with WHO in 1950 and 1951; and it resulted in the adoption by the Agency of several valuable suggestions on supplementary feeding. FAO has also assisted the Agency over the recruitment of a nutritionist.

b. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS EIGHTH SESSION

(1) Discussions in the Ad Hoc Political Committee

The Ad Hoc Political Committee considered the question of assistance to Palestine refugees at its 23rd to 30th meetings, between 2 and 12 November 1953. At the invitation of the Chairman, Leslie J. Carver, Acting Director of UNRWA made a statement at the 23rd meeting. He recalled that the three-year plan prepared by the former Director of the Agency had established two separate funds, one, amounting to \$50 million, to be spent on relief to refugees, and the other, amounting to \$200 million, to be used to assist in making them self-supporting.

He explained that the plan had been based upon two main principles: (1) that acceptance by the refugee of assistance provided by the Agency would in no way prejudice his right to repatriation or compensation; and (2) that expenditure on relief would be reduced progressively as expenditure from the \$200 million fund increased. It had been recognized that the plan would not succeed unless it received full support from the Arab Governments and the refugees themselves. Two years had elapsed since the plan had been put into operation, and the \$50 million earmarked for relief had been spent. The Agency's mandate would expire on 30 June 1954;

With regard to the main object of the plan, the creation of occupations enabling refugees to become self-supporting, the results had been disappointing. That was because more time than anticipated had been required to decide upon and initiate the projects to be financed and was also due to the attitude of the refugees, who frequently refused to take advantage of the services placed at their disposal by the Agency. It would be impossible to compel them to do so without violating the fundamental principles of the Charter. Mr. Carver stated that he had been much impressed by the virtual unanimity with

which the refugees had told him that they would not accept anything but the return to their homes guaranteed them by General Assembly resolution 194(III) of 1948.⁶⁹

The Governments of the Arab countries had shown their willingness to co-operate with the Agency by signing four programme agreements during the period under review. Three of those Governments were serving on the Advisory Commission of the Agency, and a fourth had requested to be represented there also. The representatives of those countries had, in particular, co-operated in the preparation of the joint report by the Director and the Advisory Commission of the Agency.

He recalled that he had indicated in the Agency's annual report to the Assembly that it would be possible, and, indeed, desirable to arrange for the gradual transfer of some of the relief activities to the host governments. The Agency had done its best to facilitate that transfer, foreshadowed in paragraph 5 of General Assembly resolution 513 (VI), which would eliminate many of the difficulties with which the Agency was currently faced. The members of the Advisory Commission had expressed the opinion that the Agency was performing its work with reasonable efficiency and the transfer would probably cause some dislocation in the progress of operations.

Failing the transfer of administrative responsibility to the host governments, the life of the Agency would have to be prolonged beyond 30 June 1954 in order to allow the General Assembly to review the position at its next session. The joint report, therefore, recommended that the Assembly decide provisionally to extend the Agency's mandate until 30 June 1955, which would enable the Agency to study the problem in all its aspects and to report to the Assembly's next session. In that connexion, Mr. Carver drew attention to the warning sounded in the joint report that the rehabilitation of all the Arab refugees was for practical purposes impossible in existing economic and political circumstances in the Near East. That remark reinforced the statement in the report stressing the urgency of the need for measures to settle the problem.

For the next fiscal year, the joint report recommended the adoption of a relief plan requiring new cash in the amount of \$24.8 million, or \$1.5 million more than for the year 1952-53. That increase was required to provide 63,000 additional rations during the second half of the year and shelter for 87,000 refugees whose means were exhausted.

For the fiscal year 1954-55, the joint report recommended the adoption of a provisional relief

budget of \$18 million subject to review at the Assembly's next session. That figure was calculated on the assumption that it would be possible to give employment to approximately 12,000 refugees and that their families would be removed from the ration rolls.

With regard to educational activities, the Agency hoped to enable approximately 150,000 children, or 75 per cent of those of school age, to receive primary education during the next fiscal year. The funds available to the Agency did not allow it to provide secondary or university education for all those wishing to receive it, but it was hoped that the position in that respect could be improved slightly. Meanwhile, the Agency was endeavouring to increase facilities for vocational training.

In the field of health, the results obtained during the past financial year could be described as satisfactory, Mr. Carver stated.

At the 24th meeting on 3 November, France, Turkey, the United Kingdom and the United States submitted a joint draft resolution (A/AC.72/L.12).

Under part A of this draft, the General Assembly would:

(1) recall its resolutions 194(III)⁷⁰ of 11 December 1948, 302(IV)⁷¹ of 8 December 1949, 393(V)⁷² of 2 December 1950, 513(VI)⁷³ of 26 January 1952 and 614(VII)⁷⁴ of 6 November 1952;

(2) refer to the reports of the Director of UNRWA and the joint report of the Director and the Advisory Commission;

(3) note the conclusion of programme agreements with some Near East Governments and that expectations regarding their execution had not been realized; and

⁶⁹ For text, see Y.U.N., 1948-49, pp. 174-76.

⁷⁰ By this resolution, the General Assembly resolved, *inter alia*, that refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date and that compensation should be paid to those not wishing to return.

⁷¹ By this resolution, the General Assembly established the United Nations Relief and Works Agency for Palestine Refugees in the Near East; for text, see Y.U.N., 1948-49, pp. 211-12.

⁷² By this resolution, the General Assembly established a reintegration fund, of which \$30 million was to be contributed by 30 June 1952. For text, see Y.U.N., 1950, p. 327.

⁷³ By this resolution, the General Assembly endorsed the programme recommended by the Agency for the relief and reintegration of Palestine refugees, envisaging the expenditure of \$50 million for relief and \$200 million for reintegration over a period of three years starting 1 July 1951.

⁷⁴ By this resolution, the General Assembly increased the relief budget for the fiscal year ending June 1953 to \$23 million and provided for a budget of \$18 million for the fiscal year ending June 1954, subject to review at the eighth session of the General Assembly. For text, see Y.U.N., 1952, p. 261.

(4) note also that the situation of the refugees continued to cause concern.

In the operative part, the Assembly would:

(1) decide to extend the mandate of UNRWA until 30 June 1955;

(2) authorize a budget of \$24.8 million for the fiscal year ending June 1954 and a provisional budget of \$18 million for the fiscal year ending June 1955;

(3) maintain the projects fund at \$200 million, urging UNRWA and the governments of the Near Eastern countries concerned to continue to seek acceptable projects; and

(4) request the Negotiating Committee for Extra-Budgetary Funds to seek the funds required to meet the current needs of the relief programmes and to invite governments to take into account the additional pledges required to meet the total programme now established at \$292 million.

Under part B of the joint draft resolution, the Assembly would:

(1) note the current membership of the Advisory Commission of UNRWA (Egypt, France, Jordan, Syria, Turkey, the United Kingdom and the United States);

(2) note that it was in the general interest that other contributing countries join the Advisory Commission; and

(3) authorize the Advisory Commission to increase its membership by not more than two additional members.

Explaining the joint draft resolution, the representative of the United States said that the Agency's operations in no way prejudiced the rights of the refugees. With regard to part B of the draft, he stated that, while his delegation gladly supported the proposal authorizing the Advisory Commission to increase its membership by two, he felt that a balance should be maintained between UNRWA and its Advisory Commission. To expedite the daily operations of the Agency, it would be best for the Advisory Commission to concern itself primarily with broad policy in consultation with its Director.

His Government, he said, was increasingly concerned with the magnitude of the refugee problem and the delays in finding means to solve it, in whole or in part. His Government, in the words of one of the United States congressional committees, was not prepared to bear indefinitely so large a share of the burden when Israel and the Arab States showed so little initiative in helping to settle the matter among themselves. There was a very real danger that the longer the United States continued to supply relief money, the less desire there would be on the part of the States in the area to make real efforts on their own to put an end to the problem. Having given continuous support in the past, the United States Government now looked to the countries of the

Near East, which were primarily concerned, and which had primary responsibility, for constructive solutions.

The United States also believed that the interests of both the Palestine refugees and of Israel itself made it important for Israel to take further steps with a minimum of delay in discharge of its responsibilities for compensating the Palestine refugees, and that Israel would be well advised to renew consideration of the responsibility for, and the possibilities of, repatriation.

Ready as the sponsors and other nations might be to help with services and funds, the programmes so far proposed could not hope to solve the problem for more than 320,000 refugees who would be rendered self-supporting, as estimated in the Agency's report. No programmes were yet under consideration for the remaining 500,000. It therefore behoved the Arab States and Israel to take bold measures to ensure the success of the programmes now envisaged and others which must be developed.

The United States representative said that no government could speak authoritatively on behalf of the refugees as a whole. They had lost their homes, their possessions and, in most cases, their livelihood, and had been paid no compensation in exchange; few had thus far been permitted to return to their homes. For a variety of reasons they were in most instances unable to find work in the countries which had given them shelter. Many thousands were living in temporary shelters built by UNRWA close to the borders of Israel. Such a situation, he said, might give rise to eternal hatreds and contained the seeds of future wars.

UNRWA could hardly hope to assist hundreds of thousands of those refugees to earn their livelihood unless an immediate effort was made toward the maximum utilization of local resources. As a start, it should be possible to solve the problem of the Jordan waters on an equitable basis, giving a share of the benefits to those refugees who chose to settle in the Jordan watershed. In order to be fully informed about the possibilities of the development of the Jordan, UNRWA had secured the services of outstanding experts, whose report on the unified development of the Jordan deserved the most careful consideration. The suggestions in the report were sound, and it was hoped that other governments directly concerned would take the necessary measures to make the plan work. The problems involved in the use of international rivers were not new and could be solved by co-operation and mutual concession on the part of the countries concerned.

The representative of the United Kingdom noted that the most important advance in 1953 had been the enlargement of the Advisory Commission by the addition of Syria, Jordan and Egypt. That closer association of the host countries in the work of UNRWA was a further sign that they were ready to share the responsibilities of the Agency toward the refugees. Their presence on the Commission had already helped in smoothing over difficulties and would be of great assistance to the Agency in dealing with a number of administrative problems. The United Kingdom would also like Lebanon to be included on the Advisory Commission, in accordance with the wish that country had expressed.

The representative of the United Kingdom supported the suggestion in the annual report of the Director of UNRWA (A/2470) and the special report of the Director and the Advisory Commission (A/2470/Add.1) that administrative responsibility for relief work should be gradually transferred to the host governments.

The United Kingdom Government, its representative said, welcomed the fact that the Agency had signed programme agreements with a number of States in the Near East. That was a hopeful sign and an important development. He noted with regret, however, that delays had occurred in the preparation and execution of major projects, a fact which had necessitated a revision of the Agency's programme. Accordingly, it was proposed in the joint draft resolution that the Agency's mandate should be extended until 30 June 1955, subject, of course, to a review of its programme at the General Assembly's ninth session. It was earnestly hoped that, in the meantime, everything possible would be done by UNRWA and the host governments to find acceptable projects which would assist the rehabilitation of the refugees. Employment on such projects would be of greater value to the refugees than relief and would allow a reduction in relief expenditure.

The representatives of France and Turkey emphasized the necessity of extending the Agency's mandate for another year and paid tribute to the Acting Director for his work. They expressed satisfaction at the conclusion of the four programme agreements.

The representatives of Egypt, Iraq, Lebanon, Syria, Saudi Arabia and Yemen, supported by the representatives of India, Indonesia, Pakistan, Afghanistan and Iran, stated that the presence of 872,000 refugees in the Arab countries presented a very urgent problem. Only a third of the registered refugees lived in Agency camps. The other

two thirds, who had hitherto managed to find accommodation elsewhere, appeared to have exhausted their savings and were appealing to the Agency for shelter. Describing the deplorable living conditions in the Agency's camps in the winter, these representatives observed that, even if the Agency succeeded in finding accommodation for 87,000 additional persons in 1953, at least half the refugees would remain outside the camps.

Also, the Agency had never been able to provide for the refugees' clothing needs, which had been partially met only by the collection of clothing abroad.

With regard to paragraph 5 of the annual report, dealing with Arab refugees in Israel, they did not think it correct to call those Arabs refugees since they were still living in their own country, where they had been forcibly displaced by the Israel Government. UNRWA should not have assisted them, since in so doing it had assisted Israel, which had interned them in camps and had confiscated their property; the Agency had been right to rectify the situation by putting a stop to all assistance to these persons.

These representatives maintained that the presence of refugees on the territory of the host countries had imposed great sacrifices on those countries. It had brought about a considerable drop in wages and hence in the standard of living.

Dealing with the assistance rendered by the host countries to the refugees, these representatives recalled that during the fiscal year 1953, the Egyptian Government, for example, had made a contribution of \$1,440,228 towards direct relief and had also distributed the equivalent of \$245,625 in kind.

Turning to the reintegration programme and the question of the \$200 million fund for the implementation of the three-year plan, these representatives observed that the plan had been drawn up because of Israel's refusal to give effect to Assembly resolution 194(III), which dealt with repatriation. The Governments of three Arab countries had concluded with UNRWA four programme agreements, the object of which was to make approximately 300,000 refugees self-supporting. In signing those agreements, the governments concerned had clearly in mind the fact that the measures in question were no more than temporary and that in accepting the projects the refugees would not be renouncing any of their rights to repatriation or to compensation in due course. In that connexion, they stressed that resolution 513(VI) did not aim at providing a final solution to the problem and they stated that

neither the funds contemplated in that resolution nor the periods allowed for the achievement of the projects were sufficient. Moreover, the land available in the host countries would not be adequate for complete settlement. Subsequently, they quoted from the Acting Director's annual report and the special report to show that the host countries would not be able to absorb all the refugees now on their territory and that the relief programme and the time-table for its implementation would have to be revised.

As to the health conditions of the refugees, these representatives stated that the expenditure of \$3,294,000 mentioned in the report included expenditure on items that had nothing to do with medical care, since it was stated in the report that a large part of the total had been for maintenance and improvement of living conditions in the camps. They dealt at length with the health conditions of the refugees and quoted a report drafted by Dr. Etienne Berthet, the World Health Organization's expert on tuberculosis, on the extent of the danger of tuberculosis among the Syrian refugees.

They also recalled that the report referred to the basic ration—1,500 calories a day—for those refugees who received the full ration. Some received none; others received half rations. Moreover, while 872,000 refugees were on the UNRWA rolls, the number of rations was only 807,000. Several thousand refugees, including all the children between one and seven years of age, did not receive full rations, and the change in their diet had caused serious under-nutrition which threatened their health and future physique. However, as a result of inquiries by two experts from FAO and WHO into the food situation, the number of recipients of supplementary meals had been increased from 3 to 6 per cent of the rationed refugee population. It should be noted, they said, that, although medical examination revealed a serious danger of malnutrition, the medical officer could prescribe supplementary feeding only on condition that the total number of recipients did not exceed 6 per cent of the total refugee population.

Concerning the education of refugee children, these representatives stated that the account given in the report was not very clear, but it probably permitted the conclusion that, in 1953-54, 95,000 children would attend schools jointly organized by the Agency and UNESCO. Adding to that figure the number of children attending government and private schools in the host countries, it would be found that approximately 150,000 children would be receiving elementary education,

that was to say, 75 per cent of the 200,000 children estimated by the Agency to be of primary school age. Therefore, the 95,000 entrants into the UNRWA-UNESCO schools during the 1953-54 school year would account for only 47.5 per cent of the total number of children attending school, and approximately two fifths of the 75 per cent would be refugee children attending private and government schools in the host countries.

Furthermore, it was stated, the number of refugees receiving assistance was estimated in the report to be approximately 872,000; that figure, however, did not take into account either the refugees living on the demarcation line between Jordan and Israel or those living on the frontiers between Gaza and Israel. Those Arabs, 250,000 in number, were known by the strange name of "economic refugees", and did not benefit regularly from the assistance described in the report, since they had not been driven from their homes. They had, however, been deprived of their property and should be granted the same assistance as other refugees.

Also, the unfavourable economic conditions obtaining in the host countries created an acute problem for the refugees. For example, 127,000 refugees had been settled in Lebanon, despite the poverty of its natural resources and the density of its population. Lebanon, which had made a particularly significant contribution towards the education of refugee children, had provided assistance amounting now to \$9 million. The Committee should, therefore, not lose sight of the fact that the offer to resettle refugees in host countries could only be a temporary remedy.

Regarding the question of the administration of the relief programme, these representatives considered that it was not the responsibility of the host countries to undertake that administration even if they were able to do so. The principle of United Nations responsibility for the refugees was very important. Israel had a very special responsibility in the matter, for not only was that nation the direct cause of the problem but, in addition, it had despoiled the refugees of their property after having driven them out and persecuted them.

The attitude of the Arab States to the refugee problem was determined by the following principles:

(1) however effective relief measures might be, they were only a palliative;

(2) the only possible solution was to repatriate the refugees or to give fair compensation to those who did not wish to return to their homes in accordance with

the General Assembly's resolutions, particularly resolution 194(III);

(3) the refugees' right to repatriation was a sacred one, deriving from the Universal Declaration of Human Rights and from the Charter, and had been recognized by the United Nations;

(4) the refugees, together with the peoples of the Arab States, rejected any plan for their resettlement which would divert them from their permanent goal—repatriation—or cause them to be absorbed by the Arab countries.

The United States representative, it was said, had appealed to the Arab States and Israel to settle the problem between them. The Arab States were prepared to respond to that appeal if Israel was prepared to give effect to the General Assembly's resolutions. As the United States representative had stated, Israel ought, without delay, to take new measures to discharge the responsibilities it had accepted; it ought to reconsider the possibilities of repatriating the refugees and pay compensation to those who did not wish to return to their homes. Israel should respond to that appeal; so long as it continued to defy the United Nations, which had created it, the problem of the refugees would remain unsolved.

Most puzzling of all were the threats to reduce all aid to the innocent refugees unless Israel and the Arab States co-operated more fully, though there had been no similar statement on grants-in-aid to Israel. Israel would undoubtedly have respected the resolutions on Palestine if there had been firm insistence on right and justice, because Israel itself had wanted and accepted those resolutions after the fighting in Palestine had ended.

As for resettlement, the Acting Director had singled out for mention the agreements concluded with three of the four host countries, and had spoken of the refugees' hostility to the resettlement projects. In concluding, he had laid special emphasis on the possibilities offered by Syria, proposing the investment there of the balance of the \$200 million fund, i.e., \$89 million. But the material possibilities or economic potential offered by one country or another were not really the crux of the matter. The refugee problem was principally a political problem, the solution of which must be sought in Palestine, and nowhere else. That was the approach adopted by the United Nations and the solution which the refugees demanded. Any organ or government which sought to solve the problem by means other than repatriation would meet with resolute resistance from the refugees and the Arab countries.

The Agency's estimates were based on the assumption that sufficient projects would be found to attract a maximum number of refugees and that

the projects would be carried out within the specified period. The past abandonment of projects, hardly begun, however, gave no grounds for optimism.

It was ridiculous and wrong to consider schemes for the settlement of Arab refugees involving the reclamation of deserts, schemes which would be dependent, as experience had proved, on many uncertain factors, which would require five or six years to complete and would constitute a burden on many countries, while land and properties belonging to the refugees were being wrongly enjoyed by others or going to waste.

In conclusion, these representatives emphasized the following points:

(1) More than five years had elapsed since the Arab refugees had been expelled from their lands and homes and their condition had scarcely improved.

(2) The resettlement of those refugees in the host countries was practically impossible; UNRWA could find work for only half their number.

(3) The Palestine problem was the principal cause of the present tension and instability in the Middle East; peace and security could not be restored in that area unless a just and equitable solution were found for that problem.

(4) Such a solution could only be forthcoming if Israel agreed to implement the United Nations resolutions concerning Palestine or if the United Nations itself brought the necessary pressure to bear on Israel to that effect.

Finally, they declared that, for want of any better text, they would vote for the joint draft resolution.

Reviewing the origins of the refugee question, the representative of Israel said that the problem had arisen because of the aggressive attack of the Arab countries on Israel. The flight of the Arab inhabitants from Israel had been a part of the Arab League's plan for the invasion of Palestine. The evacuees had been assured by Arab commanders and political leaders that their evacuation would be of short duration, that they would soon return in the wake of the victorious Arab armies and would regain not only their homes, but much booty in addition.

He asked those representatives who had urged Israel to admit a substantial number of Arab refugees to consider the consequences of such a course. The admission into Israel of thousands of Arabs from bitterly hostile States would endanger Israel's security, since the allegiance of the refugees would lie elsewhere. In 1949 Israel had indeed offered to admit 100,000 Arab refugees, a difficult and dangerous undertaking for a new and struggling State, but its offer had not even been considered by the Arab States. Conditions have since

changed, however; hundreds of thousands of Jewish immigrants (including 120,000 from Iraq) had entered Israel and opportunities for absorption of refugees which had formerly existed were no longer available. Furthermore, the less circumspect Arab leaders had made it clear that their main purpose in introducing the Arab refugees into what would now be a strange environment for them was to encompass the destruction of Israel from within.

Turning to the interests of the Arab refugees themselves, he referred to the United Kingdom representative's statement, at the 61st meeting of the Ad Hoc Political Committee on 29 November 1950, that the Arab refugees would have a happier and more stable life if the bulk of them were resettled in Arab countries. That was still true, and if the Arab States rejected that solution it was because they were thinking in terms, not of the fate of the refugees themselves, but of political warfare.

He reminded the Egyptian and Lebanese representatives, who had referred to Israel's failure to comply with the repatriation provisions of resolution 194(III) that that obligation had been specifically conditional on two factors, practicability and peace. He strongly denied that his Government had ever contravened the terms of the resolution, the wording of which clearly showed that it did not give the Arab leaders freedom to introduce refugees as a hostile element into Israel.

The representative of Israel referred to the circumstances which had led to the foundation of the United Nations Relief and Works Agency and the programme which it had set out to accomplish. He also recalled the acceptance by the United Nations in 1950 of the principle of resettlement of the refugees and their integration into the economic life of the Middle East by means of a reintegration fund for the permanent re-establishment of the refugees and their removal from relief. That primary purpose of resolution 393(V) seemed to have been forgotten by Arab representatives who had referred to it.

Referring to the report of the Agency, the representative of Israel said that its most striking feature was the statement that the registered number of refugees was almost exactly the same as it had been at the end of 1951. It was clear that the mandate given to UNRWA to solve the refugee problem within three years could not be fulfilled. The report now proposed a six-year programme, and the Acting Director considered that even at the end of that period nearly 500,000

refugees would still require relief. A number of significant paragraphs in the report showed where the blame lay for the Agency's failure to carry out its programme.

It was clear, in the first place, that, given the funds, there were great possibilities for large-scale settlement and development in certain Arab countries; but the report admitted that little progress had been made on the two schemes described as major ones, the Yarmuk and Sinai irrigation schemes. Only the former had even reached the survey stage. The report pointed out that there were considerable possibilities in Syria for development on the scale required, but it was indicated that the Syrian Government had refused permission for preliminary surveys to be made in the areas in question. The report also stated that investment of the kind contemplated would tend to strengthen the host country's economy and in turn to attract additional capital. The impression which he had received from the Syrian representative's statement was that it was practically an infringement of Syrian sovereignty for the Agency to make any suggestion with regards to the use of Syrian lands for refugee settlement. It was astonishing that after complaints by Syria and other Arab States about the plight of Arab refugees, they were unwilling to do anything constructive to help in solving the problem. Iraq, for example, needed not more territory but more people and could, at a conservative estimate, readily settle 350,000 refugees on two to three million acres of land. But there had been a flat refusal.

There had been comment from Arab delegations on the Israel Government's acceptance of responsibility for all Palestine refugees in Israel originally in UNRWA's care; it had been objected that the persons in question were not in fact refugees. But the report of the Agency showed that, of 45,800 refugees in Israel registered with UNRWA in June 1950, 22,000 had been removed from the Agency's rolls and absorbed in the Israel economy. Since then Israel had accepted responsibility for all the rest. The Agency had defined a refugee as a person normally resident in Palestine who had lost his home and his livelihood as a result of the hostilities, and who was in need. The Arab States must either accept the Agency's definition of a refugee or remove from the Agency's lists a large number of persons outside Israel's borders. Those now registered with the Agency totalled 872,000, yet not more than 600,000 had left Israel territory, whilst the total Arab population, including Bedouin, of what was now the State of Israel was shown by the records of the administration of the Mandatory Power to

have been under 800,000. The present Arab population of Israel was about 180,000; consequently some 600,000 Arabs, at most, had fled the country. Part of the discrepancy, say 12 per cent, between the 872,000 Arabs now receiving relief and the 600,000 original refugees could be accounted for by natural increase. In addition, as indicated by UNRWA, destitute Arabs in neighbouring countries had succeeded in being included on the ration lists, whilst attempts to conceal deaths of refugees in order to continue drawing rations for them had been made and appeared to have been aided by some Arab authorities. The balance was accounted for by persons who had always lived outside Israel but who had qualified for relief under the definition.

The plight of many refugees was a direct result of the Arab policy of economic warfare against Israel, which destroyed possibilities of normal economic exchange and livelihood for many living in countries, such as Jordan, whose economies were complementary to that of Israel.

He wished, he said, to reiterate his Government's declared policy of readiness to pay compensation for abandoned Arab lands, although the Arab blockade sought to destroy Israel's ability to pay such compensation. The Conciliation Commission had been informed on 7 October 1953 that preparatory work for the implementation of that policy was under way. His Government's undertaking to allocate urgently needed foreign currency for unblocking the accounts in Israel of Arab refugees was proceeding satisfactorily.

As to the idea that the refugees' one aim was to return to Israel, that country was vastly different from the country they had known. Moreover, ceaseless propaganda by the host countries had led to a paralysis of the refugees' efforts on their own behalf and an inability to envisage any solution other than repatriation to Israel.

In conclusion, he declared that the key to the problem lay with those who had created it, the Arab countries. The United Nations had shown itself ready to do its share, and it was now for the host countries to make the contribution which only they could make to the solution of the problem.

The representatives of Australia, Canada, Greece, the Netherlands and New Zealand declared, among other things, that their delegations were particularly glad to note that Syria, Jordan and Egypt were already taking part in the work of the Advisory Commission and that Lebanon would soon be invited to do likewise. Such an expansion of the Commission would guarantee the

Agency the full co-operation of the host countries, without whose support the Agency would be unable to overcome the numerous difficulties to which the Acting Director had drawn attention in his report.

They stated further that the negative attitude of the refugees toward the question of resettlement might be modified if the refugees could be made fully to understand that those projects in no way affected their rights to repatriation or compensation as recognized in General Assembly resolution 194(III).

Furthermore, there were serious obstacles to be overcome if tangible progress were to be achieved in implementing the provisions of the proposed three-year plan. As the special report of the Director and the Advisory Commission showed, rehabilitation of all Arab refugees in existing economic and political circumstances was, for all practical purposes, impossible; the projects contemplated could not be expected to provide for more than a proportion of the refugee population.

Also, certain speakers had stressed the fact that the only real and just solution of the problem was the repatriation of all the refugees and had mentioned the generous aid their countries had given in assisting the refugees. Without abandoning any question of principle as to right of the refugees to repatriation, it was nevertheless fair to urge an even greater measure of co-operation from the host countries in carrying through the implementation of such projects as would enable as large a number of refugees as possible to become self-supporting. An appeal should also be made to Israel to adopt the same humanitarian outlook.

The New Zealand representative considered that it was incumbent upon Israel to contribute to the solution of the refugee problem. That contribution should include the return of a significant number of refugees to Israel and the payment of compensation to those refugees who decided not to return home. He suggested that, while there was no exact analogy, something might be learned from the experience of Greece in dealing with the great flood of refugees 30 years ago. Similarly, he wondered whether the return to Israel of some of the refugees driven from their homes would be as great an embarrassment as the Israel Government claimed. During the discussion which had preceded the adoption of the 1947 resolution, it had been emphasized that the Palestinian Jews were of the same race as the Arab inhabitants of that region and that the two peoples should therefore be able to live in peace in the new State of Israel.

The representative of the Netherlands observed that to attempt to go back to the origin of the conflict in order to determine responsibility for the present situation would be a retrograde step. However bitter the feelings in the Arab world, the fate of the refugees would not be served in any way by apportioning the blame. Though the Assembly's decision concerning the right of the Arab refugees to repatriation and the compensation due for loss of property should not be questioned, it was, however, questionable whether the repatriation of those refugees would genuinely be in their interest. The situation had changed profoundly since the adoption of the Assembly's resolution of 11 December 1948. The return of the refugees to Israel might worsen the economic situation in that country, and their plight might be even sorer than it was at present.

The representatives of Colombia, Liberia, Peru, and the Union of South Africa expressed their general agreement with the terms of the joint draft resolution and declared their readiness to support it.

At the 30th meeting of the Ad Hoc Political Committee on 12 November 1953, the joint draft resolution was adopted by 46 votes to none, with 5 abstentions.

(2) Resolution Adopted by the General Assembly

At its 458th plenary meeting on 27 November 1953, the General Assembly, without discussion, adopted the draft resolution proposed by the Ad Hoc Political Committee (A/2558). Part A was adopted by 52 votes to none, with 5 abstentions, and Part B by 51 votes to none, with 6 abstentions. Resolution 720 (VIII) read:

"The General Assembly,

"Recalling its resolutions 194(III) of 11 December 1948, 302(IV) of 8 December 1949, 393(V) of 2 December 1950, 513(VI) of 26 January 1952 and 614(VII) of 6 November 1952,

"Having examined the report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the special report of the Director and the Advisory Commission of that Agency,

"Noting that programme agreements envisaging the commitment of approximately \$120 million have been signed by UNRWA with the governments of several Near Eastern countries, pursuant to the plan endorsed by the General Assembly in resolution 513(VI), but that expectations as regards the execution of the projects programme have not been realized,

"Noting also that the situation of the refugees continues to be a matter of grave concern,

"1. Decides, without prejudice to the provisions of paragraph 11 of resolution 194(III), or to the provisions of paragraph 4 of resolution 393(V), that the mandate of the United Nations Relief and Works Agency for Palestine Refugees in the Near East shall be extended until June 1955, and that its programme shall be again subject to review at the ninth session of the General Assembly;

"2. Authorizes the Agency to adopt a budget for relief amounting to \$24.8 million for the fiscal year ending 30 June 1954, subject to such adjustments as may be attributable to refugee employment on projects, or as may be necessary to maintain adequate standards, and to adopt a provisional budget for relief of \$18 million for the fiscal year ending 30 June 1955;

"3. Considers that the projects fund previously authorized by the General Assembly in paragraph 2 of resolution 513(VI) should be maintained at \$200 million until 30 June 1955, and urges UNRWA and the governments of the Near Eastern countries concerned to continue to seek acceptable projects to enable the fund to be utilized for the purposes for which it is intended;

"4. Requests the Negotiating Committee for Extra-Budgetary Funds to seek the funds required to meet the current needs of the relief programmes and to invite governments to take into account the need for the additional pledges which will be required to meet the total programme now established at \$292.8 million.

B

"The General Assembly,

"Having noted that the present membership of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, established pursuant to paragraph 8 of General Assembly resolution 302(IV) of 8 December 1949, is composed of representatives of Egypt, France, Jordan, Syria, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America,

"Noting further that it is in the general interest that other contributing countries join the Advisory Commission,

"Authorizes the Advisory Commission to increase its membership by not more than two additional members."

K. THE GREEK QUESTION

1. Complaint by Greece Concerning the Failure to Repatriate Members of its Armed Forces

By a letter dated 23 September 1952 (A/-2204), the permanent representative of Greece requested the inclusion in the agenda of the

seventh session of the General Assembly of the item: "Non-compliance of States still detaining members of the Greek armed forces with the provisions of resolution 382 A (V), adopted by the General Assembly on 1 December 1950,"⁷⁵

⁷⁵ For text of this resolution, see Y.U.N., 1950, p. 381.

recommending 'the repatriation of all those among them who express the wish to be repatriated'".

In an explanatory memorandum attached to the letter, the Greek representative recalled the terms of resolution 382 A (V), in which the Assembly, after "having considered the unanimous conclusions of the United Nations Special Committee on the Balkans concerning those members of the Greek armed forces who were captured by the Greek guerrillas and taken into countries north of Greece", had recommended "the repatriation of all those among them who expressed the wish to be repatriated". The Assembly had also called upon the States concerned to take the necessary measures for the speedy implementation of the resolution and had instructed the Secretary-General "to request the International Committee of the Red Cross and the League of Red Cross Societies to ensure liaison with the national Red Cross organizations of the States concerned" with a view to implementing the resolution.

The explanatory memorandum further stated that, with the exception of Yugoslavia, the States detaining members of the Greek armed forces had ignored these recommendations and that over 3,000 Greek military personnel were still being forcibly detained in Albania, Bulgaria, Czechoslovakia, Hungary, Poland, Romania and the USSR.

On 17 February 1953, the Secretary-General circulated a note (A/2365) to Member States containing copies of letters exchanged with the International Committee of the Red Cross, together with a copy of a letter from the Permanent Representative of Greece to the United Nations. It appeared from these letters that in July 1951 the International Committee of the Red Cross had received a list from the Greek Red Cross containing names of 148 members of the Greek armed forces who, according to information in the possession of the Greek Red Cross, were detained in Albania, Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the USSR and Yugoslavia. On 7 August 1951, the International Committee had transmitted the list to the National Red Cross Societies of the countries concerned, with a request for help in returning these persons to their homes. With the exception of the Yugoslav Red Cross, which took the necessary action in each of the cases referred to it, none of the Red Cross Societies in question had answered the communication. In July 1952, the International Committee had renewed its representations to the Red Cross Societies. These further communications had also remained un-

answered, as had similar communications submitted in January 1953.

The item proposed by Greece was considered at the Assembly's resumed seventh session by the First Committee, at its 570th to 572nd meetings from 9 to 12 March.

The Committee had before it a joint draft resolution by Denmark, New Zealand and Peru (A/C.1/L.23), which provided, *inter alia*, that the General Assembly should:

confirm its resolution 382 A (V); note with deep appreciation the continued efforts of the International Committee of the Red Cross; address an earnest appeal to the governments concerned to conform their attitude with the generally acknowledged principles of international law; and request the President of the General Assembly to consult to that end with those governments and to report back to the Assembly before the close of its current session.

The Assembly would, further, invite the Secretary-General to keep "this humanitarian issue" under constant review and notify the Member States of important developments.

The sponsors of the joint draft resolution accepted a Lebanese amendment (A/C.1/L.26) to provide that the governments concerned should be asked to conform their attitude "with General Assembly resolution 382 A (V)" instead of "with the generally acknowledged principles of international law".

The representatives of Denmark, New Zealand and Peru emphasized that their draft resolution was of a strictly humanitarian nature, based solely on testimony and information from the International Committee of the Red Cross; it was objective in character and moderate in terms. A solution of this problem, small in world politics but large for those concerned, might serve as a first step in the direction of settling the bigger political problems facing the world.

The representative of Greece expressed his Government's gratitude to the General Assembly and the International Committee of the Red Cross for their untiring efforts during the past two years on behalf of the Greek prisoners. Unfortunately, not only had those efforts been unavailing, but the rare opportunities afforded certain detained men to correspond with their families and to receive parcels had been abolished.

The question of the detained men dated from the years immediately following the Second World War, the representative of Greece continued. The Communist guerrillas had captured members of the Greek armed forces stationed along the frontier and had forced them across the frontier, particularly at the time the guerrillas were retreating. These members of the Greek armed forces who had been captured on Greek soil and taken

away by the guerrillas could not, he said, be considered as prisoners of war of the States detaining them.

He emphasised that resolution 382 A (V) did not request the repatriation of the detained men en masse; it recommended only the repatriation of those expressing a desire to be repatriated. The number of men currently detained was estimated at about 3,000. A list had been drawn up of those men who, on reliable information, had been traced to camps in Albania, Bulgaria, Czechoslovakia, Hungary, Poland, Romania and the USSR.

He instanced the attitudes of Albania and Hungary. The Albanian Broadcasting Station had stated on 24 August 1948 that 224 Greek soldiers captured by guerrillas were in that country. The Albanian Government had said that it was ready to begin negotiations with a view to repatriating the men, but it had later been stated that Albania proposed to link the repatriation of the soldiers with other unconnected questions, such as the fate of the Italian war criminals. In 1951, the Hungarian Red Cross had suggested of its own accord that 616 Greek civilians, who had been forcibly removed from Greece, should be repatriated by the International Committee of the Red Cross. Later, however, the Hungarian Red Cross had turned a deaf ear to appeals that it should give effect to its offer.

The Yugoslav representative stated that the question under discussion, like the failure to repatriate the Greek children, proved a total disregard of elementary humanitarian considerations and a marked disinclination to co-operate with the United Nations and other international agencies, coupled with a cool contempt for the Assembly's recommendations. Yugoslavia had had a similar experience. In numerous instances, he said, Yugoslav nationals in "Soviet bloc" countries had been prevented from returning to their country or even from establishing contact with the diplomatic representatives.

The representative of the United States declared that the behaviour of the countries detaining Greek soldiers constituted not only contemptuous defiance of the will of the Assembly, but also cynical disregard of fundamental humanitarian principles and accepted international practices. In Korea the Communist position was that hostilities had to continue unless prisoners of war, regardless of their wishes, were forcibly repatriated. At the same time they were refusing to repatriate the members of the Greek armed forces and had blocked all steps to determine the true wishes of these Greek soldiers. The rep-

resentatives of Colombia, El Salvador, the Netherlands, New Zealand, the Union of South Africa, Uruguay and Yugoslavia, among others, also expressed surprise that the detaining countries seemed to be the champions of forcible repatriation in one instance and of forcible detention in another. Was the argument of the detaining countries, the representative of New Zealand asked, that none of the Greek servicemen wished to return? If so, how had the Communist authorities ascertained that truly remarkable unanimity?

Several representatives, including those of France, the Netherlands, New Zealand, Peru, the United States and Uruguay, emphasized that the detained men were not and could not be considered prisoners of war since the detaining Powers were at no time engaged in direct belligerent action against Greece. However, even if the detained men were prisoners of war, the representatives of Greece, the Netherlands, New Zealand and Peru, among others, held, they had the right to return home if they so wished, although they also had the right to remain in the countries where detained if that was their desire.

The representatives of Poland and the USSR stated that the complaint was based solely on fabrications by the Greek authorities; the representative of Greece had never furnished any evidence whatsoever in support of his charges. The question, the Polish representative said, had been put on the Assembly's agenda in order to divert its attention from other important items concerning war or peace, the armaments race, and the best way to end the Korean war. In 1950, he continued, the United Nations Special Committee on the Balkans had estimated the number of so-called members of the Greek armed forces allegedly detained against their will as 106, while the Greek Government claimed the number came to 1,713, a figure which had miraculously expanded to 3,295 in 1951. The Greek representative was now claiming that the number exceeded 3,000, although the International Committee of the Red Cross in its letter to the Secretary-General (A/2365) gave the figure as 148. Everybody knew, the Polish representative said, that the "Greek police State" would stop at nothing in its misrepresentations and distortions of facts. The request for precise information at the Assembly's fifth session had remained and still remained unanswered. His country would never refuse to co-operate in actions of a truly humanitarian nature, but no one could expect it to co-operate in support of diversionist tactics in the international field.

The representative of the USSR stated that those representatives who had linked the question

of the members of the Greek armed forces with that of the Korean prisoners were guilty of "ludicrous inconsistencies". They had themselves pointed out that the persons concerned in the Greek complaint could not be considered as prisoners of war. His delegation considered the complaint devoid of all justification since only the question of political refugees and the right to grant such asylum was involved. The real aim of the complaint was the propagation of slanderous attacks against the peoples' democracies, and the diversion of public attention from the persecution of progressive elements in Greece.

The representative of the United Kingdom thought that it would be simple to find out the exact number of persons captured, if the countries concerned showed any willingness to cooperate. The question of number was immaterial, the representative of Uruguay declared. Even if only one man were in that helpless condition, justice remained justice and inequity remained inequity.

It was true, the representative of Greece declared, that, owing to lack of information from the detaining countries, the Greek authorities could only estimate the number of persons missing. Anyhow, the International Committee of the Red Cross had a list of Greek military personnel identified in each detaining country: 297 in the USSR, 341 in Albania, 187 in Poland, 38 in Hungary, 46 in Romania, 147 in Bulgaria, and 142 in Czechoslovakia, making a total of 1,198. The Greek authorities were continuing their investigations so as to obtain additional information. Even if the members of the Greek armed forces were considered political refugees, he stated, they were still entitled to be asked whether they wanted to continue to take advantage of their asylum. The Greek Government had only asked that an international committee should determine the desires of the men.

At its 572nd meeting on 12 March, the Committee adopted the three-Power draft resolution (A/C.1/L.23), as amended, in paragraph-by-paragraph votes, ranging from 54 votes to 5, with 1 abstention, to 51 votes to 5, with 3 abstentions. It was adopted, as a whole, by 54 votes to 5, with 1 abstention.

The resolution proposed by the Committee (A/2369) was adopted by the General Assembly at its 415th plenary meeting on 17 March, without discussion, by 54 votes to 5, as resolution 702(VII). It read:

"The General Assembly,

"Confirming its resolution 382 A (V) of 1 December 1950 recommending the repatriation of all those mem-

bers of the Greek armed forces detained outside Greece who express the wish to be repatriated,

"Noting with deep appreciation the continued efforts of the International Committee of the Red Cross with a view to implementing the afore-mentioned resolution,

"Recalling the latest communication of the International Committee of the Red Cross to the national Red Cross societies of the governments concerned,

"1. Addresses an earnest appeal to these governments to conform their attitude in this question with General Assembly resolution 382 A (V);

"2. Requests the President of the General Assembly to consult to this end with the governments in question and to report back to the General Assembly before the close of its current session;

"3. Invites the Secretary-General to keep this humanitarian issue under constant review and to notify the Member States of important developments as appropriate."

2. Work of the Balkan Sub-Commission of the Peace Observation Commission

The Sub-Commission on the Balkans, which was established by the Peace Observation Commission on 23 January 1952,⁷⁶ consisting of Colombia, France, Pakistan, Sweden and the United States, continued during 1953 to maintain six Military Observers in Greece. The Observers investigated a number of incidents along the Greek-Bulgarian and Greek-Albanian borders and reported on these in quarterly reports to the Sub-Commission. One Greek soldier was killed during an incident on the Greek-Bulgarian border on 4 April, but none of the other incidents investigated proved of a serious nature.

In a letter dated 6 May 1953 (A/CN.7/SC.1/42), the permanent representative of Greece reiterated his Government's former proposal for the setting up of a mixed Greek-Bulgarian Commission, with or without the participation of the United Nations representatives, for the replacement of the pyramids marking the Greek-Bulgarian frontier. The Secretary-General forwarded this letter to the Bulgarian Government from which he, on 22 June, received a communication (A/CN.7/SC.1/47) stating that the Bulgarian Government accepted the Greek proposal to set up a mixed commission composed of the representatives of the two countries without the participation of United Nations representatives. In a further exchange of letters through the Secretary-General it was arranged that the first meeting of the Greek-Bulgarian Frontier Commission was to take place on 10 July. An agreement was sub-

⁷⁶ See Y.U.N., 1951, pp. 14, 328-30, and Y.U.N., 1952, p. 291.

sequently arrived at and signed at Salonika by representatives of the two Governments on 3 December 1953.

Through a letter of 26 November 1953 from the permanent representative of Greece (A/CN.7/SC.1/52) to the Secretary-General, the Greek Government suggested that the number of Military Observers in Greece might now possibly be limited to three and that the complete discontinuance of the Military Observation Mission in Greece might be possible from 31 July 1954, or perhaps even earlier, in view of the improved relations between Greece and the two neighbouring countries.

At its sixth meeting on 21 December 1953, the Balkan Sub-Commission agreed to reduce the number of Observers to three, besides the Chief Observer made available by the United Kingdom. With regard to the question of discontinuing the whole observer group, the Sub-Commission agreed to review the situation in the light of later developments at another meeting to be held before July 1954.⁷⁷

During 1953 the Balkan Sub-Commission merely took note of the various reports from the Observers and did not find it necessary to report to the Peace Observation Commission.

L. THE QUESTION OF TRIESTE

1. Question of the Appointment of a Governor

In approving, on 10 January 1947, the annexes of the draft Treaty of Peace with Italy relevant to the establishment of the Free Territory of Trieste, the Security Council accepted the responsibility of ensuring the independence and integrity of the Free Territory, including the responsibility for the appointment of its Governor.⁷⁸

The Council first discussed the question of the appointment of a Governor for the Free Territory on 20 June 1947 at the request of the United Kingdom, but was unable, during 1947 and 1948, to agree on a candidate.⁷⁹ It discussed the question anew in 1949, at the request of the USSR, but again reached no agreement.⁸⁰

On 12 October 1953, the representative of the USSR requested (S/3105) that a meeting of the Council be called to discuss the question of the appointment of a Governor for the Free Territory of Trieste. In his request, the USSR representative referred to the statement issued on 8 October by the United States and the United Kingdom Governments concerning their decision to terminate the Allied Military Government of Zone A of the Free Territory, to withdraw their troops and to relinquish the administration of that Zone to the Italian Government. He submitted a draft resolution (S/3105), which read as follows:

"The Security Council,

"Considering that the Treaty of Peace with Italy, which came into force on 15 September 1947, has not yet been implemented in so far as concerns the section relating to the establishment of the Free Territory of Trieste, and that the Trieste region, in violation of the terms of the Treaty of Peace with Italy, has been converted into an illegal foreign military and naval base;

"Noting that the partitioning of the Free Territory of Trieste now being effected by the Governments of the United States and the United Kingdom in violation of the Treaty of Peace with Italy is having the effect of increasing friction in relations between States, and primarily between the countries bordering on the Free Territory of Trieste, and is creating a threat to peace and security in this region of Europe;

"Considering that the failure to implement the Treaty of Peace with Italy with respect to the Free Territory of Trieste is preventing the population of that Territory from exercising the democratic rights provided for in the Permanent Statute of the Free Territory;

"Having regard to the provisions of article 11 of Annex VI to the Treaty of Peace with Italy, and to the decision of the Council of Foreign Ministers of the United States, the United Kingdom, France and the USSR of 12 December 1946 concerning the appointment of a Governor for the Free Territory of Trieste;

"Decides

"1. To appoint Colonel Fluckiger as Governor of the Free Territory of Trieste;

"2. To bring the Instrument for the Provisional Regime of the Free Territory of Trieste into effect forthwith;

"3. To establish the Provisional Council of Government of the Free Territory of Trieste, in accordance with the terms of the Treaty of Peace;

"4. To bring the Permanent Statute of the Free Territory of Trieste into effect within the three months following the appointment of the Governor."

The Security Council began consideration of this question at its 625th meeting on 15 October. The representative of the United States declared that the joint decision announced by his Govern-

⁷⁷ On 28 May, at the request of Greece, the Balkan Sub-Commission agreed to discontinue the observer group, as of 1 August 1954 (A/CN.7/SC.1/SR.7).

⁷⁸ See Y.U.N., 1947-48, pp. 352-53.

⁷⁹ See Y.U.N., 1946-47, pp. 381-92.

⁸⁰ See Y.U.N., 1948-49, pp. 315-16.

ment and that of the United Kingdom on 8 October had been reached after most careful and deliberate thought, and that it represented an honest attempt to increase stability in a very important part of Europe and to lead to a lasting solution of the Trieste problem. On the other hand, the USSR proposal to discuss the matter in the Security Council appeared to him to be merely a propaganda device calculated to create trouble. This offered an interesting contrast, he thought, to the attitude expressed in August by the Premier of the Soviet Union. At that time, Mr. Malenkov had stated that there was no disputable or outstanding issue, including issues in dispute between the United States and the Soviet Union, that could not be settled in a peaceful way on the basis of mutual agreement, and that the Soviet Union continued to stand for a peaceful co-existence of the two systems. The United States representative stated that, in the hope that the remarks of the USSR representative would steadily draw near to the sentiments expressed by Mr. Malenkov, he would not oppose the inclusion of the item on the agenda of the Security Council.

The representative of the USSR recalled that the question of the Free Territory of Trieste and of the appointment of its Governor were items already on the Council's agenda, so that the question of including the Trieste problem in the agenda did not arise. He said he could interpret the remarks of the United States representative only as an indication that he did not object to the Council's discussion of the question. (As there were no objections to the adoption of the agenda, it was considered as adopted.)

The representative of the USSR went on to state that the attempt to characterize his proposal as a propagandistic manoeuvre was the result of a completely unfounded and distorted conception of recent events and of the obligations assumed under the Treaty of Peace with Italy. He cited the recent outbreaks of violence in Yugoslavia and the cleavage in relations between Yugoslavia and Italy as proof that the measures announced by the Western Powers on 8 October were not intended to relieve the tension in the area or to contribute to a peaceful settlement of the Trieste issue. The whole policy of the United States, the United Kingdom and France since the entry into force of the Treaty of Peace with Italy in 1947 had clearly, he said, not been one designed to establish peace and tranquillity. He accused those Powers of converting Trieste into a foreign military and naval base in the interests of the aggressive North Atlantic Treaty Organization and of exploiting the Trieste problem as an instrument of pressure on

the Italian Government to ensure ratification of the European Defence Community Agreement, and declared that there could be no question of a Free Territory of Trieste if human rights and fundamental freedoms were not ensured in Trieste and if it were not demilitarized and democratized.

The Treaty of Peace with Italy set forth the only effective and legitimate means of achieving a lasting solution of the problem of Trieste, he said. The Government of the USSR had repeatedly urged that the measures contained in the Treaty be put into effect and, in particular, its provisions relating to the appointment of a Governor. This policy was in line with the desire of the Soviet Union, as stated on many occasions by its Premier, Mr. Malenkov, to live peaceably together with other States and to eliminate all obstacles to such co-existence. There were, therefore, no grounds whatever for the attempts made by the Governments of the United States and the United Kingdom in their statement of 8 October to represent their actions relating to the Free Territory of Trieste as being due to the impossibility of reaching an agreement with other signatories of the Treaty of Peace with Italy on the creation of a permanent regime for the Free Territory of Trieste. The Western Powers themselves, he continued, appeared to be intent on preventing the implementation of the Treaty of Peace with Italy, for the statement of 8 October represented an agreement, made behind the backs of other Governments, in violation of the Treaty, not to appoint a Governor, not to establish a Council of Government (neither provisional nor permanent), not to set up a constitution for the Free Territory of Trieste, and not to withdraw troops from there, thus maintaining the naval bases illegally established there by the Governments of the United States and the United Kingdom.

The representative of the USSR noted that the question of Trieste was reported to be on the agenda of the forthcoming conference in London of the Foreign Ministers of France, the United Kingdom and the United States, and declared that the Government of the Soviet Union maintained its inability to accept the revision of any part of the Treaty of Peace with Italy by an exchange of notes or by private agreement. He appealed to the Security Council to fulfil its obligations under the Treaty of Peace by solving the question of Trieste in accordance with the principles set forth in the Treaty. Such a solution would best serve the interests of the bordering States and the population of Trieste and the cause of maintaining and strengthening good-neighbourly relations and international peace and security. He, therefore, introduced the USSR draft resolution (S/3105, see above).

He moved that the Security Council meet on 17 October to continue its consideration of the matter. This motion was rejected, having received 1 vote in favour (USSR) and 10 abstentions. The President scheduled the next meeting on this subject for 20 October.

The Security Council again considered the USSR proposal at its 628th, 634th, 641st and 647th meetings, on 20 October, 2 and 23 November and 14 December. At each of these meetings, it decided to postpone consideration of the matter.

At the 628th meeting on 20 October, the representative of Colombia drew the Council's attention to the statement, issued on 18 October by the Ministers for Foreign Affairs of France, the United Kingdom and the United States, to the effect that they had examined the problem of Trieste and had agreed to persevere in their joint efforts to bring about a lasting settlement in that area. He therefore considered that discussion of the item in the Council would be inopportune for the time being and proposed that it be postponed until 4 November. He was supported by the representatives of France, Greece, the United Kingdom and the United States. The representative of Colombia accepted a suggestion by the representative of Greece that the adjournment be until 2 November.

The representative of the USSR, opposing postponement, said that it was the Security Council's duty to discuss the matter immediately and to seek a solution of the Trieste problem in accordance with the relevant provisions of the Treaty of Peace with Italy, and the appointment of a Governor was the first step. The problem, he said, could have been settled without difficulty if the relevant Treaty provisions had been implemented at the proper time. Unfortunately, an impasse now existed which was aggravating the very conflicts which the Treaty of Peace had been designed to remove.

He reiterated his charge that the measures announced by the Western Powers on 8 October had only served to accentuate international tension. Further, the reported diplomatic negotiations between the United States, the United Kingdom and France were, he charged, designed to enable those Powers to evade still further their obligations under the Treaty. He denied the legality or validity of any agreement which might result from the private negotiations of those Powers with Yugoslavia and Italy, and stated that the Security Council should prevent such a violation of a treaty.

The motion to postpone discussion until 2 November was approved by 9 votes to 1 (USSR), with 1 abstention (Lebanon).

At the 634th meeting on 2 November, the representative of Greece noted that the interested parties were currently conducting consultations, but had not yet brought to full fruition their efforts to work out a solution of the Trieste problem through diplomatic channels. He considered that more time should be allowed for the negotiations and expressed fear lest discussion of the USSR proposal should take the form of an East-West conflict, which would most adversely affect the chances of a peaceful settlement of the Trieste question. He therefore moved that discussion be postponed to 23 November.

The motion for postponement was vigorously opposed by the USSR representative, who again emphasized that the question of Trieste was one for discussion within the United Nations, in accordance with the Italian Peace Treaty. If it were to maintain its independence, the Security Council must not defer to the convenience of any State or group of States. Moreover, the course of events in the Trieste area, he stated, only confirmed that the consultations among the five Governments were not intended to secure a peaceful settlement of the Trieste problem; they were designed to discard the Treaty of Peace with Italy, to release its signatories from their obligations, and to transform the Trieste region into a military and naval base in the orbit of the North Atlantic Treaty Organization for the purpose of aggressive attack on the Soviet Union and the peoples' democracies. He warned against the possible dangerous consequences to world peace and security if there were any further delay in the Security Council's giving consideration to the question of the appointment of a Governor for the Free Territory of Trieste.

The motion for postponement was adopted by 9 votes to 1 (USSR), with 1 abstention (Lebanon).

At the Council's 641st meeting on 23 November, the representative of the United States announced that consultations relating to Trieste were continuing and that arrangements leading towards a solution might be concluded in the near future. He accordingly moved that the Security Council postpone consideration of the question until the week of 8 to 15 December. This motion was supported by the representative of Colombia, who recalled that the Treaty of Peace with Italy required that the four Great Powers, as well as Italy and Yugoslavia, be in agreement on the question of the Governorship of Trieste prior to possible action by the Security Council. It seemed logical to him, therefore, that the Council postpone discussion of the matter pending the outcome of current efforts to bring

about the requisite agreement between Italy and Yugoslavia.

The representative of the USSR declared that his firm objection to any postponement of discussion was unaltered by the fact that the consultations referred to might produce definite results, because it remained his view that the agreement being sought privately, in violation of the Treaty of Peace with Italy, did not relate to the appointment of a Governor for the Free Territory of Trieste or to a peaceful solution of the problem of Trieste, but rather to the best means of effecting the partition of the Territory and its conversion into an illegal military and naval base. He accused the Western Powers of promoting conflict rather than good will in the Trieste area. If the Council wished to strengthen rather than to undermine international peace and security, it should take immediate measures to implement the treaty provisions relating to Trieste and, as a first step, appoint a Governor for the Free Territory. Until the Council had decided on a candidate there could not, in his view, be a basis for any consultations on the matter with the Governments of Italy and Yugoslavia.

The motion for postponement was adopted by 9 votes to 1 (USSR), with 1 abstention (Lebanon).

At the 647th meeting on 14 December, the representatives of the United Kingdom and the United States expressed satisfaction at the decrease in tension in the Trieste area, of which the recently initiated troop withdrawal by Yugoslavia and Italy was, they said, a notable example. As the peaceful settlement of the Trieste problem was still being sought in diplomatic discussions, they saw no advantage, for the time being, in holding a discussion of the matter in the Security Council. The United States representative moved that further consideration be postponed pending the outcome of the current efforts to find a solution.

The representative of the USSR protested that this motion sought, in effect, the indefinite postponement of discussion. He viewed the repeated postponements, in deference to certain secret diplomatic negotiations with aims which he considered directly contrary to the plan for Trieste contained in the Treaty of Peace with Italy, as a failure to respect the United Nations and as a violation by the Security Council of its rights and duties, as well as a violation of international law and of the interests of all peace-loving peoples.

He considered that discussion in the Council, despite past disagreement on the appointment of a Governor, might yet lead to agreement and

could in no way hinder negotiations in which a peaceful settlement of the Trieste problem was truly being sought. He insisted that the Security Council fulfil its obligations, in accordance with the Treaty of Peace with Italy, and proceed to a discussion of the question of the appointment of a Governor.

The motion for postponement was adopted by 8 votes to 1 (USSR), with 1 abstention (Lebanon). One member of the Council was absent (Pakistan).

2. Report on the British-United States Zone of the Free Territory of Trieste

By a letter dated 23 December 1953 (S/3156), the representatives of the United Kingdom and the United States transmitted to the Security Council the twelfth report, covering the year 1952, on the administration of the British-United States Zone of the Free Territory of Trieste.

During the latter half of the year, pursuant to the Memorandum of Understanding signed at London in May, the Zone Commander appointed to the Allied Military Government a number of senior Italian officials who were responsible to him, under a Senior Director of Administration, for much of the internal administration of the Zone. Administrative elections were held in May in all communes of the Zone.

In general, the economic recovery of the Zone continued, with a further increase in industrial production. In the Zaule Industrial Area, 26 plants were operating or in course of completion, an increase of ten over 1951, and 1,133 apartment buildings were completed or nearly completed. Owing to the completion of the ship-building programme initiated in 1950, the total tonnage of new shipping constructed was slightly lower than in 1951. Commercial traffic through the Port of Trieste also showed a slight decline. In both these fields, measures were being taken to prevent further deterioration. The employment situation showed little change.

At the end of June, the Mutual Security Agency Mission in Trieste was closed and the Zone included in the sphere of the Agency's Mission to Italy. During 1952, more than \$900,000 in lire counterpart funds from former European Recovery Programme aid were utilized. A total of \$11.1 million was provided by the Italian Government. The over-all improvement in the financial situation continued, with a further slight reduction in the budgetary deficit.

M. COMPLAINT OF UNITED STATES INTERFERENCE IN THE INTERNAL AFFAIRS OF OTHER STATES

By a letter dated 15 October 1952 (A/2224/-Rev.1), the representative of Czechoslovakia requested that the following question should be included in the agenda of the General Assembly's seventh session: "Interference of the United States of America in the internal affairs of other States as manifested by the organization on the part of the Government of the United States of America of subversive and espionage activities against the Union of Soviet Socialist Republics, the People's Republic of China, the Czechoslovak Republic and other peoples' democracies."

In an explanatory note, the Czechoslovak representative stated that, in 1952, the Congress of the United States had, in application of the Mutual Security Act of 1951, again appropriated large sums for the organization of subversive and espionage activities against the USSR, the People's Republic of China, the Czechoslovak Republic and other peoples' democracies. The purpose and intent of this Act, it was stated, were to undermine, by acts of espionage, diversion and terrorism, the regimes of other countries, regimes freely elected by their peoples. Such activities on the part of the United States were in flagrant contradiction to the aims and principles of the United Nations Charter, undermined peaceful international collaboration and constituted a danger to international peace and security.

The First Committee considered the item at its 582nd to 589th meetings, from 23 to 26 March.

Czechoslovakia submitted a draft resolution (A/C.1/L.34), providing that the General Assembly should:

(1) condemn as acts of aggression and as interference in the internal affairs of other States, in contravention of the United Nations Charter and of international law, the subversive activities organized by the United States Government against a number of States in application of the Mutual Security Act of 10 October 1951, providing for the appropriation of \$100 million to finance armed detachments and individuals to engage in espionage and subversive activities and to commit acts of terrorism and other criminal acts against the USSR, the People's Republic of China, Czechoslovakia and other peoples' democracies, and of the Act of 20 June 1952, developing and supplementing the Mutual Security Act; and

(2) recommend that the United States Government repeal the parts of those Acts relating to the appropriation of funds for the organization of subversive activities and espionage, and put an end to such activities against other countries by its agencies.

During the debate, the representatives of the Byelorussian SSR, Czechoslovakia, Poland, the

Ukrainian SSR, and the USSR spoke in support of the Czechoslovak draft resolution.

They recalled that section 101 (a) of the Mutual Security Act provided a sum of \$100 million to finance military activities against a group of countries, not merely outside their frontiers but on their territory. This was not only a violation of Article 2, paragraph 7, of the Charter, but was the first time in the history of international relations that a government of a civilized country had so spelled out the most flagrant violation of the basic principle of international relations and peaceful co-existence of States and had made that a part of its official foreign policy. Since the General Assembly's sixth session, when it had, unfortunately, not felt able to recommend the repeal of the Mutual Security Act, as the USSR had requested, the United States Government had intensified and constantly strengthened its espionage, diversionist and other hostile and inimical acts against the peoples' democracies. Those acts were a violation of the principles and goals of the Charter and went a long way towards increasing international tension. A public and realistic discussion of the whole problem might result in the removing of one of the most serious causes of the prevailing international insecurity. It was up to the United States Government alone to see whether or not that would be the case.

There was no doubt that the purpose of the Mutual Security Act was to give the United States Government a legal basis for activities which were already going on. Section 101 (a) of the Act (known as the Kersten amendment) which, under Public Law 165, appropriated \$100 million, consisted of two parts: one providing for the establishment under the High Command of the Atlantic Army of military units containing persons who had escaped from the USSR, China, Poland and other peoples' democracies and who were to be given special assignments because of their particular knowledge of the countries against which the aggression was to be directed; and the second providing for financial aid to carefully selected persons living in the territories of the USSR, China, Czechoslovakia and Poland and other Eastern European countries to support resistance to the Governments of these countries.

Thus, the very terms of the law showed that it constituted interference in the domestic affairs of other States and was an act of aggression directed by the United States Government against States with which it maintained diplomatic relations.

Such a foreign policy could only be based on the wilful disregard of legal and moral principles, and constituted a danger even for those who were now co-operating with the United States. American intervention was continuously spreading.

The events that followed the adoption of the Mutual Security Act had fully confirmed its aggressive nature. The United States Defense and State Departments and the Central Intelligence Agency were directing and co-ordinating all such subversive and diversionist activities. In particular, the task of the Central Intelligence Agency was to facilitate aggression and reduce the defensive potential of the peoples' democracies by weakening their economy, by trying to spread chaos, by indulging in sabotage, by instigating terror and by spreading lies and slander. Even religious tolerance was exploited to achieve espionage purposes. The Voice of America and Radio Free Europe were being used to incite espionage, diversionist activities, murders and other criminal activities.

In Poland, it was stated, the United States Embassy in Warsaw had become a centre of underground activities co-operating with the enemies of the Polish people, and members of the Embassy staff had been involved in murder cases. In Czechoslovakia, a number of spies and terrorists captured by the Czechoslovak security forces had shown how widespread were the American activities. The many trials conducted against United States agents in Romania, Bulgaria and Albania clearly indicated that the Mutual Security Act was being implemented with a view to subverting the existing regimes in the peoples' democracies. Similar trials had also been held in Poland and Czechoslovakia. All those trials clearly demonstrated how the United States was training agents for subversive work in the peoples' democracies. Another espionage centre had been created in Greece; its activities had been revealed at a trial in Bulgaria in January 1952, where it was shown how United States agents had infiltrated into Bulgaria with the help of Turkish frontier police. Similarly, the trials of three agents in Albania had shown that they had been in the service of the United States, Italian and Yugoslav Intelligence Services.

The United States was also using reactionary organizations, such as the National Committee for a Free Europe, the American Committee for the Liberation of the People of Russia, the League of Americans of Hungarian Origin, the East European Fund, the Tolstoi Foundation, and the Romanian National Committee, as well as the so-called free association of Hungarian fighters in Western Germany.

The conspirators, who, with the help of the United States Intelligence Service, had been engaged in active sabotage against their own people and were now, when their schemes had failed, seeking refuge abroad, were by no means people escaping tyranny in pursuit of freedom, but merely traitors and conspirators in their own countries. These countries were determined to maintain their independent sovereign existence. Their peoples wished to unmask before world public opinion the diversionist activities of those organizations which, with the assistance of the United States, were working hard for the return of bourgeois regimes in their countries.

Within the United Nations, the United States had repeatedly assured world public opinion of its peaceful intentions. But elsewhere, those in public life, as well as the Press under their control, did not even try to hide that one of the basic elements of the United States policy was the desire to change the political regimes in peace-loving countries which were wholly compatible with the free will of the people.

These representatives referred to Senator Taft's book *A Foreign Policy for Americans*, a statement by Representative Kersten on 20 October 1951, an article by John Foster Dulles in *Life* in May 1952, the *U.S. News and World Report* and the *New York Times* of 11 January 1953 to show that it was the aim of United States policy to attack the peoples' democracies through its government agencies by the organization of subversive and diversionist activities within the countries and by using counter-revolutionary units and organizations hostile to those countries.

An attempt had been made to justify the Mutual Security Act as being intended to give humanitarian assistance to refugees and to finance economic and technical aid. The Act had, in fact, met with opposition from all peace-loving peoples and the United States representatives had therefore tried to conceal its real purposes, but such claims were not relevant when charges of subversive activities were being considered.

The representative of the USSR recalled that, following the adoption of the Mutual Security Act on 10 October 1951, the Government of the USSR had addressed a note to the United States Government on 21 November 1951, drawing attention to the fact that the purpose of the Act was to finance groups of individuals living in the USSR or the peoples' republics, or of individuals who had escaped from those countries, and to organize them as armed units in the service of the North Atlantic Treaty Organization (NATO). It had stated that the adoption of the Act was

without precedent in the history of international law and constituted gross intervention by the United States in the internal affairs of other States and, further, that it was a breach of the United States obligations towards the USSR under the terms of the exchange of notes between President Roosevelt and the Minister for Foreign Affairs of the USSR, Mr. Litvinov, in 1953, on the establishment of normal diplomatic relations between the two countries. On 22 November 1951, the State Department had replied that the Soviet Union was not justified in bringing any charges against the United States in connexion with the adoption of the Mutual Security Act. Accordingly, on 9 December 1951, the USSR Government had informed the United States Government that it found its reply unsatisfactory and had requested the repeal of the Act.

During the sixth session of the Assembly, he continued, the USSR delegation had clearly demonstrated the criminal nature of the Act. Since that time, the United States had taken no steps for its repeal but had, on the contrary, carried it into effect and supplemented it by the new Act of 20 June 1952, providing for possible additional appropriations.

Those who had drafted the laws and who pursued aggressive purposes were mistaken if they thought that the diversionist activities could impede the economic and cultural development of the USSR and the peoples' democracies. The two Acts had been motivated by the disapproval of certain circles in the United States of the regimes of those countries. It should, however, be realized that the United States had to live with the Soviet Union and the other countries with new societies and that their co-existence served the cause of peace. That co-existence demanded the non-intervention of one group in the domestic affairs of the other group. If the United States would not recognize the co-existence of the new societies, it meant that its statements about the maintenance of peace and the negotiation of the settlement of outstanding problems with the Soviet Union were mere double-talk. The USSR representative recalled the statement on 15 March by Prime Minister Malenkov to the effect that there was no problem or unsettled issue, including those concerning relations with the United States, which could not be settled by peaceful means on the basis of mutual agreement. That peaceful policy was in accordance, not only with the interests of the Soviet Union people, but with the interests of all peoples.

Speaking against the Czechoslovak draft resolution, the representative of the United States

said that no valid indictment against the United States could be based on newspaper clippings or on the remarks of individual legislators. An analysis of the persons whose statements had been quoted proved that none of them had been qualified at the time to speak for the United States Government. United States Government policies were stated only by officials of the Executive branch of the government on the basis of their authority. It had been charged that in 1951 and in 1952 the United States had appropriated \$100 million for the purposes of espionage, terrorism and the recruitment of refugees in order to subvert the Soviet Union and the "peoples' democracies." The facts were that, in 1951, \$100 million had been authorized under the Mutual Security Act, section 101, and no additional funds had been voted in 1952; of that total \$95,700,000 was going for regular military and economic assistance, a part of the larger sums the United States was spending under the Mutual Security Act and had previously spent under the Marshall Plan to help free nations to stay free. Before subversion of the free State of Czechoslovakia, it, too, had wanted to obtain that aid, but the Kremlin had ordered Czechoslovakia to refuse, because it knew that that assistance was designed to strengthen collective security against aggression. The remaining \$4,300,000 was to help escapees from behind the Iron Curtain. It had to be noted, he stated, that no escapees were going into the Iron Curtain countries; all of them were coming out. The escapees were those who had come from the Soviet-dominated world in the past five years and, unlike the refugees from Eastern Germany, they were entirely without citizenship rights. Those stateless persons had left their possessions and often their families and had braved the difficulties of increasingly heavily-guarded borders in order to get through the Iron Curtain so that they might find the freedom which had been denied them.

The representative of the United States said that escapees were crossing the Iron Curtain at the rate of several hundred a month to seek refuge in Western Germany, Austria, Italy, Trieste, Greece and Turkey, and he gave a number of examples. All of them were not young men; there were wives, small children, unmarried girls and elderly people. When they arrived they were destitute and their very presence added to the great Burdens of the countries of free Europe. To help those people and to keep hope in the hearts of others, the United States had authorized the sum of \$4,300,000 to be used to set up an escapee programme in March 1952. That sum was little enough to help the host countries provide recep-

tion and living quarters, food, clothing, medical care, help in the search for visas, vocational training and employment and emigration advice. As of 1 March 1953, 2,483 escapees had been settled in 21 non-European countries and over a thousand others had been accepted by other nations. As the news penetrated the Iron Curtain, more escapees came and even high officials might be expected to choose freedom rather than tyranny. The courage of those people deserved commendation and help.

Referring to the Roosevelt-Litvinov agreement of 1933, the United States representative said that, for all practical purposes, the Soviet Union had made a dead letter of that agreement shortly after it was signed. Shortly after the establishment of diplomatic relations between the two countries, President Roosevelt had directed the United States Ambassador to protest against Soviet Union violation of that agreement. In 1935, the Comintern, assembled in Moscow, had instructed the United States Communist Party to use "Trojan horse" tactics against the United States Government. President Roosevelt had then again sent a strong protest to the USSR Government. Since the establishment of the Communist Government in 1917, the USSR had persistently followed a policy of aggressive intervention in the domestic affairs of other nations, the United States representative said, and had forcibly imposed the Communist dictatorship system on the very countries listed in the complaint before the Committee.

The representatives of Belgium, Brazil, Canada, China, Costa Rica, Cuba, the Dominican Republic, Ecuador, France, Greece, Iceland, Israel, the Netherlands, Paraguay, Turkey, the United Kingdom, Uruguay and Yugoslavia also opposed the Czechoslovak draft resolution. They were of the opinion that it raised the same points which had been put forward by the USSR at the Assembly's sixth session, when a USSR draft resolution (A/2031) calling on the Assembly to condemn the Mutual Security Act of 1951 had been rejected, at the 358th plenary meeting on 11 January 1952, by 42 votes to 5, with 11 abstentions. The purpose of the "Soviet bloc" in again introducing the item under discussion, it was stated by these representatives, was not to help settle some of the outstanding issues or to create a more propitious atmosphere for their settlement, but to try, by means of an oblique manoeuvre, to win a propaganda battle in the cold war, to divert attention from actual Soviet policy and to shift the blame for the continuation of the current international crisis. The incongruity of the whole situation became more apparent, however, when the very

States which only a year previously, on the basis of the irrefutable evidence produced by the Yugoslav delegation, had been shown before the Assembly to be guilty of the most flagrant acts of intervention in the domestic affairs of a country, now posed as innocent victims of interference in their own internal affairs and as ardent champions of non-intervention.

For many years, it was stated, the Soviet Union had been promoting subversive activities in free countries. Sometimes, the aggression took the form of carefully planned pressures and infiltration, open or disguised; sometimes, it exploited what was called the revolutionary situation, supporting insurgents whenever and wherever it was possible to find them by arms or by the threat of arms. In every country there was a Communist party which was a Soviet fifth column. It was indeed ironic that representatives of the Communist countries were using phrases like subversion, espionage, interference in the domestic affairs of other States, and transgression of international law, when the bitter experience of many countries had been to suffer from Communist activities in that direction. Moreover, the Czechoslovak delegation was not qualified to accuse another country of subversive activities against the established order and security of another State, when it represented a Government which owed its existence to foreign intervention. In Czechoslovakia, the interference from abroad had not been restricted to overthrowing the Government and replacing it by another; it had involved the submission of the whole people to the domination of a minority controlled and instructed from abroad with police techniques and terroristic methods. That had taken place in a country which, during the 20 years of its free existence, had been a model of democracy in action and an example of international co-operation.

The fact about which the Czechoslovak Government and its political friends were really complaining was that citizens of the Communist countries behind the Iron Curtain, in ever-growing numbers, preferred the freedom of the democratic Western world to the absolute and totalitarian system of the so-called "monolithic Communist bloc". Because they preferred liberty to serfdom, they chose to risk their lives in escaping across heavily guarded borders, leaving behind their belongings, their friends and, sometimes, their relatives. The free world received them as political refugees and endeavoured to give them a new lease on life. But the Communist world would not recognize the right of political refugees to prefer freedom to bondage. They were considered as traitors, spies or Fascists and those who received

them, helped and treated them as human beings were condemned as aggressors and subversionists. Rendering aid to destitute political refugees was no crime.

The real purpose of the Kersten amendment, it was stated, could be understood only if it were considered in the general context of the aims and purposes of the Mutual Security Act, which was similar to the contents of Article 1 of the United Nations Charter. The Mutual Security Act aimed at building a healthy international community through economic development and collective security, and the purpose of the Kersten amendment was to give financial assistance to political refugees. That act of generosity had been necessitated by the unusual situation created as a result of pressures by Eastern European governments against their people; if those governments would soften their policy against dissident groups, it would reduce the flow of refugees, and thereby decrease the need for aid. Further, the policy of giving financial and other assistance to the refugees could by no means be considered as interference in the internal affairs of "Soviet bloc" countries. The right to grant asylum to political refugees was, in fact, internationally recognized. Such assistance had often been given; for instance, the USSR had given refuge to many escapees from Spain. On the contrary, the Mutual Security Act of 1951 should be considered as an example of co-operation among right-minded and freedom-loving countries in the slow but effective process towards economic reconstruction.

A number of representatives, including those of China, Cuba, Iceland and Turkey, described the economic assistance which had been given to their own countries under the Mutual Security Act. They said that the assistance had strengthened their economic structure as well as their national defence and had served the cause of international peace and security.

It thus appeared that the wholesale condemnation of the Act was illogical, because the special funds were only a small part of the credits which the Act intended for a series of purposes, such as economic assistance to Western Europe, to Korea and to the Palestine refugees. Those funds would be used by the President of the United States to assist political refugees to take part, if they so desired, in the defence of the North Atlantic Treaty community, on the understanding that a decision whether these refugees should form part of the NATO forces depended on the members of that organization. There was no reason to prevent those who so desired from serving in the armed forces of NATO which was an organization of defence against aggression. If the "Soviet bloc"

felt anxiety about NATO, it had only itself to blame, because it was its own imperialistic policy which had called that organization into being. The Mutual Security Act was one of the foundations of NATO and, for millions of free men, the Act was tangible proof that a powerful nation wished to join with others in building up a system of legitimate collective defence in accordance with Article 51 of the United Nations Charter.

At the Committee's 589th meeting on 26 March, the Czechoslovak draft resolution was rejected by a roll-call vote of 41 to 5, with 14 abstentions. Voting was as follows:

In favour: Byelorussian SSR, Czechoslovakia, Poland, Ukrainian SSR, USSR.

Against: Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, France, Greece, Haiti, Honduras, Iceland, Israel, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom, United States, Uruguay, Venezuela, Yugoslavia.

Abstaining: Afghanistan, Argentina, Burma, Egypt, Guatemala, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria, Yemen.

Consequently, the First Committee did not recommend any resolution to the General Assembly on the item.

The representative of Iran said that if Czechoslovakia had confined itself to condemning all intervention, he would have supported the draft resolution; however, serious charges against a Member State had been made. These charges had been rejected and counter-charges had been made. Since his delegation was in no position to take a stand in regard to these assertions, he said, he had abstained. The representatives of Saudi Arabia and Syria supported this view. The latter, as well as the representatives of Egypt, Iraq and Lebanon, also abstained, they said, because the question of subversive Zionist activities had been raised. The Guatemalan representative said that he had abstained to emphasize that his delegation supported the principle of non-interference in the domestic affairs of States, and that this did not mean that he supported the accusations made by the "Soviet bloc" for which no convincing proof had been offered.

When the report of the First Committee (A/2377) came before the General Assembly at its 425th plenary meeting on 8 April, the representative of Czechoslovakia re-introduced his draft resolution (A/L.148) which was rejected by 40 votes to 5, with 14 abstentions.

The representatives of the USSR, the United States, Poland and Guatemala explained their po-

sitions, as indicated in the First Committee. The representative of Argentina, explaining his abstention, stated that his delegation could not sup-

port any proposal that was calculated to cause still further division, contrary to the aims which should be pursued by the United Nations.

N. DISARMAMENT

In accordance with the provisions of Assembly resolution 502(VI) of 11 January 1952,⁸¹ the item "Regulation, limitation and balanced reduction of all armed forces and all armaments: report of the Disarmament Commission"⁸² was placed on the agenda of the seventh session of the General Assembly. The item was referred to the First Committee but consideration was deferred to the second part of the session.

1. Consideration by the General Assembly at its Seventh Session

a. DISCUSSIONS IN THE FIRST COMMITTEE

The First Committee considered the item at its 577th to 581st meetings, from 18 to 21 March 1953. It had before it two draft resolutions: a draft resolution submitted by Brazil, Canada, Chile, China, Colombia, Denmark, France, Greece, Lebanon, the Netherlands, Pakistan, Turkey, the United Kingdom and the United States (A/C.1/L.30) and a draft resolution submitted by the USSR (A/C.1/L.31).

Under the fourteen-Power joint draft resolution, the General Assembly would:

(1) take note of the report of the Disarmament Commission, commend the Commission for its efforts to carry out the instructions laid down by the Assembly at its sixth session and commend the initiative of those members of the Commission who had submitted constructive proposals;

(2) reaffirm General Assembly resolution 502(VI) and request the Disarmament Commission to continue its work for the development by the United Nations of comprehensive and co-ordinated plans providing for: (a) the regulation, limitation and balanced reduction of all armed forces and armaments; (b) the elimination and prohibition of all major weapons, including bacterial, adaptable to mass destruction; and (c) the effective international control of atomic energy for peaceful purposes only—the whole programme to be carried out under effective international control and in such a way that no State would have cause to fear that its security was endangered; and

(3) request the Commission to report to the General Assembly and to the Security Council not later than 1 September 1953.

Under the USSR draft resolution, the General Assembly would find

that the Disarmament Commission, especially in the persons of the representatives of the United States, France and the United Kingdom, had repeatedly attempted to substitute for the question of the reduction of armaments that of illegally obtaining intelligence reports on the armaments of individual States, disregard-

ing the fact that, upon the adoption of the resolution concerning the reduction of armaments and the prohibition of atomic weapons, all States would be required to communicate complete information concerning their armaments to the United Nations.

Further, the Assembly would decide:

(1) to require the Disarmament Commission to proceed without delay to study practical measures for achieving armaments reduction, having primarily in view the reduction of the armaments of the Great Powers—the United States, the USSR, the United Kingdom, France and China—and to decide the questions of the unconditional prohibition of atomic weapons, bacterial weapons and other types of weapons of mass destruction and of the establishment of strict international control over compliance with those decisions; and

(2) to require the Commission to report to the Security Council and to the General Assembly not later than 1 July 1953 on the action taken to give effect to the resolution.

In presenting the fourteen-Power draft resolution, the representative of the United States referred to the recent changes in the USSR Government and asked, first, whether the USSR was ready for a constructive discussion of the disarmament question and, secondly, whether the USSR representative was prepared to negotiate in the United Nations to give tangible form to the policy of peace claimed by his Government.

He felt that, although the free world was being compelled to devote large resources to rearmament, considerable progress towards disarmament could be made if agreement could be reached on basic factors. Some of those factors had been approved by the General Assembly in its resolution 502(VI). However, he said, there were additional principles which were basic to any programme and they had been introduced into the Disarmament Commission on 24 April 1952.⁸³ The United States delegation had pointed out that the goal of disarmament was not merely to regulate armaments but to prevent war. To that end, all nations had to co-operate to establish an open and substantially disarmed world in which no State could prepare secretly for war.

International agreements to achieve disarmament should avoid at any stage an unequal balance of strength which would jeopardize peace. The

⁸¹ For text of the resolution, see Y.U.N., 1951, pp. 176-77.

⁸² For an account of the work of this Commission up to September 1952, see Y.U.N., 1952, pp. 312-23.

⁸³ For a summary of these principles, see Y.U.N., 1952, pp. 314-15.

United States insisted that any programme had to be fair to all countries and its proposals called for a drastic reduction of national armaments and the total elimination of all instruments of mass destruction. In contrast, the USSR was insisting on a programme which would upset the balance and leave the free world helpless to resist Soviet aggression while the programme was being carried out.

Thus, the United States representative continued, the General Assembly resolution had instructed the Disarmament Commission to consider from the outset plans for progressive and continuing disclosure and verification of all armed forces and armaments. On 5 April 1952, the United States had submitted specific proposals⁸⁴ on that matter which provided for progress from the less secret to the more secret areas but at the same time suggested a very sizeable disclosure at the first stage so that governments would be able to have a clear indication of the existing strength of all States in atomic and other armaments and armed forces. Completion of that stage would inspire international confidence and contribute to international peace and security.

In May 1952, the United States, together with the United Kingdom and France, had submitted proposals for the fixing of numerical ceilings on all armed forces,⁸⁵ which would have set equal ceilings for the United States, the Soviet Union and China between 1,000,000 and 1,500,000 and for the United Kingdom and France between 700,000 and 800,000. In practice, it would mean a more drastic reduction of the armed forces of the United States and the Soviet Union than that proposed in the USSR plan, which provided for an arbitrary reduction of one third from unknown levels.

With regard to the control of atomic energy, in the light of resolution 502(VI) the United States had continued to support the United Nations plan, while reaffirming its readiness to examine seriously any other proposals which might be submitted. And the United States had introduced a new element in its proposals for disclosure and verification, which expressly provided for disclosure of atomic armaments.

The United States had presented proposals concerning the elimination of bacterial weapons from national armaments which would bring that matter within the context of the broader problem of disarmament.

In conclusion, the United States representative said that, in fact, his Government had covered, by its own proposals or jointly with France and the United Kingdom, all topics essential to a dis-

armament programme. Other members of the Commission had recognized the effort to break the deadlock. But the Soviet Union had rejected the efforts to secure international co-operation towards disarmament and had impeded the work of the Commission. It had invented false charges of bacterial warfare in Korea. It had presented a virtual ultimatum for the adoption of the USSR proposals in the guise of a plan of work for the Commission. It had refused to clarify its own proposals despite attempts to elicit the details.

Believing that the efforts had to be continued, the United States had joined in submitting the draft resolution recommending the continuation of the work of the Disarmament Commission.

The representative of the United Kingdom stated that the USSR position had not changed materially since 1948 with respect to either atomic energy or conventional armaments. The USSR intention seemed to be to deprive the West of the atomic weapons which were, at the moment, its main safeguard against USSR preponderance in armed forces and conventional armaments.

The two so-called concessions made by the USSR at the sixth session of the General Assembly⁸⁶ had been examined in the Disarmament Commission. The proposal that the prohibition of atomic weapons and the institution of international control should take effect simultaneously obviously was incompatible with the USSR demand for an immediate declaration prohibiting the atomic weapon. The second "concession", that the international agency should undertake inspection on a continuing basis but without the right to interfere in the domestic affairs of States, had never been explained. In fact, it amounted to a demand for the abandonment of the United Nations plan for atomic energy control, since the USSR representative had said he would only explain his proposal when that plan had been renounced.

The working paper submitted by France, the United Kingdom and the United States containing proposals for the numerical limitation of all armed forces had been based on the idea that the number of men in the armed forces was a vital element in any plan for disarmament. The USSR representative had complained that the paper did not deal with atomic weapons; but it had not been intended to do so. He had then objected that the paper did not make it clear that naval and air as

⁸⁴ For consideration of these proposals, see Y.U.N., 1952, pp. 316-17.

⁸⁵ For consideration of these proposals, see Y.U.N., 1952, pp. 317-19.

⁸⁶ For discussion at the sixth session, see Y.U.N., 1951, pp. 161-77.

well as land forces would be covered by the proposals. When that matter had been clarified by the three Powers, the USSR representative had asserted that the proposals did not call for a reduction of existing forces, although the reduction would have been larger than the one third proposed by the USSR. It was time for the USSR to pass from slogans to action by co-operating in the work of the Disarmament Commission, the United Kingdom representative concluded.

The representative of France recalled that in the Commission his delegation had submitted proposals for a compromise solution on 24 June 1952⁸⁷ in connexion with the scheduling of prohibitions, limitations, disclosures and other parts of the programme. Such proposals had been presented as starting points, to be examined in good faith. However, no results had been obtained, due to Soviet insistence on proposals already rejected in the United Nations. There was no immediate prospect of agreement but the situation allowed hope of conciliation, he concluded.

Other sponsors of the fourteen-Power draft resolution, in reviewing the work of the Disarmament Commission, endorsed in general the positions outlined by the representatives of France, the United Kingdom and the United States. They supported, as bases for negotiation, the several proposals put forward in the Disarmament Commission and criticized the attitude of the USSR delegation as negative and unco-operative. Their broad view was that little purpose would be served by an extended discussion in the First Committee of the various substantive proposals, but that the Disarmament Commission should be requested to continue its endeavours.

Recalling the various proposals for the reduction of armaments and the prohibition of atomic weapons which his country had made since 1946, the representative of the USSR stated that the lack of progress in the work of the Disarmament Commission was due to the three Western Powers' efforts to divert the Commission from its terms of reference. The questions presented by the United States representative were, therefore, merely a trick, since the USSR proposals had already been submitted and examined in the United Nations. Despite the opposition they had encountered, the USSR would continue to seek a solution in the United Nations, its representative said.

With regard to the work of the Disarmament Commission, he recalled that two methods of work had been advocated. The USSR had called for a decision on the unconditional prohibition of atomic and other weapons of mass destruction, the establishment of strict international control and

the one-third reduction within one year of the armaments and armed forces of the five major Powers.

The three Western Powers had, however, opposed a detailed study of the USSR proposals at the sixth session, insisting on their transmission to the Disarmament Commission and putting forward a plan for collecting information on armaments. The second report of the Commission revealed that the three Powers had acted to have the Commission concentrate on the question of disclosure and verification and to divert it from its true task of devising a plan for the prohibition of atomic weapons and the reduction of armaments. That had been the objective of the plan of work proposed by the United States. The USSR had then submitted a working plan providing for concrete action. But the three Powers had forced the adoption of the diversionary United States plan, disguised as a French proposal.

The USSR representative denied that his Government had not elaborated its proposals regarding the international control of the prohibition of atomic weapons. As early as June 1947, the USSR had submitted a very detailed plan.⁸⁸ Then, at the sixth session, the USSR had further proposed that the prohibition of atomic weapons and the establishment of control should take effect simultaneously and that the control organ should have the right of inspection on a continuing basis, without interfering in the domestic affairs of States.

After adopting its plan of work, the Commission had made no effort to study practical proposals of any sort. It had preferred futile discussion of general issues or of disclosure and verification. The United States proposals for disclosure by stages were framed so as to obtain information on the armaments of certain countries while withholding data on atomic weapons. The United States had also submitted a proposal on essential principles for a disarmament programme which, the USSR representative held, apart from repeating principles contained in resolution 41(I),⁸⁹ revived the idea of a system which would conceal the firm intention of taking

⁸⁷ For a summary of the French proposals, see Y.U.N., 1952, pp. 319-20.

⁸⁸ For the text of the USSR proposals, see Y.U.N., 1946-47, pp. 449-51.

⁸⁹ The resolution declared that an international system should be established within the framework of the Security Council for: the regulation and reduction of armaments and armed forces; the prohibition of the use of atomic energy for military purposes; the elimination of atomic and other weapons of mass destruction; and the control of atomic energy to ensure its use for peaceful purposes only.

no action. The United States had sought to substitute vague declarations without binding force for the practical decisions required by the Commission's terms of reference.

The three-Power proposal for fixing numerical limitations on all armed forces, the USSR representative said, had been designed to enable the United States, the United Kingdom and France to maintain their forces, particularly their naval and air forces, at the current level or even to increase them.

The United States, he concluded, had even opposed the discussion of the prohibition of bacterial warfare. Thus, the United States policy had been to prevent the Commission from making any progress and to proceed with the armament race.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland and the Ukrainian SSR, supporting the USSR draft resolution, attributed the failure of the United Nations in the field of disarmament basically to the re-armament policies of the Western Powers, and in particular of the United States. In the field of atomic energy, these Powers had opposed the prohibition of atomic weapons, they said. The United States, these representatives said, had even refused to accede to an existing agreement on the prohibition of bacterial weapons. The basic objectives of the Disarmament Commission, which were the prohibition of the atomic weapon and the reduction of armaments, had thus been side-tracked in favour of the secondary questions of the disclosure and verification of information on conventional armaments.

On the other hand, the USSR for seven years had consistently striven to strengthen peace and to promote measures for the reduction of armed forces and armaments and the prohibition of atomic weapons, beginning with the submission of its proposals at the first session of the General Assembly which had led to the adoption of resolution 41(I). The proposals contained in the USSR draft resolution were a suitable basis for renewed negotiation and, if implemented in good faith, could bring about the solution of the whole problem of disarmament.

The representative of India said that the small Powers, instead of supporting either side, should try to act as catalytic agents and assist in bringing about a conciliatory spirit and opening a compromise route to agreement. Expressing a similar point of view, the representatives of Egypt and Syria stated that they had submitted jointly with Iraq and Yemen an amendment which, they considered, would facilitate co-operation among the major Powers by removing commendation of individual members of the Commission.

The four-Power amendment (A/C.1/L.52) would delete the commendation of the initiative of certain members of the Disarmament Commission and add an expression of hope for constructive co-operation in the Commission. The amendment was accepted by the sponsors of the joint draft resolution.

At the Committee's 581st meeting on 21 March, the fourteen-Power joint draft resolution was put to the vote in paragraphs, which were adopted by votes ranging from 59 votes to none, with 1 abstention, to 49 votes to 5, with 6 abstentions. The draft resolution, as a whole, as amended, was adopted by 50 votes to 5, with 5 abstentions.

The USSR draft resolution (A/C.1/L.31) was rejected by 41 votes to 5, with 13 abstentions.

b. RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

The General Assembly considered the First Committee's report (A/2373) at its 424th plenary meeting on 8 April 1953.

The representative of the USSR proposed that the Committee's draft resolution should be amended so as to delete: (1) from the first operative paragraph the clause commending the Commission for its efforts; and (2) from the second paragraph the clause reaffirming resolution 502 (VI). In order to reach an agreement, he said, he would not press for discussion of the USSR draft resolution and if the amendments were accepted his delegation would vote for the draft resolution recommended by the First Committee. He urged an attitude of conciliation and mutual concessions in order to reach agreement.

Sponsors and supporters of the fourteen-Power draft resolution expressed their readiness to accept the first USSR amendment. They were unwilling to agree to the deletion of the reaffirmation of resolution 502(VI), on the ground that such action would be open to the interpretation that to some extent the principles of that resolution were being impaired or abandoned.

Several representatives, expressing their desire for a spirit of conciliatory co-operation in the Disarmament Commission which they believed would be furthered by a unanimous resolution, stated that they would vote for, or abstain upon, the second USSR amendment.

The first USSR amendment was adopted without a vote. The second USSR amendment was rejected by 33 votes to 10, with 13 abstentions. In the voting on the several parts of the draft resolution, the only negative votes were cast in connexion with the clause reaffirming resolution 502(VI), which was adopted by 38 votes to 6,

with 16 abstentions. The General Assembly then adopted the draft resolution, as a whole, as amended, by 52 votes to 5, with 3 abstentions, as resolution 704(VII).

It read:

"The General Assembly,

"Recognizing that:

"Under the Charter of the United Nations all States are bound to settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered, and to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

"The aim of a system of world-wide disarmament is to prevent war and release the world's human and economic resources for the purposes of peace,

"1. Takes note of the report of the Disarmament Commission;

"2. Reaffirms General Assembly resolution 502(VI) of 11 January 1952 and requests the Disarmament Commission to continue its work for the development by the United Nations of comprehensive and co-ordinated plans providing for:

"(a) The regulation, limitation and balanced reduction of all armed forces and armaments;

"(b) The elimination and prohibition of all major weapons, including bacteriological, adaptable to mass destruction;

"(c) The effective international control of atomic energy to ensure the prohibition of atomic weapons and the use of atomic energy for peaceful purposes only; The whole programme to be carried out under effective international control in such a way that no State would have cause to fear that its security was endangered;

"3. Requests the Commission to report to the General Assembly and to the Security Council no later than 1 September 1953, and hopes that all the members of the Commission will co-operate in efforts to produce constructive proposals likely to facilitate its task."

2. Third Report of the Disarmament Commission

Between the seventh and eighth sessions of the General Assembly, the Commission held one meeting, its 31st, on 20 August 1953. It unanimously adopted the draft text of its third report (DC/-32). It expressed the hope that recent international events would create a more favourable atmosphere for the reconsideration of the disarmament question, whose capital importance in conjunction with other questions affecting the maintenance of peace was recognized by all. It indicated that the Commission expected to continue its work and suggested that it present a report to the ninth session of the General Assembly and to the Security Council.

3. Consideration by the General Assembly at its Eighth Session

a. DISCUSSIONS IN THE FIRST COMMITTEE

The First Committee considered the item "Regulation, limitation and balanced reduction of all armed forces and all armaments: report of the Disarmament Commission" at its 658th to 669th meetings, from 6 to 18 November 1953.

The Committee had before it a joint draft resolution (A/C.1/L.72) by fourteen Powers, Brazil, Canada, Chile, China, Colombia, Denmark, France, Greece, Lebanon, New Zealand, Pakistan, Turkey, the United Kingdom and the United States.

Amendments⁹⁰ to this joint draft resolution were proposed by, among others, India (A/C.1/L.74/Rev.4), the USSR (A/C.1/L.75/Rev.3), Australia (A/C.1/L.76), Egypt (A/C.1/L.78), and two joint amendments by France, the United Kingdom and the United States (A/C.1/L.83 & A/C.1/L.84).

During the course of the debate, the fourteen-Power draft resolution was revised (A/C.1/L.72/-Rev.3) by the sponsors in the light of these amendments⁹¹ and the discussion.

Under the joint draft resolution, as finally revised (A/C.1/L.72/Rev.3), the General Assembly would, among other things:

(1) reaffirm the responsibility of the United Nations for considering the problem of disarmament and affirm the need of providing for: (a) the regulation, limitation and balanced reduction of all armed forces and armaments; (b) the elimination and prohibition of atomic, hydrogen and other weapons of mass destruction; (c) the effective international control of atomic energy to insure the prohibition of atomic weapons and the use of atomic energy for peaceful purposes only;⁹²

(2) express the belief that the continued development of weapons of mass destruction such as atomic and hydrogen bombs had given additional urgency to efforts directed towards disarmament;⁹³

(3) state that settlement of present international disputes and the resulting confidence are vital to the attainment of peace and that efforts for disarmament should be made concurrently with progress in the settlement of disputes;

(4) express the belief that progress in either field would contribute to progress in the other;

⁹⁰ A number of drafting amendments were also submitted by some delegations which were later withdrawn. They are not dealt with here.

⁹¹ Phrases have been italicized and footnotes added to indicate changes incorporated from the amendments of various delegations.

⁹² Incorporating first joint amendment by France, the United Kingdom and the United States (A/C.1/L.83).

⁹³ Incorporating Australian amendment (A/C.1/L.76).

(5) express the realization that competition in the development of armaments and armed forces beyond what is necessary for the individual or collective security of Member States is not only economically unsound but also a danger to peace;⁹⁴

(6) recognize the general wish and affirm its earnest desire to reach agreement as early as possible on a comprehensive and co-ordinated plan under international control for the regulation, limitation and reduction of all armed forces and armaments, for the elimination and prohibition of atomic, hydrogen, bacterial, chemical and all such other weapons of war and mass destruction, and for the attainment of these ends through effective measures;⁹⁵

(7) take note of the third report of the Disarmament Commission;

(8) request the Commission to continue its efforts to reach agreement on the problems with which it was concerned, taking into consideration proposals made at the eighth session of the General Assembly, and to report again to the General Assembly and to the Security Council not later than 1 September 1954;⁹⁶

(9) call on all Member States and particularly the major Powers to intensify their efforts to assist the Disarmament Commission in its tasks and to submit to the Commission any proposals which they might have to make in the field of disarmament; and

(10) suggest that the Disarmament Commission should study the desirability of establishing a sub-committee consisting of representatives of the Powers⁹⁷ principally involved, which would seek in private an acceptable solution and report to the Disarmament Commission as soon as possible in order that the Commission might study and report on such a solution to the General Assembly and to the Security Council not later than 1 September 1954.

An amendment to the fourteen-Power joint draft resolution was submitted by the USSR which, as finally revised (A/C.1/L.75/Rev.3), would:

(1) replace the third paragraph of the preamble of the joint draft resolution (see above) by a new paragraph recognizing that, for the purpose of strengthening the peace and security of the nations and successfully settling controversial international problems, the primary task was to secure the immediate settlement of the question of the reduction of armaments, the prohibition of atomic and hydrogen weapons and the establishment of strict international control over the observance of that prohibition;

(2) amend the fourth paragraph of the preamble to express the belief that progress in the above-mentioned field would also contribute to progress in the settlement of other controversial international problems;

(3) replace the first operative paragraph (see (6) above) by a new paragraph according to which the Assembly would recognize that the use of atomic and hydrogen weapons as weapons of aggression and mass destruction was contrary to the conscience and honour of the peoples and incompatible with membership in the United Nations and declare that the government which was the first to use the atomic, hydrogen or any other instrument of mass destruction against any other country would commit a crime against humanity and would be deemed a war criminal; and

(4) replace the third operative paragraph (see (8) above) by a new paragraph providing that the Disarmament Commission would be requested to submit to the Security Council not later than 1 March 1954 proposals providing in the first place for a substantial reduction in the armaments of the five Powers—the United States, the United Kingdom, France, the People's Republic of China and the USSR—and also for the prohibition of atomic, hydrogen and other types of weapons of mass destruction together with the simultaneous establishment of strict international control over the observance of that prohibition.

There were also before the Committee other amendments, parts of amendments submitted to the original fourteen-Power draft resolution and amendments to amendments⁹⁸ as follows:

(1) Part of an Indian amendment (A/C.1/L.74/Rev.4) to the revised fourteen-Power draft resolution. It would add a new operative paragraph by which the Assembly would suggest to the Disarmament Commission that, in order to facilitate the progress of its work, it should arrange for the Sub-Committee, when established, (see paragraph 10 of summary above), to hold its private meetings as appropriate in the different countries most concerned with the problem.

(2) An Indian amendment (A/C.1/L.85) to the USSR amendments to have the Assembly: (a) mention specifically that the reduction and regulation of armaments would include "problems of prohibition and elimination of atomic, hydrogen, chemical, bacterial and all such other types of weapons of mass destruction under international control and effective measures for the enforcement of such prohibition and elimination"; and (b) state in the preamble that progress in the settlement of disarmament questions would contribute to progress in the settlement of other controversial international problems and that progress in either field would contribute to progress in the other.

(3) A joint amendment to the USSR amendments submitted by the fourteen States sponsors of the joint draft resolution (A/C.1/L.87). It would state that, whatever the weapons used, aggression was contrary to the conscience and honour of the peoples and incompatible with membership in the United Nations and was the gravest of all crimes against peace and security throughout the world.

From time to time, members of the Committee also referred to the USSR draft resolution (A/2485/Rev.1) on "Measures to avert the threat of a new world war and to reduce tension in international relations".⁹⁹

⁹⁴ Incorporating part of the amendment by Mexico (A/C.1/L.74/Rev.1) and the Peruvian amendment thereto (A/C.1/L.80).

⁹⁵ Incorporating part of the Indian amendment (A/C.1/L.74/Rev.4).

⁹⁶ Incorporating the second joint amendment by France, the United Kingdom and the United States (A/C.1/L.84).

⁹⁷ Incorporating an amendment by Egypt (A/C.1/L.78) and part of the Indian amendment (A/C.1/L.74/Rev.4).

⁹⁸ Certain of these amendments were withdrawn; for voting by the Committee on the remainder, see p. 267.

⁹⁹ For discussion of this item, see pp. 272-76.

Introducing the fourteen-Power joint draft resolution, the representative of the United Kingdom said that the Commission had not succeeded in carrying out any part of the tasks assigned in resolution 502(VI), despite repeated meetings in 1952. The United Kingdom, France and the United States had presented a series of proposals of a preliminary nature, subject to modification, but the Soviet Union would neither discuss them nor elucidate its own general proposals. However, he observed, it was to be hoped that some progress could be made before the next report of the Commission. There had already been some indications of lessened international tension and there was a possibility of negotiating settlements in various fields, including disarmament.

If the difficulties were to be overcome, certain propositions had to be understood. First, he considered, a continuing and increasing armaments race not only was an economic burden and contrary to the general desire to reduce armaments and armed forces and eliminate all weapons of mass destruction, but also was itself a danger to peace. Secondly, governments could only dispense with the protection of such weapons when they felt secure, partly because of a relaxation of tension and partly through international machinery which would assure that agreements were being observed. Thirdly, security could only come from a system of inspection and control with the necessary safeguards.

However, he observed, the Soviet Union demanded a decision banning all weapons of mass destruction and would only later take steps to reach agreement on ensuring observance of the ban. It proposed a one-third cut within one year of the armed forces of the five Great Powers, but made no mention of verification or control—quite apart from the fact that such percentage cuts would only accentuate the existing disequilibrium and not contribute to peace. The Soviet Union proposed an international conference but on a vague basis and without preparatory work; the United Kingdom believed that there should be concrete proposals to discuss, and supported the formula in resolution 502(VI), under which the Disarmament Commission would present a concrete basis for a conference.

There was no alternative to co-operative preparatory work in the Commission. The United Kingdom had therefore joined in sponsoring the draft resolution, which drew attention to the economic possibilities and called for a new start on the task of working out practical arrangements for disarmament.

The representative of the United States drew attention to statements by the United States President and Secretary of State and the resolutions passed by the United States Congress concerning the need for disarmament. He said that they affirmed the aim of the United States to seek agreements for enforceable limitation of armaments concurrently with efforts to secure settlements on specific political issues. At the seventh session of the Assembly, the United States representative continued, the USSR representative had not presented his Government's often-rejected proposals and had even voted for most parts of resolution 704(VII),¹⁰⁰ although it described the objectives of the Disarmament Commission in terms which had not previously been supported by the USSR. However, the USSR had submitted to the current session the old concepts concerning prohibitions by declaration and proportional reductions, along with complaints about military bases and what it called war propaganda.

The USSR scheme was to create a moral obligation to prohibit atomic weapons without a possibility of ensuring that the obligations would be honoured. But the prohibition of atomic weapons required more than USSR promises; it could be put into effect only if there were safeguards to protect against a violation.

The position of the United States on disarmament was quite clear, its representative said. The amassing of Soviet power had compelled the free nations to arm and to develop weapons capable of inflicting instant punishment on any aggressor. The free nations had no aggressive purpose and the United States would make every effort to achieve a disarmament agreement if the USSR showed a desire to negotiate honestly.

The representative of the USSR, supported by the representatives of the Byelorussian SSR, Czechoslovakia, Poland and the Ukrainian SSR, said that the causes of the Disarmament Commission's failure should be analysed in order to ensure a more productive future. Resolution 502(VI), he said, had had an important role in the Commission's failure because of the wrong directives it contained. At the seventh session, the USSR had attempted to secure the removal of the reference to that resolution in resolution 704(VII) in order to be able to press for a change of course which might have led to better results. The four-Power sub-committee at Paris had accomplished something because it had had freedom of action.¹⁰¹ Its results were of secondary importance, however,

¹⁰⁰ See p. 262.

¹⁰¹ See Y.U.N., 1951, pp. 168-71.

and important problems remained to be solved. Acting under the influence of resolution 502(VI), the Commission had concentrated on the secondary question of disclosure and verification of conventional armaments.

Any recommendation of the General Assembly which was not backed up by armed force could be called a "paper declaration", the USSR representative said. However, the prohibition of the production of atomic weapons would have the authority of the United Nations behind it and was the indispensable condition for effective control. If plans for control were drawn up they could not bring about or "ensure" prohibition if the production of atomic weapons had not been declared illegal. Control and prohibition should come into force simultaneously. But a control organ could not be set up to verify the non-production of atomic weapons when there was no prohibition.

The representative of the USSR stated that any self-respecting State which subscribed to a unanimous decision for the prohibition of the atomic weapon would be morally and politically bound to comply with such a decision. The USSR would strictly observe any such provision. A General Assembly decision on prohibition would not be only a piece of paper but a serious political act, binding on all those who voted in favour of it. Such a decision would have the effect of reducing international tension.

Instead of dealing with measures to reduce armaments and armed forces and to prohibit atomic weapons, the Commission had dealt with plans for gradual disclosure and verification of armaments and armed forces. Such measures, the USSR representative considered, would neither ensure reduction nor create the situation of confidence which had been advanced as a preliminary condition for reduction. But prohibition and reduction would themselves foster confidence and reduce tensions. The United States Secretary of State had said that merely working out a system would reduce tensions, but unfortunately the Commission had adopted a plan based on disclosure and verification without a hint about reducing armaments and armed forces.

The USSR proposal was that, once there was a declaration of the unconditional prohibition of the atomic weapon, it should not enter into force legally until a system of control had been instituted. If such a resolution were adopted, the USSR representative was prepared to announce that no atomic weapons would be produced in his country. However, if other representatives suggested that

their countries might continue production, that would be an obstacle to the adoption of such a resolution.

In the United States plan for disclosure there were five stages, beginning with less important matters and moving forward only at the end to atomic weapons. The USSR opposed that system of stages.

The representative of the USSR criticized the United States policy which, he said, was based entirely on force. This was shown by the intensification of the race for armaments, by the reliance on weapons of mass destruction, by the building of military bases around the Soviet Union, even in Spain which had no connexion with the North Atlantic Treaty Organization (NATO), and by efforts to rearm Germany. The representative of the Soviet Union concluded by stating that advantage should be taken of the armistice in Korea to relax further the existing tension by abandoning the armaments race, which was closely linked with the question of European security, and by settling the question of Chinese representation in the United Nations.

The Disarmament Commission, he said, should elaborate practical proposals in line with the fundamental task of fostering international security. The Commission should be given a strict injunction to reach agreement designed to reduce armaments and armed forces, to prohibit unconditionally the atomic weapon and to institute an international control organ.

The representative of France said that the longer the establishment of atomic control was delayed, the less chance would it have of being effective. Although ascertaining the current production of a plant would be relatively easy, determining its previous production would be more difficult. The possibility of concealing previously produced stocks would weaken public confidence in verification. Accordingly, the French delegation believed that a control, though theoretically less perfect than another but acceptable to everyone and therefore quickly achieved, was better than another system which, whatever its excellence, had to be postponed to the detriment of its ultimate effectiveness. A short-term compromise was preferable to postponed perfection.

The difference as to the moment when prohibition would be declared and as to its nature was serious, stated the French representative. The USSR maintained that the decision should be immediate and unconditional, but should only take effect simultaneously with control. Others wished prohibition to be promulgated only after dis-

closure and verification of the military resources of each State and the signature of a control agreement. That difference entailed two others. First, the USSR did not agree that disclosure and verification should be completed before there were any measures to limit conventional weapons or prohibit weapons of mass destruction. Secondly, the idea of international ownership and control through management was opposed to the idea of control through continuing inspection without any right to management.

The representative of France referred to suggestions his delegation had made in the Commission on 24 June 1952 to reconcile the differences. The French delegation, he said, was prepared to present its compromise solution in a working document. It would be logical for the various decisions as to limitation and prohibition to appear at the head of the draft treaty so as to define the objectives clearly at the outset. The entry into force of those decisions would be made conditional, first, upon the successful completion and verification of preceding operations in a pre-arranged order and, secondly, upon the establishment in working order of the international control organ. But as soon as the control organ had confirmed the execution of the precedent operation, the next step would be automatically initiated and could not be postponed except by a decision that one of the two conditions had not been fulfilled.

A fresh effort at conciliation should be made with regard to the order in which the general programme of operations, set forth at the head of the treaty, should be put into effect, the representative of France continued. Operations might be divided into three groups: all operations relating to disclosure and verification; all those relating to the limitation of conventional armed forces and armaments; and all those relating to the prohibition of weapons of mass destruction. The French suggestion was that operations selected from these three groups should be executed simultaneously according to a prescribed order. The principles underlying such a solution were: that every advance in disarmament must be accompanied by an increase in the security of all parties; that every act of disarmament must be verified by the international organ; and that there should be automatic progress from one completed act to the next.

The general programme could then be envisaged in three stages. At the end of the first stage, total armed forces and military expenditure would have been disclosed and verified, limitation of both at existing levels would take effect and the use of

bacterial and chemical weapons would be prohibited. At the end of the second stage, the main categories of conventional armaments and the numbers and sites of atomic plants would have been disclosed, further expansion of conventional armaments, quantitatively or qualitatively, would be prohibited and the manufacture of atomic and hydrogen bombs and of fissile materials in dangerous quantities would be suspended. At the end of the third stage, total armed forces and conventional armaments would be reduced from the levels laid down at the end of the first stage to those specified in the treaty, stocks of atomic and hydrogen bombs would be destroyed or made over for peaceful purposes, and the prohibition of the use of such weapons would come into force automatically while the plants could resume, under permanent and strict supervision, their production for peaceful purposes only. Control would then remain in operation to prevent any clandestine rearmament, while armed forces and conventional armaments would again be reduced from the levels of the third stage to those strictly necessary for each State to discharge its domestic and international responsibilities.

The representative of France said that his delegation was not committed to any particular detail in its general scheme. It would, however, submit proposals at the proper time on the detail of the matters to be included in the treaty and its annexes. In the search for agreement on disarmament, the Commission might assume provisionally that the international situation had improved while making final approval of the draft treaty conditional upon an improvement in the situation. And it might be useful for the Commission, in the spirit of the fourteen-Power draft resolution, to appoint a small sub-committee to explore the French and any other proposals. The sub-committee should meet in the principal capitals concerned and adjourn its sessions to a new meeting place whenever the governments needed time to take stock and prepare for fresh progress.

During the debate, a number of representatives, including those of Bolivia, Ecuador, the Netherlands, Norway, Peru, Sweden, the Union of South Africa, Venezuela and Yugoslavia, in addition to the sponsors, expressed themselves generally in favour of the fourteen-Power draft resolution. Several of them at the same time deplored the fact that the situation was such that it was not possible to envisage the adoption of a resolution which would do more to contribute to progress towards disarmament. The representatives of Brazil, Chile, Colombia, Ecuador and Egypt, among others, were critical of a paragraph in the

preamble of the original draft which they interpreted as conditioning the provision of funds for development of economically backward areas upon success in disarmament. (The relevant paragraph would have expressed the confidence that once a disarmament programme had been agreed upon and put into effect, all States would stand ready to ask their peoples to devote a portion of the savings thereby achieved to an international fund to assist development and reconstruction in underdeveloped areas of the world. This paragraph was deleted during the course of revision.)

At its 669th meeting on 18 November, the First Committee voted on the revised fourteen-Power draft resolution (A/C.1/L.72/Rev.3, see above) and on the amendments and sub-amendments submitted, with the following results:

The first Indian amendment (A/C.1/L.85) to the Soviet amendment was rejected by 33 votes to 14, with 12 abstentions, and the second was withdrawn.

All the paragraphs of the USSR amendment (A/C.1/L.75/Rev.3) were rejected in votes ranging from 37 to 5, with 17 abstentions, to 33 to 14, with 12 abstentions.

By 36 votes to 5, with 6 abstentions, the Committee decided not to vote on the USSR amendment to the first operative paragraph of the joint draft resolution. By this amendment, the General Assembly would have recognized that the use of atomic and hydrogen weapons as weapons of aggression was contrary to the conscience and honour of peoples. The fourteen-Power amendment (A/C.1/L.87) to this amendment, by which the Assembly would have recognized that aggression whatever the weapons used was contrary to the conscience and honour of peoples, was adopted by 53 votes to none, with 6 abstentions. However, the paragraph thus amended was not put to the vote.

The Indian amendment (A/C.1/L.74/Rev.4), to add a paragraph suggesting that the sub-committee of the Commission envisaged under the draft resolution hold its meetings in the different countries concerned, was adopted by 45 votes to none, with 13 abstentions.

The various paragraphs of the joint draft resolution were adopted by votes ranging from 59 to none to 52 to none, with 5 abstentions.

The draft resolution, as a whole, was adopted, as amended, by a roll-call vote of 54 to none, with 5 abstentions.

b. RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

The General Assembly considered the First Committee's report (A/2562) at its 460th meeting on 28 November. The USSR representative introduced amendments (A/L.167) to the draft resolution recommended by the First Committee which were the same as the final revision of the amendments he had proposed to the fourteen-Power draft resolution. The amendments were rejected by votes ranging from 36 to 8, with 14 abstentions, to 39 to 5, with 11 abstentions.

In the paragraph-by-paragraph voting on the draft resolution, the only negative votes cast were against the third paragraph of the preamble (see below). That paragraph was adopted by 50 votes to 5, with 3 abstentions.

The resolution, as a whole, was adopted by 54 votes to none, with 5 abstentions, as resolution 715(VIII). It read:

"The General Assembly,

"Reaffirming the responsibility of the United Nations for considering the problem of disarmament and affirming the need of providing for:

"(a) The regulation, limitation and balanced reduction of all armed forces and all armaments,

"(b) The elimination and prohibition of atomic, hydrogen and other types of weapons of mass destruction,

"(c) The effective international control of atomic energy to ensure the prohibition of atomic weapons and the use of atomic energy for peaceful purposes only,

the whole programme to be carried out under effective international control and in such a way that no State would have cause to fear that its security was endangered,

"Believing that the continued development of weapons of mass destruction such as atomic and hydrogen bombs has given additional urgency to efforts to bring about effectively controlled disarmament throughout the world, as the existence of civilization itself may be at stake,

"Mindful that progress in the settlement of existing international disputes and the resulting re-establishment of confidence are vital to the attainment of peace and disarmament and that efforts to reach agreement on a comprehensive and co-ordinated disarmament programme with adequate safeguards should be made concurrently with progress in the settlement of international disputes,

"Believing that progress in either field would contribute to progress in the other,

"Realizing that competition in the development of armaments and armed forces beyond what is necessary for the individual or collective security of Member States in accordance with the Charter of the United Nations is not only economically unsound but is in itself a grave danger to peace,

"Conscious of the continuing desire of all nations, by lightening the burden of armaments, to release more of the world's human and economic resources for peace,

"Having received the third report of the Disarmament Commission of 20 August 1953, submitted in accordance with General Assembly resolution 704(VII) of 8 April 1953,

"Endorsing the Commission's hope that recent international events will create a more propitious atmosphere for reconsideration of the disarmament question, the capital importance of which, in conjunction with other questions affecting the maintenance of peace, is recognized by all,

"1. Recognizes the general wish and affirms its earnest desire to reach agreement as early as possible on a comprehensive and co-ordinated plan, under international control, for the regulation, limitation and reduction of all armed forces and all armaments, for the elimination and prohibition of atomic, hydrogen, bacterial, chemical and all such other weapons of war and mass destruction, and for the attainment of these ends through effective measures;

"2. Recognizes that, whatever the weapons used, aggression is contrary to the conscience and honour of the peoples and incompatible with membership in the United Nations and is the gravest of all crimes against peace and security throughout the world;

"3. Takes note of the third report of the Disarmament Commission;

"4. Requests the Commission to continue its efforts to reach agreement on the problems with which it is concerned, taking into consideration proposals made at the eighth session of the General Assembly, and to report again to the General Assembly and to the Security Council not later than 1 September 1954;

"5. Calls on all Member States, and particularly the major Powers, to intensify their efforts to assist the Disarmament Commission in its tasks and to submit to the Commission any proposals which they have to make in the field of disarmament;

"6. Suggests that the Disarmament Commission study the desirability of establishing a sub-committee consisting of representatives of the Powers principally involved, which should seek in private an acceptable solution and report to the Disarmament Commission as soon as possible, in order that the Commission may study and report on such a solution to the General Assembly and to the Security Council not later than 1 September 1954;

"7. Further suggests to the Disarmament Commission, in order to facilitate the progress of its work, to arrange for the sub-committee, when established, to hold its private meetings as appropriate in the different countries most concerned with the problem."

c. STATEMENT BY THE PRESIDENT OF THE UNITED STATES

At the 470th plenary meeting of the General Assembly on 8 December the President of the United States made a statement on the nature of the dangers of atomic warfare and emphasized the urgent need to solve the problems involved by negotiation. The United States, he said, was

prepared to follow the suggestion made by the General Assembly in resolution 715(VIII) for private conversations, in a sub-committee of the Disarmament Commission, of the Powers principally involved to seek an acceptable solution. In those conversations, the United States would work for the transfer of atomic energy from military to peaceful purposes. He concluded his statement with the following proposals:

"The governments principally involved, to the extent permitted by elementary prudence, should begin now and continue to make joint contributions from their stockpiles of normal uranium and fissionable materials to an international atomic energy agency. We would expect that such an agency would be set up under the aegis of the United Nations. The ratios of contributions, the procedures and other details would properly be within the scope of the 'private conversations' I referred to earlier.

"The United States is prepared to undertake these explorations in good faith. Any partner of the United States acting in the same good faith will find the United States a not unreasonable or ungenerous associate.

"Undoubtedly, initial and early contributions to this plan would be small in quantity. However, the proposal has the great virtue that it can be undertaken without the irritations and mutual suspicions incident to any attempt to set up a completely acceptable system of world-wide inspection and control.

"The atomic energy agency could be made responsible for the impounding, storage and protection of the contributed fissionable and other materials. The ingenuity of our scientists will provide special safe conditions under which such a bank of fissionable material can be made essentially immune to surprise seizure.

"The more important responsibility of this atomic energy agency would be to devise methods whereby this fissionable material would be allocated to serve the peaceful pursuits of mankind. Experts would be mobilized to apply atomic energy to the needs of agriculture, medicine, and other peaceful activities. A special purpose would be to provide abundant electrical energy in the power-starved areas of the world.

"Thus the contributing Powers would be dedicating some of their strength to serve the needs rather than the fears of mankind.

"The United States would be more than willing—it would be proud to take up with others 'principally involved' the development of plans whereby such peaceful use of atomic energy could be expedited.

"Of those 'principally involved' the Soviet Union must, of course, be one.

"I would be prepared to submit to the Congress of the United States, and with every expectation of approval, any such plan that would, first, encourage world-wide investigation into the most effective peacetime uses of fissionable material, and with the certainty that the investigators had all the material needed for the conducting of all experiments that were appropriate; second, begin to diminish the potential destructive power of the world's atomic stockpiles; third, allow all peoples of all nations to see that, in this enlightened age, the great Powers of the earth, both of the East

and of the West, are interested in human aspirations first rather than in building up the armaments of war; fourth, open up a new channel for peaceful discussions and initiate at least a new approach to the many

difficult problems that must be solved in both private and public conversations if the world is to shake off the inertia imposed by fear and is to make positive progress towards peace."

O. QUESTION OF MEASURES TO STRENGTHEN PEACE

1. Consideration by the General Assembly at its Seventh Session

In a letter dated 18 October 1952 (A/2229), the representative of Poland requested the inclusion in the agenda of the Assembly's seventh session of the item "Measures to avert the threat of a new world war and to strengthen peace and friendship among the nations".

At the same time Poland submitted a draft resolution, according to which the General Assembly would recommend:

with regard to Korea:¹⁰² (1) the immediate cessation by the parties of military operations on land, at sea and in the air; (2) the return of all prisoners of war to their home countries, in accordance with international standards; (3) the withdrawal from Korea of foreign troops, including the Chinese volunteer units, within a period of from two to three months, and the peaceful settlement of the Korean question on the basis of the principle of unification of Korea, the unification to be achieved by the Koreans themselves under the supervision of a commission, with the participation of the parties immediately interested and of other States, including the States which had not taken part in the war in Korea.

The Assembly, desiring to avert the threat of a new world war, would further recommend: (1) to the Governments of the United States, the USSR, the United Kingdom, France and China—the permanent members of the Security Council—that they reduce by one third within one year their armed forces, including air, naval and auxiliary forces, and submit full data on their armaments; and (2) to the Security Council that it call as soon as possible an international conference for the carrying out by all States of the reduction of armed forces.

The Assembly would also call for the adoption without delay of a decision for the unconditional prohibition of atomic weapons and other weapons of mass destruction and for the establishment of strict international control over the observance of that decision by all States. It would further call on all States which had not acceded to or ratified the Geneva Protocol of 17 June 1923 on the prohibition of the use of bacterial weapons to accede to or ratify that instrument.

Finally, in terms of the draft resolution, the Assembly would: (1) declare participation in the aggressive North Atlantic bloc, which had brought about an ever-growing armaments race and had aggravated international tension, incompatible with membership in the United Nations; (2) call upon the United States, the USSR, the United Kingdom, France and China, to conclude a peace pact designed to bring about the reduction of the armaments of the Great Powers and the strengthening

of peace among the nations; and (3) call upon all other States to adhere to the peace pact.

The First Committee considered the item at its 594th to 604th meetings, from 9 to 16 April 1953.

At the 594th meeting, Poland submitted a revision (A/C.1/L.39) of its draft resolution, to alter that part dealing with Korea and relating to the repatriation of prisoners of war to provide that the General Assembly should recommend to the parties engaged in the war in Korea the immediate resumption of truce negotiations, it being understood that in the course of such negotiations the parties would exert every effort to reach agreement both on the question of the exchange of sick and wounded prisoners of war and on the question of prisoners of war as a whole, endeavouring thereby to remove the obstacles preventing the termination of the war in Korea.

The Polish representative stated that the group of measures contained in the Polish proposal constituted a coherent and logical whole. If adopted and carried into effect, they would make it possible to avert the threat of war and to improve the international situation. It was obvious that there could be no slackening of international tension without the cessation of hostilities in Korea. It was also obvious that the effective co-operation of the five Powers, which must find expression in the conclusion of a peace pact among them, was essential in order to maintain world peace and forestall further acts of aggression. It was, lastly, obvious that the maintenance of peace was incompatible with the armaments race and the production of weapons of mass destruction. Millions of men throughout the world were awaiting the cessation of the war in Korea, peaceful co-operation among the five Powers, the reduction of armaments and the prohibition of weapons of mass destruction.

The Polish proposal was strongly supported by the representatives of the Byelorussian SSR, Czechoslovakia, the Ukrainian SSR and the USSR. They stated that there could be no tranquillity in the world as long as the Korean war had not been

¹⁰² For discussion by the General Assembly at its resumed seventh session of other matters relating to the Korean Question, see under The Question of Korea.

settled. The United Nations should aid directly in the negotiations in Panmunjom and not take a passive stand, as had been advocated by some speakers in order, it was stated, to hamper chances of ending the Korean war by linking its cessation with other questions, such as the conclusion of an armistice and an agreement on prisoners of war. These representatives expressed support for Premier Chou En-lai's recent proposal¹⁰³ that the prisoner issue be settled by turning over to a neutral custody any captive refusing immediate repatriation. An appeal had been made for an end to hostilities, a settlement of the prisoner-of-war issue, the conclusion of an armistice and the restoration of peace. That appeal was in line with the desire for peace of all peoples and would contribute to the strengthening of peace and friendship among the peoples of the Far East, they said.

With regard to the reduction of armaments and armed forces, they recalled that speakers in the Disarmament Commission¹⁰⁴ had argued that such a reduction was impossible without first creating "a favourable atmosphere". But it was perfectly clear that measures for such a reduction would in themselves help to lessen international tension, eliminate suspicion and create that favourable atmosphere. The United Nations should not simply wait for the atmosphere to improve. It was false to argue that a proportionate reduction, as proposed in the Polish draft resolution, would leave the USSR in a preponderant position. It had already been shown that the forces of France, the United Kingdom and the United States were constantly increasing and were twice as numerous as those of the USSR. According to President Truman's message to Congress in 1952, the armed forces of the United States had been increased by over a million in 1951, and the increase had continued since then. In any case, percentages of reduction were of little importance if they did not apply to the air and naval forces as well as land forces. It was well known that the United States air force had more than doubled since 1950 and would be tripled in 1953. The same applied to that country's naval forces. That was why the three Western Powers had ignored the reduction of air and naval forces in their proposal to the Disarmament Commission.

The representative of the USSR also argued that the starting point for disarmament should be a decision to prohibit the atomic weapon unconditionally. In the Disarmament Commission, however, the Western Powers had confined themselves to stating that, if their proposal was adopted, it would constitute a declaration in favour of the prohibition of such weapons. Although that pro-

posal provided for a control system it did not provide for prohibition of atomic weapons. That was tantamount to saying they would continue to be made.

Criticizing the North Atlantic Treaty Organization (NATO) and the programme for the defence of the European community, the USSR representative said that NATO was a violation of the United Nations Charter and participation in that organization was incompatible with membership in the United Nations. NATO's purposes were aggressive; it was a "closed group" operating in the exclusive interests of its members and not promoting the general interest. Moreover, it was set up without provision for any relationship with the Security Council.

It had been claimed that the USSR had also concluded agreements similar to the Atlantic Treaty, but those agreements were of a completely different character; they were defensive agreements against possible aggression by Japan or its allies, or by Germany or its allies. NATO, on the other hand, aimed at including Western Germany with its 25 divisions and at reviving Nazi militarism, the USSR representative stated.

It was incorrect to argue that a peace pact between the Great Powers was superfluous in view of the existence of the United Nations Charter. It was strange that those who argued this way represented States which were members of regional pacts or unions, such as the Inter-American pact, all of which existed side by side with the Charter.

A majority of representatives, including those of Australia, Belgium, Bolivia, Cuba, the Dominican Republic, Ecuador, France, Greece, Israel, the Netherlands, New Zealand, Peru, Thailand, Turkey, the United Kingdom, the United States and Uruguay, maintained that the Polish proposals concerned questions which had already been dealt with by the Security Council, the General Assembly and the Disarmament Commission.

As regards that part of the Polish draft resolution concerning Korea, these representatives found it unacceptable, stating that most of its provisions had already been examined and rejected by the General Assembly. Moreover, it was pointed out, the Polish draft resolution had been conceived in October 1952 and failed, even as revised, to take into account the resolutions passed by the General Assembly in the last six months such as resolution 610(VII)¹⁰⁵, containing the principles for the re-

¹⁰³ See also p. 109, footnote 5.

¹⁰⁴ See under Disarmament.

¹⁰⁵ For text, see Y.U.N., 1952, pp. 201-202.

patriation of prisoners of war which had been rejected by the Chinese-North Korean side. It also failed to take into account the changed atmosphere on the question of the repatriation of prisoners of war. Thus, on 11 April, an agreement had been reached between the United Nations Command and the other side in Korea on the exchange of sick and wounded prisoners of war.

On 30 March, Premier Chou En-lai of the Chinese People's Republic had made new proposals for settling the entire question of the repatriation of prisoners of war. Immediately after the exchange of sick and wounded prisoners, negotiations at Panmunjom would be resumed and there was reason to believe that the new Chinese-North Korean proposals would lead to the removal of the last obstacles to an armistice. Therefore, it was maintained, there was no point in debating parts of the Polish proposals dealing with Korea. Indeed, such a discussion might jeopardize the negotiations in Korea.

Referring to the pan of the Polish proposals dealing with disarmament, these representatives said that they were equally pointless and even harmful. They also ran counter to the decision taken by the General Assembly in resolution 704(VII) of 8 April 1953¹⁰⁶, by which it decided to continue the Disarmament Commission. The proposal concerning a one-third reduction of armaments by the Great Powers had been submitted each year since 1948 and had been rejected each time by the General Assembly. During the seventh session, however, the USSR had not demanded a flat percentage cut of armed forces, but had merely proposed (A/C.1/L.31) the study of practical measures for achieving reduction of armaments and armed forces of all States, particularly those of the Great Powers. That change of attitude had, it was stated, given grounds for hope that the USSR was prepared to negotiate seriously on arms reduction. In those circumstances, it was argued, the Polish proposal represented a step backwards to the rigid formula which had blocked progress in the past.

As regards the proposal calling for the immediate, unconditional prohibition of atomic weapons, that had also been consistently rejected by the General Assembly as inadequate. It was obvious that the exclusive peaceful use of atomic energy could be achieved only if an effective system of international control was first instituted and an agreement reached on the details of the safeguards necessary for the prohibition of atomic weapons.

The question of the Geneva Protocol of 1925, these representatives said, had also been dealt

with. The United Nations had already proposed¹⁰⁷ that an impartial inquiry should be carried out regarding the false USSR charges that the United Nations forces had used germ warfare in Korea, but there had been no response from the USSR and its followers. Moreover, since the question was also before the Disarmament Commission, it did not seem either desirable or necessary to take any action on the matter.

The sections of the Polish draft resolution dealing with NATO and a five-Power peace pact, these representatives held, were also unacceptable. All the pacts in the world would remain mere words unless they were accompanied by a sincere desire to give them practical content. If, it was said, agreement could be reached on such questions as Korea, Austria, the repatriation of German, Italian and Japanese war prisoners, or on the issue of Greek soldiers and children, it would certainly be an augury of peace and hope. Moreover, the United Nations Charter was itself a solemn peace pact. Hence, there was no need for a new pact; all that was required was faithful adherence to the terms of the Charter.

These representatives contended that NATO was a defensive alliance created in accordance with Article 51 of the Charter in pursuance of the right of collective defence acknowledged in that Article. More than 40 States were members of one or more such defensive systems. All the governments participating in NATO were governments of free and democratic peoples and it was unthinkable that they should choose war as an instrument of international policy. The danger would come from those governments which were not based in the free will of the people. These representatives stated that NATO was an open organization and its projects were known to all. However, the military agreements concluded by the USSR were closed, secret and exclusive. The strength of the USSR and its satellites was not known and caused apprehension among the free nations.

During the debate, references were also made to the alleged revival, in certain countries, of anti-semitism, to the dangers of Zionism and to the existence of colonialism, particularly in North Africa.

At the 600th meeting on 14 April, Brazil submitted a draft resolution, which, after two revisions incorporating drafting amendments, provided (A/C.1/L.40/Rev.2) that the General Assembly should, *inter alia*:

¹⁰⁶ See under Disarmament.

¹⁰⁷ See pp. 156-57.

(1) note with deep satisfaction that an agreement had been signed in Korea on the exchange of sick and wounded prisoners of war;

(2) express the hope that the exchange would be promptly effected and that further negotiations would result in an early armistice consistent with United Nations principles and objectives; and

(3) decide to recess the seventh session upon completion of the current agenda items, and request the President to reconvene the seventh session to resume consideration of the Korean question (a) upon notification by the Unified Command to the Security Council of the signing of an armistice agreement in Korea, or (b) when, in the view of a majority of Members, other developments in Korea required consideration of this question.

Introducing the draft resolution, the Brazilian representative stated that, at the current stage, the Committee should neither indulge in an attitude of unwarranted optimism nor despair of progress, ignoring the signs of hope which constituted current political facts. In its draft resolution, Brazil had, therefore, tried to formulate certain points and principles which had found unanimous support in the Committee.

Notwithstanding the diverse points of view, "a minimum area of agreement" had been established in the Committee and his delegation felt that those points of agreement should be stressed.

Several representatives welcomed the Brazilian proposal, which, it was generally agreed, could do nothing to impede progress in the preliminary stages toward a general settlement in Korea.

At the final meeting of the Committee's debate on 16 April, the representative of Poland announced that he would not press for a vote on the Korean provisions in the Polish draft resolution, in view of the new initiative by the Chinese and the North Koreans on the prisoner-repatriation issue, and also in view of the introduction of Brazil's proposal. He added that he would not insist either on a vote on the two other sections of his delegation's draft since the Committee's debate had shown that the problems raised therein called for further consideration than the limited time allowed. Poland, however, reserved its right to raise the problems at the next session.

In accordance with this statement, the Polish draft resolution was not put to the vote, while the Brazilian draft resolution was adopted unanimously.

At the 427th plenary meeting on 18 April 1953, the General Assembly unanimously adopted the draft resolution proposed by the First Committee (A/2386).

Several speakers hailed "this unique unanimity" as an auspicious sign. The representative of Poland

stressed that the Polish decision not to ask for a vote on its own proposal but to support the Brazilian resolution was not an "opportunistic move or mere gesture" but reflected the unchanged policy of the Polish Government to support any genuine peace proposal. At the end of the meeting, the President of the Assembly expressed the good wishes and hopes of all Member States for an early and successful conclusion of the important task being undertaken at Panmunjom.

The resolution (705(VII)) read:

"The General Assembly,

"Reaffirming its unswerving determination to spare no efforts likely to create conditions favourable to the attainment of the purposes of peace and conciliation embodied in the Charter of the United Nations,

"Noting, following the United Nations Command initiative for the exchange of sick and wounded prisoners of war, the communication by the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China dated 31 March 1953 to the President of the General Assembly, and the exchange of communications between the United Nations Command and the Commanders of the Chinese People's Volunteers and the Korean People's Army in regard thereto,

"Confident that a just and honourable armistice in Korea will powerfully contribute to alleviate the present international tension,

"1. Notes with deep satisfaction that an agreement has been signed in Korea on the exchange of sick and wounded prisoners of war;

"2. Expresses the hope that the exchange of sick and wounded prisoners of war will be speedily completed and that the further negotiations at Panmunjom will result in achieving an early armistice in Korea, consistent with the United Nations principles and objectives;

"3. Decides to recess the present session upon completion of the current agenda items, and requests the President of the General Assembly to reconvene the present session to resume consideration of the Korean question (a) upon notification by the Unified Command to the Security Council of the signing of an armistice agreement in Korea; or (b) when, in the view of a majority of Members, other developments in Korea require consideration of this question."

2. Consideration by the General Assembly at its Eighth Session

By a letter dated 21 September 1953 (A/2485/Rev.1), the USSR requested the inclusion in the agenda of the General Assembly's eighth session of the following item: "Measures to avert the threat of a new world war and to reduce tension in international relations". It submitted the following draft resolution:

"The General Assembly,

"Noting that the cessation of hostilities in Korea is an important contribution to the reduction of tension

in international relations, and that it has created more favourable conditions for further action to avert the threat of a new world war,

"Noting, at the same time, that in a number of countries the armaments race, far from abating, is being continued on an even greater scale, and that weapons of mass destruction, as a result of the latest advances in the application of atomic energy for this purpose, are becoming ever more destructive and dangerous for many millions of people,

"With the object of averting the threat of a new world war and strengthening the peace and security of nations,

"1. Declares atomic, hydrogen and other types of weapons of mass destruction to be unconditionally prohibited, and instructs the Security Council to take immediate steps to prepare and implement an international agreement which will ensure the establishment of strict international control over the observance of this prohibition;

"2. Recommends to the five permanent members of the Security Council, the United States of America, the Union of Soviet Socialist Republics, the United Kingdom, France and China, which bear the chief responsibility for the maintenance of international peace and security, that they reduce their armed forces by one-third within one year; and with a view to the alleviation of the burden of military expenditure recommends to the Security Council that it call as soon as possible an international conference for the carrying out by all States of the reduction of armaments;

"3. Recognizes that the establishment of military, air and naval bases in the territories of other States increases the threat of a new world war and operates to undermine the national sovereignty and independence of States;

"The General Assembly,

"Recommends to the Security Council that it take steps to ensure the elimination of military bases in the territories of other States, considering this a matter of vital importance for the establishment of a stable peace and of international security;

"4. Condemns the propaganda which is being conducted in a number of countries with the aim of inciting enmity and hatred among nations and preparing a new world war, and calls upon all governments to take measures to put a stop to such propaganda, which is incompatible with the fundamental purposes and principles of the United Nations."

The First Committee considered the item at its 670th to 677th meetings, from 19 to 27 November 1953. No amendment was submitted to the USSR draft resolution, nor was any other draft resolution presented.

The representative of the USSR, in introducing the resolution, declared that the present item was the most important question in the Assembly's agenda. Great tension existed in international relations and it was necessary to take effective measures to reduce this in order that the peoples of the world could build their lives as they deemed fit. Some parts of the question had been discussed

during the examination of the report of the Disarmament Commission, but it was necessary to consider the whole question in this broader framework. The Soviet Government regarded the problem as of major importance and had repeatedly taken the initiative, both on the diplomatic level and in the United Nations, in trying to solve it. When the USSR had proposed a meeting of the Foreign Ministers of the United States, the United Kingdom, France, the USSR and the People's Republic of China, it had had in mind not only the examination of the German problem and questions concerning the security of Europe, but also the consideration of other measures for reducing international tension. Settlement of the Korean and German questions, for instance, would serve that goal, as would agreement on participation of the Chinese People's Republic in the meeting of the Great Powers, for one could not speak seriously of settling international problems without discussing relations between the United States and the Chinese People's Republic. If agreement concerning such a conference were reached, a concrete step would have been taken towards reducing international tension.

The USSR draft resolution outlined measures which, if adopted and implemented, would have such an effect, he stated. However, influential circles in the West were not interested in reducing tension, because they considered the cold war as a preparatory stage in unleashing a new world war for world domination and because they were extracting vast profits from the cold war and the militarization of their industry, with the attendant armaments race, organization of new military bases, conclusion of new military alliances and stockpiling of atomic bombs, he said.

The strategy of the cold war had had sinister effects on the economic conditions of many countries, particularly those which were economically under-developed. Further, the economy of the United States was rushing headlong into a crisis of over-production, and, as in the past, American monopolies were trying to avoid this crisis by increasing military production and fostering the armaments race. However, those measures could not avert a crisis. On the contrary, the concentration on military production aggravated still further the disproportion prevailing in the capitalist economy, which widened the cleavage of trade between East and West and led to further intensification of international tension. Conversely, the strengthening of economic ties between the East and West would aid in the reduction of such tension.

The USSR representative denied the statements by the three Western Powers that the reduction of international tension was dependent on the Soviet Union. The latter's proposal for a Big-Five conference had been met with the convening of the Bermuda Conference, which, because of its separate character and goals, could only intensify the tension. On the other hand, the USSR proposal to invite the Chinese People's Republic to participate in a conference of the Five Powers would reduce the differences between the East and West. A similar aim was evinced in the USSR proposal for the halting of the armaments race and a substantial reduction of armaments as well as an unconditional prohibition of atomic, hydrogen and other types of weapons of mass destruction and the establishment of strict international control over that prohibition. If there were no prohibition of atomic arms and no strict international control, there would be no progress in solving the problems involved.

The American Baruch-Lilienthal Plan was considered inadequate in many quarters in the United States, but official spokesmen still supported it. Under the guise of a plan to prohibit atomic weapons and establish international control, what was actually contemplated was the establishment of an organ which would not prevent the production of atomic weapons. The USSR representative said that a committee of American scientists had prepared a report which admitted that the Baruch Plan would not require the United States to discontinue production of atomic weapons after the adoption of the plan and the coming into operation of the control organ. Furthermore, considering the eventual composition of the control organ, it was obvious that the rationing, contemplated by the Baruch Plan, of the raw materials necessary to the production of atomic energy would be carried out in such a manner as to frustrate the production of atomic energy for peaceful ends. Thus, the Baruch Plan would kill the application of atomic energy for peaceful purposes but would in no way constitute an obstacle to the utilization of that energy in certain countries for warlike ends.

The United States and other parties to the "North Atlantic bloc", he stated, already possessed more numerous armed forces than the Soviet Union, which had demobilized 33 classes since the war. Therefore, the objections raised to proportional reduction were invalid. The proposals of the three Western Powers for establishing ceilings¹⁰⁸ for the armed forces of the USSR, the United States and China did not take account of the facts. The borders of the Soviet Union could hardly be

compared with the land frontiers of the United States. Furthermore, those States having fewer effectives but possessing tremendous naval and air armadas, as well as strings of military bases in foreign territories in the immediate vicinity of the territories of other States, were much more dangerous than those other States which had their armies situated inside their country.

To reduce international tension, it was also important that efforts should be made to eliminate propaganda designed to foment hatred and enmity against nations. Such propaganda, the USSR representative said, was inimical to peace and international co-operation. He charged that the United States Congress was participating in hate campaigns and that one of its committees on foreign relations had issued literature which was full of such propaganda.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland and the Ukrainian SSR supported the USSR draft resolution and endorsed the views expressed by the USSR representative. They dwelt, among other things, on the necessity, in order to solve international problems, of according the People's Republic of China its rightful place in the United Nations, of removing the threat to the USSR and the peoples' democracies presented by the existence of United States military bases all over the world and of abandoning the policy of rearmament followed by the Western Powers.

In reply, the representative of the United States said that the draft resolution was purely a propaganda move designed to slander the United States.

He recalled that his country and other nations which wanted a reduction of international tension had put forward proposals which might lead to a programme of balanced and effectively controlled reduction of armaments. The Soviet Union, on the other hand, he said, was making no practical attempt to reduce tensions, either in the United Nations or elsewhere.

Various resolutions of the Assembly in past years had put the question of propaganda in its proper perspective and the United States had supported all of them and every recommendation contained in them. They were still operative, and nothing further was needed in the way of resolutions along that line. What was needed was a desire to live up to the spirit of those resolutions.

The United States representative declared that the American Press was free and that the best

¹⁰⁸ See Y.U.N., 1952, pp. 317-19.

means of bringing about a change in its attitude would be for the Soviet Union to change its policy. However, anyone in the United States who did not approve of his local newspaper's attitude to the USSR could buy *The Daily Worker* which was a faithful translation of *Pravda*. He could also listen to Radio Moscow and read the Soviet Union representative's speeches, which were printed in all American papers. In the United States, everyone was free to learn the views of every other country in the world. The United States representative then gave a description of anti-American plays and films in Moscow and articles and cartoons in the Russian Press, and finally declared that there was nothing in the Soviet Union to counteract that type of hate propaganda. There were no free newspapers or radio stations. The USSR Government had devoted considerable efforts to ensuring that the only picture of the United States available to its public was the one turned out by the party propaganda machine.

The United Kingdom representative pointed out that part of the USSR proposal had already been referred for study to the Disarmament Commission, where real progress might perhaps be made if the USSR would permit examination of the problems with which the Commission was concerned.

So far, he declared, the eighth session of the Assembly had not made any real progress. But, while the situation had not improved, it did not appear to have become worse. Experience had shown that there was no simple solution of the problems facing the world. Hope must not lie in the adoption of high-sounding resolutions, but in painstaking and persevering work aimed at solving problems one by one and at courageously seeking new formulas, undaunted by failures and disappointment.

As to the question of disarmament, the United Kingdom representative said the USSR seemed always to direct its propaganda against the type or armaments in which it was weaker or against facilities of which it had no need. That applied to the issue of military bases and also the dissociation of atomic from conventional weapons. The great land mass of the Soviet Union enabled it to move its forces in all directions for offensive as well as defensive purposes. The situation of the United Kingdom, with its small area, was entirely different; its security depended upon its having defensive facilities far from its own shores. The banning of bases in foreign countries would not harm the Soviet Union, but it would gravely impair the collective security of the free world.

The representative of France stated that the Polish delegation had withdrawn a proposal similar to the present USSR proposal in order to reach unanimity on the question of Korea.¹⁰⁹ He suggested that if the USSR withdrew its proposals similar unanimity would be achieved on the draft resolution adopted by the First Committee regarding the conversations to be held on the question of disarmament.¹¹⁰ The five abstentions on that draft resolution might then be converted into affirmative votes in the plenary meeting and the proposed conversations might yield results. He considered that the USSR proposal pursued propaganda aims and lacked real goodwill. That, he said, was proved by the Soviet attitude towards certain problems, such as the question of the Austrian Peace Treaty.

Supporting the views expressed by the representatives of France, the United Kingdom and the United States, the representatives of several other countries, including those of Bolivia, Brazil, Canada, the Dominican Republic, Greece, the Netherlands, Peru, the Philippines and Uruguay, maintained that the USSR draft resolution was basically the same as those submitted in the previous years and consistently rejected by the General Assembly. The USSR, they urged, should co-operate with the overwhelming majority of Members of the United Nations on such questions as those of disarmament and the unification of Germany, and on problems affecting Asia.

In his second intervention, the representative of the USSR replied to, among others, the representative of the United Kingdom. The latter, he said, had claimed that the USSR was trying to isolate the prohibition of atomic weapons, which would be in its interest, from the reduction of conventional armaments, which would not be to its advantage. This idea, according to the representative of the USSR, was based on the illusion that certain countries still had a monopoly of atomic weapons. This monopoly, however, had ended, since the USSR now had atomic and hydrogen bombs. Nevertheless, the USSR persisted in its proposal for the prohibition of those weapons.

At the 676th meeting on 26 November, the Committee voted on the USSR draft resolution (A/2485/Rev.1) paragraph by paragraph. The first paragraph of the preamble was adopted, by 21 votes to none, with 30 abstentions. The rest of the draft resolution was rejected in votes ranging from 29 to 12, with 9 abstentions, to 32 to 5, with 14 abstentions.

¹⁰⁹ See under section 1 of this chapter.

¹¹⁰ See pp. 262-67.

When the First Committee's report (A/2579) was considered by the General Assembly at its 461st plenary meeting on 30 November, the USSR again introduced its draft resolution (A/L.168). A number of representatives explained their votes in accordance with the position they had taken in the First Committee.

The USSR draft resolution was voted on by paragraphs, the first paragraph of the preamble being adopted by 19 votes to 4, with 28 absten-

tions, and the second and third paragraphs being rejected by 29 votes to 7, with 17 abstentions, and 32 votes to 6, with 13 abstentions, respectively. The first operative paragraph was rejected by 34 votes to 5, with 12 abstentions, and the second operative paragraph by 39 votes to 5, with 12 abstentions. Since both operative paragraphs had been rejected, the resolution as a whole was not put to the vote. The Assembly, therefore, adopted no resolution on this agenda item.

P. METHODS TO MAINTAIN AND STRENGTHEN INTERNATIONAL PEACE AND SECURITY

By resolution 503 A (VI) of 12 January 1952, the General Assembly directed the Collective Measures Committee to continue its studies for another year and to report to the Security Council and the General Assembly before its seventh session. The Committee duly submitted its report (A/2215) to the seventh session.¹¹¹

The report was included in the Assembly's agenda under the title: "Methods which might be used to maintain and strengthen international peace and security in accordance with the Purposes and Principles of the Charter: report of the Collective Measures Committee".

The question was considered by the First Committee at its 573rd to 576th meetings, from 12 to 16 March 1953.

The Committee had before it a joint draft resolution by Australia, Belgium, Brazil, Canada, France, the Philippines, Turkey, the United Kingdom, the United States, Venezuela and Yugoslavia (A/C.1/L.27), providing that the Assembly should, *inter alia*,

take note of the second report of the Collective Measures Committee and express appreciation of its constructive work, instruct it to continue its work until the ninth session and to report to the Security Council and the General Assembly not later than that session, and in particular direct it to:

(1) pursue studies to strengthen the capability of the United Nations to maintain peace, taking account of the "Uniting for peace" resolution (377 A (V)),¹¹² Assembly resolution 503(VI)¹¹³ and the proposed resolution;

(2) continue to examine information received from States pursuant to the three resolutions; and

(3) suggest to the Security Council and to the General Assembly specific ways and means to encourage further preparatory action by States.

In accordance with the draft resolution, Member States would be recommended and non-member States invited to give careful consideration to the Committee's reports, to continue and intensify their efforts to carry out the recommendations of the three Assembly resolu-

tions and to keep the Committee informed of their progress in this respect. (For text of resolution as adopted, see below.)

As on earlier occasions, a considerable part of the discussion in the First Committee centred on the question of the legality of the Collective Measures Committee.

The majority of speakers expressed support for the work of the Collective Measures Committee. The sponsors of the joint draft resolution, as well as the representatives of Peru and the Netherlands, emphasized that the task of the Committee was not inconsistent with the powers of the Security Council under the Charter. In this connexion, it was pointed out that the Committee's report had not been presented solely to the General Assembly, but also to the Security Council. The measures recommended in the report were primarily available to the Council and should be employed by the Assembly only if the Council failed to act. But while the Council had primary responsibility for the maintenance of international peace and security, it did not have sole or exclusive responsibility, the representatives of Canada and the Netherlands stated. It was absurd, the representative of the Netherlands continued, to argue that the Security Council alone could act in cases of a breach of the peace, because that would imply that a single Member State could compel 55 other Member States to remain passive in the face of aggression or could prevent them from exercising their right of collective self-defence.

The collective measures, the representatives of Australia, the Philippines, Turkey, the United Kingdom, the United States and Yugoslavia stressed, were not designed for use against any

¹¹¹ See Y.U.N., 1952. pp. 331-32.

¹¹² For text, see Y.U.N., 1950. pp. 193-95.

¹¹³ For text, see Y.U.N., 1951. pp. 188-89.

particular State or group of States. It had been very properly understood, the Yugoslav representative stated, that any attempt to turn the United Nations into a military alliance or an ideological front would be infinitely dangerous.

The representative of the United States declared that the increased capacity of the United Nations Members to combine their strength in case of need would act as an incentive to pacific settlement, since aggressors were tempted to commit aggression only when they thought they could get away with it. The "Uniting for peace" resolution was directed solely against aggression, not against any specific nation or nations. It was a tragedy, he said, that the USSR should see, or claim to see, enmity against itself in the adoption of that and subsequent resolutions in defence of peace. In the electronic age, hours, minutes and even seconds might be decisive. The need for quick action to resist sudden attacks put a premium on advance planning. The Canadian representative likewise stressed that the United Nations should be organized to act quickly.

The representative of Poland, on the other hand, stated that the purpose of the Collective Measures Committee had been to prepare the ground for an illegal transfer of the powers of the Security Council to the General Assembly. Member States, he asserted, did not favour the proposed collective measures. Eighteen States had sent in positive replies to the Committee's requests for information in 1951, while only fourteen had done so in 1952. The representative of Czechoslovakia declared that the item under discussion was designed to deceive public opinion. The activities of the Collective Measures Committee had, he contended, completely confirmed the fact that the so-called system of collective security was an integral part of the aggressive plans and preparations carried out in the interests of the United States monopolists by the United States Government and its associates in the aggressive "Atlantic bloc". Thus, it was not surprising for the United States delegation and its friends in the Committee to express warm appreciation of the work. Hypocritical and untrue assertions could deceive no one and could not conceal the reality that collective measures were a tool of American imperialism directed against the Soviet Union, the peoples' democracies and international peace and security, he said.

The representative of the USSR, in explaining his vote against the resolution, stated that it was clear from the second report of the Collective Measures Committee that one of the objectives was to organize an economic blockade of the USSR, the People's Republic of China and the

peoples' democracies. Moreover, the study of such questions as the equitable sharing of expenses, the question of mobilizing the specialized agencies, the question of a voluntary reserve and the question of the establishment of a group of military experts, he said, demonstrated the fact that the Committee had violated the basic provisions of the Charter in dealing with questions which normally fell within the jurisdiction of the Security Council and its Military Staff Committee. It was not, he said, the rule of unanimity which had prevented the Security Council from functioning, but the constant attempts of the United States and its supporters to circumvent the Council and to carry out their military plans under the flag of the United Nations.

The representatives of Australia, Canada, Saudi Arabia, the Union of South Africa, the United Kingdom and the United States pointed out that the measures proposed in the Committee's report implied no prior commitments on the part of Member States.

The representative of Sweden recalled that his delegation had formerly pointed out that a Security Council decision in pursuance of Article 41 or 42 of the Charter constituted an obligation on Member States. On the other hand, even if the General Assembly approved a recommendation by a two-thirds majority, Member States were not bound by such a recommendation but each State had the right to decide for itself whether it would take part in compulsory measures.

The representatives of Brazil, Egypt, Guatemala, Peru, Mexico and Venezuela emphasized that only the government concerned was in a position to judge the extent of its own ability to contribute to collective measures. The representative of Mexico stated that his Government gave absolute priority to regional commitments. Consequently, Mexico did not feel that there could be an automatic contribution to a United Nations collective action. The Organization of American States had to be guided in that matter, not merely by the United Nations Charter, but also by the principles of the Charter of the Organization of American States and the Inter-American Treaty of Reciprocal Assistance.

The representatives of Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Yemen stated that they would support the draft resolution, with the reservations that their votes would not be construed as limiting the Arab Defence Pact and that nothing would be done under the terms of the resolution, such as occupying a territory of a participating State, without the consent of the State concerned.

Several speakers, among others the representatives of Australia, Belgium, Canada, France, New Zealand, the Philippines and the United States, stressed the importance of the question of sharing equally the burdens resulting from the application of collective measures. The States which made the initial contribution to collective measures would be entitled, the representative of New Zealand stated, referring to the memorandum submitted by his Government to the Collective Measures Committee, to expect that their fellow Members should make haste to supply their own quota of forces. If that was not possible, then the other Members should at least give financial assistance towards the operation or might also be able to participate in collective measures by offering bases or other facilities. This suggestion was supported by the representative of Venezuela. The representative of the Philippines, on the other hand, pointed out that there was a danger in such suggestions, because they might encourage the Member States to make their contributions in other than military forces. He, as well as the representatives of El Salvador and Venezuela, agreed that the question of equitable sharing of the burden should be studied more thoroughly.

While some representatives, including those of Australia and China, felt that the Collective Measures Committee should be made a standing body, other speakers expressed the view that the Committee should only be continued for a limited time to finish up certain points; among other things, to study the Secretary-General's proposal to establish a United Nations volunteer reserve. The representative of New Zealand even doubted that the amount of work to be done justified the continuance of the Committee in its present form. The United Nations should be on its guard to avoid undue complications in international organizations and the continuance of bodies which had completed their work or were too elaborate for the purpose on hand. His delegation nevertheless supported the draft resolution in the hope that further studies would be helpful in rounding out the work already achieved.

The representative of Indonesia explained that he would abstain from voting on the draft resolution, since he felt that the employment of the Collective Measures Committee would only tend to increase international tension and that its terms of reference emphasized coercive measures, disregarding procedures for conciliation. The Indian representative supported this view and he, as well as the representative of Mexico, further expressed the view that the United Nations should

devote itself to a study of measures for the peaceful settlement and conciliation of disputes.

At its 576th meeting on 16 March, the Committee adopted (A/2370) the joint draft resolution by 52 votes to 5, with 2 abstentions.

It was adopted by the General Assembly at its 415th plenary meeting on 17 March 1953, without discussion, as resolution 703(VII). It read:

"The General Assembly,

"Having received the second report of the Collective Measures Committee,

"Affirming the need for strengthening further the system of collective security under the authority of the United Nations,

"Finding that to this end further steps could be taken by States and by the United Nations in accordance with the Charter and in conformity with the "Uniting for peace" resolution (377 A (V)) and with resolution 503(VI),

"1. Takes note of the second report of the Collective Measures Committee and expresses appreciation of the constructive work done by the Committee during the past year, particularly in the economic field, including the preparation of lists of arms, ammunition and implements of war and of strategic items for consideration by the Security Council or the General Assembly in the application of a selective embargo;

"2. Requests the Collective Measures Committee to continue its work until the ninth session of the General Assembly, as directed in paragraph 4 below, for the maintenance and strengthening of the United Nations collective security system;

"3. Recommends to States Members, and invites States not Members of the United Nations:

"(a) To give careful consideration to the reports of the Collective Measures Committee;

"(b) To continue and intensify their efforts to carry out the recommendations of the "Uniting for peace" resolution and of resolution 503(VI);

"(c) To keep the Collective Measures Committee currently informed of the progress they are making in this respect;

"4. Directs the Collective Measures Committee:

"(a) To pursue such studies as it may deem desirable to strengthen the capability of the United Nations to maintain peace, taking account of the "Uniting for peace" resolution, resolution 503(VI) and the present resolution;

"(b) To continue the examination of information received from States pursuant to the "Uniting for peace" resolution, resolution 503(VI) and the present resolution;

"(c) In the light of its studies, to suggest to the Security Council and to the General Assembly such specific ways and means as it may deem appropriate to encourage further preparatory action by States;

"(d) To report to the Security Council and to the General Assembly not later than the ninth session of the Assembly."

Q. ADMISSION OF NEW MEMBERS

1. Report of the Special Committee on the Admission of New Members

General Assembly resolution 620 A (VII) of 21 December 1952¹⁴⁴ established a Special Committee to make a detailed study of the question of the admission of States to membership in the United Nations, examining the proposals and suggestions which had been made in the Assembly and its Committees or which might be submitted to the Special Committee by any Members of the United Nations. The study was to be conducted in the light of the relevant provisions of the Charter, the discussions in the Assembly and its Committees and in the Security Council, the advisory opinions of the International Court of Justice, the other antecedents of the question and the principles of international law.

The Special Committee¹⁴⁵ held eleven meetings, from 31 March to 15 June 1953. After a general debate, it agreed, at its fifth meeting on 22 May, that for convenience of discussion the various proposals and suggestions referred to it by the Assembly or made in the Committee itself should be separated into two groups.

The first group consisted of:

(1) The draft resolution submitted by Peru (A/AC.61/L.30)¹⁴⁶ in the Ad Hoc Political Committee during the seventh session, which, among other things, would have the General Assembly: (a) resolve to note that the opinions, votes and proposals laid before the Security Council concerning the admission of new Members signified that the States whose applications had failed to obtain the recommendation of the Council by reason of the "veto" of a permanent member of the Council were unanimously recognized as fulfilling the conditions required for membership under Article 4, and (b) resolve to consider each of the applications of those States in the light of the purposes and principles of the Charter and of various circumstances set forth in the preamble to the draft resolution.

(2) The joint draft resolution submitted by Costa Rica, El Salvador, Honduras and Nicaragua (A/AC.61/L.31)¹⁴⁷ in the Ad Hoc Political Committee during the seventh session, which would have the Assembly, *inter alia*: (a) deduce, from the San Francisco Statement of the Sponsoring Powers on 7 June 1945 on voting procedure in the Security Council, that the admission of new Members was not subject to the veto but was to be dealt with by procedural vote of any seven members of the Council; and (b) decide to consider separately each pending application and in each case to decide in favour of or against admission in accordance with the merits of the case and the results of a vote taken in the Security Council in conformity with Article 27, paragraph 2, of the Charter.

(3) An Argentine amendment (A/AC.61/L.36)¹⁴⁸ to that joint draft resolution, also submitted in the Ad Hoc Political Committee, which provided for a reference

to the interpretation of the Advisory Committee of Jurists, approved at the San Francisco Conference, recognizing the powers of the Assembly to reject a recommendation to the effect that a given State should not be admitted to the United Nations and accordingly to decide favourably on its admission to membership. The amendment would also have the Assembly resolve to consider each application on its merits and decide on it accordingly.

(4) An explanatory memorandum submitted to the Special Committee by Cuba (A/2400, Annex 5), expressing the view that the question of admission of new Members should be governed by a procedural vote in accordance with the Statement by the four Sponsoring Powers at San Francisco on 7 June 1945. The Security Council, according to the memorandum, had to decide the previous question of whether or not the question of admission of new Members was subject to a procedural vote. The practice of the Security Council had not been consistent in regard to that subject. On one occasion, the Council had concluded that the previous question should be decided by a procedural vote on the basis of a presidential ruling under rule 30 of the provisional rules of procedure. Following that precedent, the Council could thus take a decision in respect of admission of new Members by an affirmative vote of any seven of the members of the Security Council, the memorandum stated.

The second group consisted of the following proposals and suggestions:

(1) An Argentine proposal, submitted to the Special Committee as a working document (A/2400, Annex 6) by which the Assembly would: (a) refer to the general feeling in favour of the universality of the United Nations; (b) state that in admitting new Members the particular circumstances of each applicant State should be considered; and (c) recommend that the Security Council re-examine the applications for admission submitted by Albania, the People's Republic of Mongolia, Bulgaria, Romania, Hungary, Finland, Italy, Portugal, Ireland, Jordan, Austria, Ceylon, Nepal and Libya and make recommendations on each of them to the General Assembly.

(2) An explanatory memorandum submitted to the Special Committee by Egypt and the Philippines (A/2400, Annex 7), which stated the belief that the Special Committee should consider proposals aimed at resolving the political impasse which had prevented the admission of new Members. It was not possible, the memorandum said, to circumvent the rule of unanimity which had been observed in the Council in respect to voting procedure on membership questions. In the circumstances the only possibility of effecting the admission of a number of qualified States was offered by the so-called "package proposal", under which the Security Council would reconsider the simultaneous admission of fourteen applicant States: Albania, the People's Republic of Mongolia, Bulgaria, Romania, Hungary, Finland, Italy, Portugal, Ireland, Jordan, Austria, Ceylon, Nepal and

¹⁴⁴ See Y.U.N., 1952, p. 344.

¹⁴⁵ For members of the Committee, see Appendix I.

¹⁴⁶ See Y.U.N., 1952, p. 337.

¹⁴⁷ See Y.U.N., 1952, pp. 337-38.

¹⁴⁸ See Y.U.N., 1952, p. 338.

Libya. These States would have to fulfil the requirements of Article 4 of the Charter, and in the General Assembly any Member could oppose the inclusion of certain States in the package and present concrete evidence that they did not fulfil those requirements. The admission of two or more States at the same time was not forbidden by any provisions of the Charter, provided they were all deemed to be qualified.

In the conclusion to its report (A/2400), the Special Committee observed that, generally speaking, the proposals and suggestions in the first group envisaged a solution of the problem along the lines of interpretation of the Charter based on the views that the voting procedure of Article 27, paragraph 3, of the Charter did not apply to the admission of new Members and that under Article 4, paragraph 2, it was for the Council to make recommendations but for the General Assembly to decide. Discussion of the first group of proposals and suggestions had made it apparent, however, that such an approach was not generally acceptable, principally on the grounds that the unanimity rule in the Security Council applied to the admission of new Members and that the provisions of Article 4 did not allow the Assembly to admit new Members in the absence of a favourable recommendation by the Council.

The proposals and suggestions in the second group, the report continued, aimed mainly at a political solution of the question, starting from the view that the largest possible number of applicants qualifying under Article 4 should be admitted. However, although the importance of the political aspects of the problem had been recognized, the specific methods suggested had not secured general acceptance. It had been felt that the courses proposed either would not be in strict accordance with Article 4, or, if they were, were not more likely to lead to practical results than earlier recommendations for reconsideration by the Security Council.

The Special Committee, in accordance with the view of many representatives, had agreed that no vote would be taken on the various proposals and suggestions, that no specific recommendation would be submitted to the General Assembly and that the report should be limited to a comprehensive account of the Special Committee's deliberations.

2. Consideration by the General Assembly at its Eighth Session

At the Assembly's eighth session, the item "Admission of New Members" was considered by the Ad Hoc Political Committee at its third to twelfth meetings, from 2 to 15 October.

a. VIEWS EXPRESSED IN THE Ad Hoc POLITICAL COMMITTEE

During the discussions in the Committee, most representatives welcomed the fact that the Special Committee had judged it wiser not to submit any specific recommendations to the Assembly and that it had not committed itself to any one of the various proposals before it.

A number of representatives, including those of Afghanistan, Australia, Belgium, Brazil, Burma, Canada, China, Egypt, France, Greece, India, Indonesia, Israel, Lebanon, New Zealand, Pakistan, Syria, the Union of South Africa, the United Kingdom and Yugoslavia, opposed a solution of the question by means of an interpretation of the Charter by the General Assembly, as had been suggested in the first group of proposals listed by the Special Committee. Several of these representatives regarded the various proposed solutions as involving a departure from the clear meaning of the relevant Charter provisions. They held that it was clear that the rule of the unanimity of the permanent members of the Security Council was applicable to recommendations for the admission of new Members and that, accordingly, such a recommendation could not be adopted by a procedural vote in the Council. In that connexion, reference was made to the fact that Articles 5 and 6 of the Charter, which deal with suspension and expulsion of Members, use language analogous to that of Article 4. The subject matter of those Articles could scarcely be regarded as of a procedural or unimportant nature. It was also pointed out that Article 18, paragraph 2, of the Charter specifically states that the question of admission of new Members is an important matter on which the General Assembly's decisions must be taken by a two-thirds majority of Members present and voting. That being so, it could not be an unimportant or procedural matter for the Security Council. The argument that the wording of Article 4, paragraph 2, meant that the Assembly was the principal organ which finally determined the question of admission had been rejected in the advisory opinion of the International Court of Justice of 3 March 1950, in which the Court had pointed out that the Council and the Assembly were both principal organs of the United Nations, neither being in a subordinate position. However regrettable it might be, the rule of unanimity of the permanent members of the Security Council would be applicable to the admission of a new Member as long as the permanent members wished to exercise it.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and

the USSR also supported the conclusion of the Special Committee's report which stated that a solution along the lines of interpretation of the Charter was not generally acceptable. The Special Committee's conclusion, they held, was correct and in conformity with the Charter. The USSR representative considered that the report and conclusions of the Special Committee showed that the advocates of the policy of favouritism towards certain States and discrimination towards others had suffered a setback. Some members of the Special Committee, he said, had refused to acquiesce in any interpretation of the Charter which was illegal and infringed the principle of unanimity of the permanent members of the Security Council. He considered that the statements of the Egyptian and Philippine representatives in the Special Committee had revealed that the true cause of the deadlock on the question was the policy of discrimination practised by certain Members rather than the so-called obstructiveness of the USSR.

It was also significant, said the USSR representative, that the Special Committee had refrained from supporting the arguments of the opponents of the simultaneous admission of the fourteen States which had submitted applications. The Special Committee had not formulated a definite opinion on the subject, but several representatives had clearly stated that no provision in the Charter prevented the Council from considering simultaneously several applications for admission and from submitting a recommendation favouring the collective admission of those States. He, as well as the representatives of the Byelorussian SSR, Czechoslovakia, Poland and the Ukrainian SSR supported the so-called "package proposal" and contended that the prevailing deadlock was due to the attitude of certain States which made a distinction between "acceptable" and "unacceptable" applicants, whereas neither the Charter nor any other United Nations document contained any stipulation that the United Nations should be an organization of States all having the same political system.

A number of representatives, however, including those of Australia, Belgium, Brazil, Canada, China, Costa Rica, Greece, the Netherlands, the United Kingdom and the United States, opposed the admission of new Members en bloc on the ground that this was not in accordance with Article 4 of the Charter. This Article, it was emphasized, restricted the right of membership to peace-loving States, able and willing to carry out the obligations laid down in the Charter. It implied, they held, that admission should be considered individually and this view, they pointed out, had

been confirmed by the International Court of Justice. Some representatives, including those of Argentina, France, Greece and Pakistan, considered, however, that applicants might be admitted simultaneously but that each should be considered on its own merits.

Fourteen of the nineteen pending applications, the United States representative said, had come from countries which the great majority of Member States judged to be qualified for admission, and which represented a large segment of the world and had differing governmental structures and cultural backgrounds. Those States, however, had been unable to enter the Organization because the USSR veto in the Security Council had closed the door. Nevertheless, the USSR intended to trade its vote in the Security Council in support of nine of those States for admission of the five States sponsored by the USSR, which would mean the United Nations would have to abandon the principles and provisions of Article 4. The United States Government, he said, would not accept a deal made in disregard of principles because, if the "package" proposal were accepted, it would imply that the five States sponsored by the USSR were "peace-loving" which his Government was unable to admit. Although it was anxious that the fourteen States fulfilling all the requirements should enter the United Nations, his delegation considered it more important for the Organization to maintain its integrity as an organ for the preservation of peace.

The representatives of Australia, the Netherlands, New Zealand and the United Kingdom supported the views expressed by the United States representative, emphasizing that the deadlock was due to the indiscriminate use of the veto by the USSR.

However, some representatives, in particular the representative of Burma, considered that applicants were being kept from membership not because they lacked qualifications, but because they were "candidates of the other side". It was true, said the Burmese representative, that the USSR had been using the veto, but it should be remembered that since 1951 the USSR had been one among eleven. The other Great Powers had had sufficient support from like-minded Members to prevent a Soviet-sponsored applicant from receiving the necessary majority, thus avoiding the individual use of the veto, which any Great Power might use defensively if it found itself similarly isolated.

The representatives of Argentina, Costa Rica, Cuba, El Salvador, Honduras and Peru favoured solution of the problem by interpretation of the

Charter and repeated the arguments put forward in support of the various proposals sponsored by their delegations in the Ad Hoc Political Committee at the previous session of the General Assembly and in the Special Committee. Similar views were expressed by the representatives of Chile, the Dominican Republic and Turkey, among others. The sponsors of the proposals in question, however, indicated that they would not insist on a vote on those proposals for the time being, pending completion of the work of the Committee of Good Offices, as proposed by Peru (see below).

A number of representatives, including those of Afghanistan, Bolivia, Burma, Colombia, Denmark, Egypt, Guatemala, Honduras, India, Indonesia, Iran, Liberia, Mexico, Norway, Pakistan, the Philippines, Sweden, Syria, and Yugoslavia, laid particular stress upon the principle of the universality of the Organization. The United Nations, it was stated, could not be the monopoly of the privileged nations at the expense and to the detriment of other nations. The Charter was based on the principle of the peaceful coexistence of all political, economic and social systems of the world.

b. DRAFT RESOLUTIONS BEFORE THE Ad Hoc POLITICAL COMMITTEE

The Committee had before it three draft resolutions, one submitted by Peru (A/AC.72/L.1) which was revised twice (A/AC.72/L.1/Rev.1 & 2) to incorporate certain amendments proposed during the discussion (see below), and two draft resolutions by the USSR (A/AC.72/L.2 & A/AC.72/L.5).

The Peruvian draft resolution, in its original form, provided that the General Assembly:

(1) having examined the report of the Special Committee on Admission of New Members;

(2) considering that the aims of the Charter of the United Nations would be furthered through the co-operation of all peace-loving States;

(3) considering that efforts of the General Assembly to facilitate the admission of new Members had not met with success;

(4) believing that a new effort to find a solution to the problem of admission of new Members should be without prejudice to the juridical positions maintained by individual Member States and to any further consideration of the subject by the Assembly;

(5) would decide to establish a Committee of Good Offices, consisting of representatives of three Member States, empowered to consult with members of the Security Council with the object of exploring the possibilities of reaching an understanding which would facilitate the admission of qualified new Members, in accordance with Article 4 of the Charter.

The Committee would report to the General Assembly as appropriate.

Argentina submitted an amendment (A/AC.72/L.3) to this draft at the third meeting on 2 October, to delete the first and third paragraphs of the preamble, to reword the beginning of the fourth paragraph and to provide that the proposed Committee of Good Offices should report to the General Assembly on the results of its consultation within four weeks after the approval of the resolution.

The amendment was withdrawn at the sixth meeting of the Committee on 7 October, as a result of statements by various representatives who held that such a time limit should not be set upon the proposed Committee. The representative of Peru, however, accepted the suggestion of the representative of Argentina that the third paragraph of the preamble of the Peruvian text should be deleted. A revised version of the Peruvian draft resolution (A/AC.72/L.1/Rev.1) omitted that paragraph.

The following amendments were submitted to the revised Peruvian draft resolution:

(1) A Cuban amendment (A/AC.72/L.6), to substitute for the provision that the proposed Good Offices Committee would report to the Assembly as appropriate a provision that the Committee would submit a report on its work to the Assembly not later than the ninth session.

(2) A USSR amendment (A/AC.72/L.7) to the Cuban amendment, to provide that the proposed Good Offices Committee should be requested to report to the eighth session of the General Assembly.

(3) A Lebanese amendment (A/AC.72/L.8) to the revised Peruvian text, providing that the proposed Committee should submit a report to the eighth, or, at the latest, to the ninth session of the General Assembly.

(4) A joint amendment by France and Mexico (A/AC.72/L.4), to insert a new paragraph to the effect that the General Assembly consider that universality of membership in the United Nations was subject only to the provisions of the Charter.

At the twelfth meeting on 15 October, the representative of Peru submitted a second revision of his draft resolution (A/AC.72/L.1/Rev.2), incorporating the amendments of Cuba (A/AC.72/L.6) and of France and Mexico (A/AC.72/L.4). He also accepted an earlier suggestion made by the representatives of Indonesia and Pakistan to delete the word "qualified" from the first operative paragraph.

During the discussion, most representatives expressed support for the Peruvian draft resolution either in its original form or as revised. No speakers expressed opposition to the draft resolution. A number of representatives, including those

of the United States and the United Kingdom, declared that they interpreted the revised draft resolution as precluding any political understanding not strictly in accordance with the provisions of the Charter, and that they considered that the proposed Committee would have no authority to negotiate the "package" proposal for admission.

At its twelfth meeting on 15 October, the Committee voted on the revised draft resolution and the amendments. The preamble and the first operative paragraph of the resolution were each adopted by 57 votes to none. Prior to the vote on the preamble, the USSR representative requested that his abstention be recorded on the second paragraph, which had originally been the French-Mexican amendment. The Committee, by 56 votes to none, with 1 abstention, adopted a Brazilian oral proposal that the Committee of Good Offices should consist of representatives of Egypt, the Netherlands and Peru. It rejected, by 30 votes to 5, with 20 abstentions, the USSR amendment (which had become an amendment to the revised Peruvian draft resolution following the inclusion in that draft of the Cuban amendment) and adopted the Lebanese amendment by 23 votes to 11, with 23 abstentions.

The revised draft resolution, as amended, was adopted unanimously.

The first USSR draft resolution (A/AC.72/L.2) provided that the Assembly should request the Security Council to reconsider the applications of Albania, the People's Republic of Mongolia, Bulgaria, Romania, Hungary, Finland, Italy, Portugal, Ireland, Jordan, Austria, Ceylon, Nepal and Libya, with a view to making a recommendation for the simultaneous admission of these States to membership in the United Nations.

The draft resolution was opposed by, among others, the representatives of Australia, Brazil, Canada, China, Costa Rica, El Salvador, France, Greece, Honduras, the Netherlands, New Zealand, Nicaragua, the Union of South Africa, the United Kingdom, and the United States, on the ground that it ran counter to the provisions of Article 4 of the Charter and to the advisory opinion of the International Court of Justice of 28 May 1948, which had held that a Member State was not juridically entitled to make its consent to the admission of a State dependent on conditions not expressly laid down in Article 4, paragraph 1, and that it could not subject its affirmative vote to the additional condition that other States be admitted at the same time.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR, on the other hand, held that the USSR

proposal was the only possible and fair solution of the deadlock which had resulted from the discriminatory policy followed by certain Member States. Other representatives, including those of Argentina, Burma, Denmark, Egypt, India, Indonesia, Lebanon, Mexico, Norway, Pakistan, Sweden and Syria, supported the proposal on the ground that it constituted a serious attempt to arrive at a compromise or at least showed the direction in which a solution could be found. Some of these representatives, including those of Argentina, Burma and Pakistan, however, regretted the exclusion of certain applicant States from the list in the USSR draft resolution.

In view of the discussion, the USSR representative indicated at the tenth meeting on 13 October that he would not insist on this draft resolution being put to the vote.

Meanwhile, at the ninth meeting on 12 October, he submitted a second draft resolution (A/AC.72/L.5) by which the Assembly:

(1) considering that the Treaties of Peace with Bulgaria, Hungary, Romania, Finland and Italy specially provided that the Allied and Associated Powers would support the applications of those States for membership in the United Nations;

(2) considering that those States had applied for admission in 1947;

(3) would request the Security Council, as a first step towards settling the question of the admission of new Members, to re-examine the applications of those States with a view to adopting a recommendation for the simultaneous admission of all of them to membership in the Organization.

The representative of the USSR stressed the obligation undertaken in the Treaties of Peace by the Allied and Associated Powers and expressed the hope that some of the Governments that had not fulfilled that international political obligation would be prepared to support the applications of these five States as a first step towards breaking the deadlock on admission and easing political tensions.

The majority, however, found this proposal less acceptable than the USSR proposal for the simultaneous admission of the fourteen States. Among those who had supported the first USSR proposal, some representatives, including those of Argentina, Denmark, Lebanon, Pakistan and Syria, regarded the second draft resolution as a move in the wrong direction, since it restricted, rather than increased, the number of applicants to be admitted. The representatives of the Union of South Africa, Greece and New Zealand, among others, pointed out that the clause of the Peace Treaties to which reference was made in the draft resolution, was merely an "enabling clause" and involved no

automatic commitment on the part of the Allied and Associated Powers to support those applications. Moreover, the New Zealand representative said, Article 103 of the Charter made it clear that obligations under a treaty were secondary to obligations under the Charter.

Following the adoption of the Peruvian draft resolution, the representative of the USSR stated that, pending completion of the work of the Committee of Good Offices, he would not insist on a vote on the second USSR draft resolution (A/AC.72/L.5).

c. RESOLUTION ADOPTED BY
THE GENERAL ASSEMBLY

The draft resolution recommended by the Ad Hoc Political Committee (A/2520) was unanimously adopted by the General Assembly at its 453rd plenary meeting on 23 October 1953, as resolution 718(VIII). It read:

"The General Assembly,

"Having examined the report of the Special Committee on Admission of New Members,

"Considering that universality of membership in the United Nations is subject only to the provisions of the Charter,

"Considering that the aims of the Charter of the United Nations would be furthered through the co-operation of all peace-loving States,

"Believing that a new effort to find a solution to this problem should be without prejudice to the juridical positions maintained by individual Members of the United Nations and to any further consideration of the subject by the General Assembly,

"1. Decides to establish a Committee of Good Offices, consisting of the representatives of Egypt, the Netherlands and Peru, empowered to consult with members of the Security Council with the object of exploring the possibilities of reaching an understanding which would facilitate the admission of new Members in accordance with Article 4 of the Charter;

"2. Requests the Committee of Good Offices to submit a report on its work to the General Assembly at its eighth or, at the latest, at its ninth session."

R. MATTERS BROUGHT TO THE ATTENTION OF THE SECURITY COUNCIL BUT NOT DISCUSSED

1. Reports on the Trust Territory of the Pacific Islands

By letter to the Secretary-General dated 2 April 1953 (S/2978), the representative of the United States notified the Security Council that, effective 2 April 1953, Bikini Atoll in the Trust Territory of the Pacific Islands was closed for security reasons, pursuant to the provisions of the Trusteeship Agreement, in order that the United States Government might conduct necessary atomic experiments. Entrance into the closed area would be in accordance with such regulations as the United States Government might prescribe.

On 17 April 1953, the Secretary-General transmitted to the Security Council the annual report of the United States Government on its administration of the Trust Territory of the Pacific Islands (S/2989)¹¹⁹ for the period from 1 July 1951 to 30 June 1952. The Security Council did not discuss the report during 1953.

2. Communication from the Permanent Representative of Guatemala to the United Nations

By letter dated 1 April 1953, addressed to the Secretary-General, the permanent representative of Guatemala described a series of developments since the Guatemalan revolution of 1944 amounting, he stated, to open hostility and a threat of intervention in the internal affairs of the Republic of Guatemala.

By letter dated 15 April 1953 (S/2988), he requested that this communication be placed before the Security Council at its next meeting so that high authority might take note of the facts described therein and the declaration made by the Guatemalan Government.

¹¹⁹ For the report of the Trusteeship Council on this Trust Territory, see p. 589ff.

III. Economic and Social Questions

A. WORLD ECONOMIC SITUATION

At its fifteenth session, held at United Nations Headquarters from 31 March to 28 April, the Economic and Social Council made its annual review of the world economic situation, in accordance with the recommendation of the General Assembly in resolution 118(II).

1. Reports before the Economic and Social Council at its Fifteenth Session

The Council's discussion was based primarily on the Secretary-General's report on world economic conditions, entitled *World Economic Report 1951-52* (E/2353/Rev.1),¹ supplemented by a *Review of Economic Conditions in the Middle East 1951-52* (E/2353/Add.1 & Corr.1).² Also before the Council were: (1) a report entitled *Aspects of Economic Development in Africa* (E/2377 & Corr.1); and (2) the *Review of International Commodity Problems, 1952* (E/2354).³

World production, as calculated from official government data, rose to a new high level in 1952, stated the *World Economic Report*. But the rate of expansion, particularly of industrial production—which had been rapid since 1949—slowed down considerably.

From 1950-51 to 1951-52, production of food rose only 1 per cent, thus barely keeping pace with the population growth. International trade, measured at constant prices, was slightly lower in the first three quarters of 1952 than in the corresponding period of 1951. However, there appeared to have been an upturn in both trade and industrial production in a number of countries towards the end of 1952.

In the economically developed private enterprise economies, production rose, on the average, by some 2 per cent from 1951 to 1952. The decline in the rate of increase in production was due chiefly to a marked fall in the rate of accumulation of inventories. While the demand for capital goods was sustained at or near the level of the growing productive capacity, the demand for articles of consumption other than

food, especially textiles, from mid-1951 to mid-1952, was less than that required to keep the industries producing them working at capacity. Despite the substantial increase in resources devoted to arms production, there was a general rise in civilian supplies—and hence real consumption and real wages.

The centrally planned economies continued to devote a high proportion of national income to capital formation, in accordance with their policy of rapid industrial expansion, simultaneously with their heavy military expenditures. High percentage increases in industrial production were reported; agricultural output, however, developed rather slowly. In some countries, increases in the supply of consumer goods were sufficient to permit a rise in real wages, but in others the food supply position deteriorated.

Generally speaking, industrial production in under-developed countries increased during 1951 and 1952. The high rate of expansion of inventories of imported manufactures characteristic of 1950-51 was reduced in 1951-52. The fall in external demand for exportable raw materials, however, was reflected in a piling up of many raw material inventories. In most cases, the major factor in determining the trend in consumption was the level of food supply. In some countries the inadequacy of food supplies tended to generate or sustain upward spirals of wages and prices. In a number of countries in Asia, however, food supplies were adequate to enable consumption to be maintained or increased.

Towards the end of 1950 and early in 1951, international trade expanded sharply under the impact of a general rise in economic activity and, in particular, of an accumulation of inventories in both industrialized and under-developed economies. In 1952, on the other hand, the levelling off in economic activity and the decline in the rate of accumulation of inventories was associated in

¹ U.N.P., Sales No.: 1953.II.C.

² U.N.P., Sales No.: 1953.II.C.1.

³ U.N.P., Sales No.: 1953.II.D.1. For a further discussion of commodity problems see below, under *International Commodity Arrangements*.

many cases with a fall in the demand for imports. Moreover, a number of countries which had encountered balance-of-payments difficulties in 1951 were compelled in 1952 to reduce their imports either through the use of disinflationary fiscal and credit policies or import restrictions, or both.

Those developments were accompanied by significant fluctuations, not only in the quantum but also in the terms of trade. Both factors were involved in the fluctuations in the balance of payments between industrialized and primary producing countries from 1950 to 1952. Changes in balances among the industrialized countries, however, were associated primarily with differences in the timing of the expansion and subsequent contraction of their imports.

The World Economic Report further stated that while trade between the centrally planned economies and the rest of the world had declined since pre-war years, the quantum of trade within both groups of countries had expanded substantially owing to an intensification of trade among the countries of each group.

Significant economic progress had been made since the early post-war years, the Report recorded. But there were still three areas of continuing economic difficulty: the maintenance of economic stability, the persistent disequilibrium in international payments and the relatively slow development of the under-developed countries. As to stability, the Report stated that by the beginning of 1953 inflationary pressures had subsided in most countries. Although the possibility of deflationary developments could not be excluded from consideration, there were many elements in the current situation in support of demand. Experience from 1950 to 1952, however, illustrated the sensitivity of balances of international payments to even moderate fluctuations in internal demand. The elaboration of measures to mitigate the international impact of domestic instability continued, therefore, to call for international discussion.

As to international economic disequilibrium, the Report noted a reduction in dollar deficits in the course of 1952, but the improvement was precarious. Further adjustments in the pattern of international trade would be required for dollar accounts to be balanced without economic aid.

Fluctuations in the prices of many primary commodities, such as had occurred in recent years, the Report also stated, led to abnormal fluctuations in real income in under-developed countries, tended to subject their economies to periodic dis-

tortion and made it extremely difficult for them to budget for an orderly programme of economic growth. Attempts to diversify the productive capacities of these countries had encountered great obstacles, of which the lack of elasticity in the supply of food was among the most important. The tempo of economic development could be substantially accelerated with the aid of resources borrowed from industrialized countries. An expanded flow of capital to under-developed countries could, in fact, advance progress towards the solution of all three types of basic problems confronting the world.

The Review of Economic Conditions in the Middle East 1951-52 pointed out that development made only slow progress in the region as a whole during 1951 and 1952, but with wide differences in this respect among the various countries. While the region's terms of trade had previously improved, following the rise in prices of raw materials in international markets, the reversal of this trend towards the end of 1951 and the beginning of 1952 tended to remove the stimulus to economic activity provided by higher export prices. In some countries internal factors tended to intensify the effects of these international trends while in others such factors exerted an offsetting influence. The region's production of crude petroleum rose by 10 per cent in 1951 and 8 per cent in 1952, while the production of refined products dropped by approximately 17.5 per cent in 1951 because of the cessation of oil exports from Iran. The benefits derived by the major oil-producing countries in the Middle East showed a considerable increase; several new profit-sharing agreements were concluded between oil companies and individual governments.

The first part of the report entitled Aspects of Economic Development in Africa dealt with the expansion of the exchange economy in tropical Africa and analysed the relationship between subsistence production and cash earning activities. From the point of view of economic development, it noted, the most characteristic feature of virtually the whole of tropical Africa was the fact that the indigenous inhabitants were in process of transition from almost complete dependence on subsistence activities to participation in various forms of cash earning. Although cash income had become for most indigenous inhabitants of tropical Africa a necessary support to established standards of living, their basic means of livelihood was supplied, as a rule, by subsistence agriculture.

Major developments in African trade and production were summarized in the second part of this report, which also described official economic

plans in the Belgian Congo and the British and French territories. During 1951, it observed, expenditures on development plans in the dependent territories were generally at a higher level than in 1950, partly as a result of higher prices and partly because of the increasing number of projects under way.

The Review of International Commodity Problems, 1952, prepared by the Interim Co-ordinating Committee for International Commodity Arrangements, noted the change during the previous five years in opinion about the purpose of commodity agreements. Increased attention was being given currently to the general problem of avoiding instability in the prices of primary commodities and less to the particular problem of dealing with burdensome surpluses. The Review also drew attention to the consideration of commodity problems at the fourteenth session of the Council on the basis of the report entitled Measures for International Economic Stability (E/2156). This debate, according to the Committee, was the first major international discussion of general commodity problems since the drafting of the Havana Charter for an International Trade Organization.

2. Consideration by the Economic and Social Council at its Fifteenth Session

The Economic and Social Council discussed the world economic situation specifically at its 688th to 694th and 697th to 698th plenary meetings, from 16 to 21 and on 23 April 1953.

In discussing the world economic situation in the light of developments in their own countries, many representatives stressed that concerted world-wide action was required to solve the major economic problems, since the world economy constituted an indivisible whole.

The economic period under review was described by the representatives of Australia, Belgium, the United Kingdom and the United States, among others, as one of reaction to the 1950-51 boom, with inflationary pressures generally in check.

There was general agreement with the observation of the French representative that rearmament had not had as adverse an effect on the economic situation as originally expected, since countries carrying the major burden of rearmament had been able to increase the supply of consumer goods and the output of capital equipment for export to less developed countries. Though

the boom had not been followed by a depression, the situation did, however, call for concerted action for maintaining world demand, the Swedish representative, for instance, stressed. The representatives of some countries, including Australia and Belgium, stated that consumer goods industries had already felt the decline in demand, but that production during 1952 had been high in industries benefiting directly or indirectly from rearmament, and that, in general, unemployment had remained low. The United States representative, however, reported that the period had been one of balanced growth in all branches of the economy in his country.

The slower rate of increase in industrial production was not regarded by the United Kingdom and United States representatives as a cause for alarm, provided it proved to be only a temporary adjustment from the 1950-51 boom. But representatives of developed countries—the United Kingdom, for example—believed it to be a major task of governments to watch the trend of demand so that measures could be taken if there appeared to be a serious danger of the growth of unemployment. In this connexion, the Swedish representative made mention of the study requested by the Council at its fourteenth session on the means of promoting and maintaining full employment while avoiding inflation.⁴

Some representatives of the developed countries, including the representatives of France, Sweden and the United Kingdom, emphasized that the maintenance of economic stability in the United States and other creditor countries was indispensable, as even moderate fluctuations in their domestic economic activity might well have profound repercussions on the world economy.

The Swedish representative was concerned because world income was currently more unevenly distributed than in the pre-war period and the gap between the industrialized and the underdeveloped countries was growing wider as world income increased. The representatives of France, the United Kingdom and the United States were among those who pointed out that food production was a cause for anxiety because it continued to lag behind the growth in industrial production and had not kept pace with the increase in the world's population. The representative of the United Kingdom said that the primary producing countries, which had at first benefited from the increased demand for primary commodities, were now suffering from the instability in prices of

⁴ See Y.U.N., 1952, p. 403; see also below, under Full Employment.

these goods which had adversely affected their capacity to import. Steps should be taken to avoid excessive fluctuations in the supply of and demand for primary products, he said, reaffirming his Government's support of international commodity agreements. Representatives of developed countries, including those of Australia, Belgium, Sweden, the United Kingdom, and the United States, continued to uphold the need for expediting the development of the under-developed countries. While some progress had been made in encouraging the flow of capital to those countries, their progressive industrialization required further efforts. The point, however, was also made — by the United States representative — that responsibility rested with the under-developed countries themselves to establish a climate favourable to foreign investment.

The economic period under review, it was also noted by the Belgian and United Kingdom representatives, had been marked by a continuing disequilibrium in international trade and payments. Since these difficulties persisted in spite of the growth in production and world trade and of the subsiding inflationary pressures, the Belgian, French and Swedish representatives felt, problems of the structure of economies were involved. In this connexion, the Belgian and French representatives stressed the need for a triangular system of international trade in which, among other things, Western Europe would gain a larger share in the markets of under-developed countries, while the latter countries would receive dollar surpluses both from their exports of merchandise to the dollar area and from an inflow of dollar capital. The Yugoslav representative, however, considered that the problem of international balance could not be solved by an effort to dictate a reorganization or reorientation of trade. It could only be solved through a fundamental change in the sphere of production, involving a more rapid economic development of under-developed countries.

The United Kingdom representative considered that gold and dollar reserves were inadequate to absorb the effects of the violent swings in balances of payments which had recently been experienced, so that many countries had had to resort to import restrictions. Full co-operation in achieving equilibrium in world trade was urged by the representatives of Belgium, France, Sweden and the United Kingdom, among others. Points which they stressed in this regard included the following: a high level of domestic activity should be encouraged; domestic inflation should be avoided; and international trade in goods and services should

not be impeded by excessive tariffs or protectionist practices, especially in leading creditor countries.

The unfavourable effects of recent economic trends on the development of under-developed economies were described by the representatives of Cuba, Egypt, the Philippines and Venezuela, among others. The prices of most primary commodities exported from under-developed countries had fallen sharply, they observed, while prices of manufactured imports had remained relatively high, or else levelled off more slowly. As a result, the terms of trade of such countries had deteriorated sharply, and their external deficits had grown. It was pointed out by the representatives of Argentina, Cuba, the Philippines and Venezuela that fluctuations in external demand and in terms of trade caused very considerable economic difficulties in those under-developed countries which depended on the production and export of a few raw materials.

The under-developed countries were very much at the mercy of the forces governing international trade; during the period of sharp increases in external demand and prices for raw materials in 1950 and the first half of 1951, intense inflationary pressures had been encountered. Subsequently, primary products had been the first to be hit when demand had begun to waver and prices had fallen in mid-1951. Within a few months some countries had passed from relative prosperity to a situation of great difficulty. Many of these countries had had to tighten import restrictions and reduce internal demand, so that standards of living had declined.

The representatives of India and Venezuela felt that the problem of world food production deserved the most urgent attention and that the Council should recognize the need for studying it closely in the future. The Argentine representative pointed out, however, that those under-developed countries which were also food-producing countries should not be expected to specialize in that activity to the extent of neglecting their integrated economic development.

The need for diversifying and industrializing the economies of under-developed countries was also stressed by the representatives of Argentina, Cuba, Uruguay, Venezuela and Yugoslavia. But they also emphasized, as did the representatives of the Philippines and Turkey, that, without aid from abroad, national efforts would not suffice to narrow the gap in living standards between developed and under-developed countries. A continuing problem, in their view and in the view of the Egyptian, Indian, Philippine and Turkish representatives, was that of maintaining a substantial

flow of capital from developed countries for financing economic development in under-developed countries. The Cuban representative pointed out that private investors in the industrialized countries still tended to place their capital principally in extractive industries, while public investment, though rising, remained inadequate for general development needs. The Philippine representative was among those who expressed the hope that, if the world political situation continued to improve, the Council, at its sixteenth session, might consider recommendations for setting up a special fund for grants-in-aid and low-interest, long-term loans to help speed the economic development of under-developed countries.⁵

The Indian and Uruguayan representatives maintained that better opportunities to enable under-developed countries to market their products and to increase their exports were a prerequisite to the economic development of these countries. There was a great need for more flexible import regulations and general trade policies on the part of the great importing countries and for the development of a truly multilateral system of trade. For some under-developed countries the lack of convertibility of currencies remained a problem, and the Uruguayan representative pointed out that the Economic Commission for Latin America (ECLA) was considering the possibility of the participation of Latin American countries in a payments union.

The representative of Egypt made the further point that inflationary pressures associated with rearmament in the developed countries had had disturbing effects on under-developed economies. The latter, said the Philippine representative, could best develop in an atmosphere of lasting peace.

Hopes for a possible expansion of East-West trade were voiced by the representatives of India, France and Sweden, who also hoped for a greater flow of consumer and capital goods towards the under-developed countries.

The representatives of Czechoslovakia, Poland and the USSR, which have centrally planned economies, contended that large-scale rearmament in North America and Western Europe had aggravated the economic situation in those regions, raising the cost of living and increasing taxes without a matching rise in wages, thus reducing the real per capita income and lowering the standards of living of the working classes, while at the same time large corporations and industrial monopolies made enormous profits. They stated that lowered production for the civilian market in

developed countries was directly attributable to the drive for production of armaments, with a resulting rise in unemployment and fall in consumption, an increased imbalance in international trade and a contraction of markets. Western Europe was being forced out of its traditional markets, competition on the capitalist market had been intensified by the economic expansion of Western Germany and Japan, and there had also been an increase in the disequilibrium of trade between the developed and under-developed countries. The lag in food production was attributed by these representatives to the economic and social conditions in capitalist countries, especially those which were rearming. The conditions underlying the present economic situation could not properly be regarded as transitory but were due to the economic preponderance of the United States, whose protectionist policy, they said, added to the difficulties of countries wishing to export their goods to that country.

In their own countries, stated these representatives, production of both capital and consumer goods had increased. Per capita purchasing power and consumption had also increased considerably and great progress had been made in raising cultural standards. There was no unemployment. The economies of these countries were immune to depressions and ensured a steadily rising standard of living for the people.

International trade, in the opinion of the representatives of Czechoslovakia, Poland and the USSR, was passing through a critical period, a situation made worse by the disruption of trade between the capitalist world and the centrally planned economies. The intensified commercial links among the centrally planned economies did not mean that these countries were unwilling to maintain commercial relationships with the capitalist countries. It was necessary to develop international co-operation in the economic field based on respect for equal rights and national sovereignty, regardless of the economic system.

The representative of the International Confederation of Free Trade Unions (ICFTU) noted that, in spite of rearmament, real consumption and real wages had risen in free enterprise countries as a whole, but recommended that governments give close consideration to the problem of reconversion to the production of consumer goods and services in order to avoid a recession. The representative also urged governments to resist the temptation to fight inflationary pressures by unduly restrictive measures which would have

⁵ See below, under Economic Development of Under-Developed Areas.

serious adverse effects on living standards. ICFTU recommended consideration of a special fund for the development of economically under-developed countries, and maintained that under-developed countries should be assured of steady markets and steady foreign exchange earnings. ICFTU also supported the European Coal and Steel Community and international commodity agreements.

According to the representative of the World Federation of Trade Unions (WFTU), the most serious problem for the worker was unemployment. This, he said, had increased in the capitalist world while food production and consumption lagged and the cost of living had risen, thus causing a decline in the standard of living. These difficulties were the result of the rearmament drive. This representative also noted a slackening in industrial production in the capitalist countries, in marked contrast to trends in the centrally planned economies. However, WFTU was glad to note evidence of growing trade between some capitalist and socialist countries during this period.

The representative of the International Federation of Christian Trade Unions (IFCTU) asked the Council to consider steps to equalize the distribution of national income, and expressed the hope that some of the recommendations of the United Nations and the Food and Agriculture Organization of the United Nations (FAO) for increasing production of foodstuffs might be put into practice on a large scale without delay. IFCTU commended technical assistance and the steps taken toward economic integration in various parts of the world and expressed the hope that the Council's work would lead to positive measures to avert an economic recession.

At the conclusion of the debate, the Council had before it two draft resolutions proposed by Uruguay. In the first (E/L.497), Uruguay proposed that the Council, bearing in mind the incidence of fluctuations of marine and war freight and insurance rates on the ceiling prices of primary commodities purchased by the industrial countries, should recommend that ceiling prices, when established, be based on values f.o.b. port of shipment. Uruguay withdrew this proposal after the Council had agreed to request the Secretary-General to refer the draft resolution together with the records of the discussion to the Group of Experts established under General Assembly resolution 623(VII).

The second Uruguayan draft (E/L.496), resubmitted as a joint proposal by Argentina, Uruguay and Venezuela (E/L.499), was adopted by the Council by 9 votes to none, with 9 ab-

stentions, at the 698th plenary meeting on 23 April.

In this resolution (460(XV)), the Council, taking into account the World Economic Report 1951-52, and considering that it was desirable and necessary to make comparative studies of the economies of the various areas involved, asked the Secretary-General "to include in future economic and statistical reports index numbers relating to the absolute value, quantum and unit value of marine freight rates, Conference and non-Conference, distinguishing between traffic from industrial countries to primary producing countries and vice versa."

3. Annual Report of the International Monetary Fund

The Council during its fifteenth session, at its 682nd and 683rd plenary meetings on 13 April, considered the annual report of the International Monetary Fund for the fiscal year ending 30 April 1952, together with a supplement covering the period from 1 May 1952 to 20 February 1953 (E/2351 & Add.1).

In a statement to the Council, the Managing Director of the Fund declared that, in a "normal" world, the Fund's role would be to relieve temporary pressures on the balance of payments of countries which found themselves in difficulties. When the Fund was established in 1946, many had assumed that the most serious risk against which insurance was needed was that of a worldwide depression, but the chief problem of the post-war period had, in fact, been inflation. While the Fund would not forget the risks of a recession, the fight against inflation remained its immediate concern.

During the period of extraordinary aid supplied to certain governments by the United States, it had been the policy that Member Governments participating in the aid programme should request the purchase of United States dollars from the Fund only in exceptional and unforeseen circumstances. As the period of extraordinary aid drew near its close, the Fund had been engaged in developing procedures designed to facilitate a more extensive use of its resources by its Members as a secondary line of reserves. Under the procedure developed, a Member country expecting to run into temporary balance-of-payments difficulties might, upon request, have an account established on a standby basis upon which it might draw in case of need.

Noting that proposals had at times been made for a revision of some of the Fund's Articles of Agreement, the Managing Director stated that interpretations of the Articles had been found possible which would permit a reasonable degree of flexibility in practice. The activities of the Fund were therefore not being hampered by the terms of its Articles of Agreement.

Commenting on the Fund's activities during the past year, the Managing Director pointed out that its transactions had begun to show an increase. Consultations on the retention of exchange controls had been initiated, and technical advice had been given by Fund representatives to several Members. He also referred to the Fund's reports and publications.

The adequacy of the existing resources of the Fund, the Managing Director stated, depended in part on the view taken of the adequacy of the other resources of its Members and on the measures which Members themselves took to restore balance in their economies. He emphasized that the Fund's efforts would be frustrated if Members failed to adopt and maintain domestic policies which diminished the risk of serious disturbances in their international economic relations. Inflation, he said, was not the only problem standing in the way of the emergence of a properly balanced pattern of world trade. The development of the productive capacity of under-developed countries would imply radical shifts in the customary flow of trade. An increased willingness on the part of the major importing countries to liberalize their commercial policies was also an essential condition of adjustment, as were policies to promote a more adequate flow of international capital. The Fund stood ready to co-operate as far as possible in solving the whole of the world's payments problem.

In the subsequent debate in the Council, emphasis was placed on the role of the Fund in relation to the prevailing international disequilibrium. The representative of the United Kingdom stated that it might prove necessary in the coming years to re-examine the validity of the assumptions which had guided the negotiations at Bretton Woods and to consider whether the regulation of international payments could remain divorced from the rules governing international trade which the payments reflected.

Several representatives, including those of Sweden and the United Kingdom, drew attention to the recent tendency for inflationary pressure to become weaker and less general and to the appearance of deflationary trends. While accepting the importance of combating inflation, they emphasized the necessity of dealing with factors of a

structural nature which appeared to be at the root of international payments difficulties. In this connexion, the United Kingdom representative stressed the need for creditor nations to open their domestic markets to foreign imports and for debtor nations to avoid inflation and develop competitive production.

The representatives of Egypt, India and the United Kingdom, among others, commended the Fund for its adoption of more flexible policies concerning the use of its resources. Hope was also expressed that, pending the elimination of the long-range structural causes of international disequilibrium, the Fund would continue to develop such policies.

Some representatives, in particular, those of France and Sweden, while maintaining that the solution of the international payments problem must aim at general convertibility, expressed the view that existing conditions required that this goal be approached by a partial and gradually extended transferability of currencies. In this connexion, the Fund was urged to contribute to the support of regional efforts toward convertibility, as exemplified by the European Payments Union. The representative of Yugoslavia, on the other hand, felt that free convertibility was impracticable for a country in process of development; Yugoslavia, he said, could not for the time being participate in the movement for the liberalization of exchange undertaken under the Fund's auspices.

The representative of India declared that the claims of prudence as advocated by the Fund had to be weighed against the need for rapid economic development in the countries of Asia and in other under-developed regions. These countries, lacking domestic resources, required foreign capital as a means of neutralizing inflationary tendencies. He urged an adequate flow of international investment as essential for domestic as well as international equilibrium. Other representatives, however, including those of Belgium and Sweden, pointed out that long-term action designed to change the flow of capital went beyond the Fund's competence.

The representatives of India and the United States, among others, praised the Fund for the consultations on exchange restrictions conducted by it in 1952. The representatives of the United Kingdom, the United States and Yugoslavia also commended the Fund's activities in rendering technical assistance to its Members.

The Council at its 683rd plenary meeting, by 16 votes to none, with 2 abstentions, adopted resolution 467(XV) taking note of the report of the Fund.

B. ECONOMIC DEVELOPMENT OF UNDER-DEVELOPED AREAS

1. Financing of Economic Development⁶

The fundamental position of the United Nations with respect to the financing of economic development of under-developed countries was set forth in resolution 400(V) of the General Assembly. In this resolution the Assembly had recognized that, although the economic development of under-developed countries depended primarily upon the efforts of the people of those countries, the necessary acceleration of that development, on the basis of their own plans and programmes, required not only technical but also financial assistance from abroad, and particularly from the more developed countries. The General Assembly had also considered that the domestic financial resources of the under-developed countries, together with the international flow of capital for investment, had not been sufficient to assure the desired rate of economic development, and that the accelerated economic development of under-developed countries required a more effective and sustained mobilization of domestic savings and an expanded and more stable flow of foreign capital investment. The General Assembly had further expressed the conviction that the volume of private capital currently flowing into under-developed countries could not meet the financial needs of the economic development of under-developed countries, and that those needs could not be met without an increased flow of international public funds.

Since the fifth session of the General Assembly, and on the basis of the principles set forth above, the Assembly and the Council⁷ have considered a number of studies of methods whereby an enlarged and more stable flow of international finance for the economic development of under-developed countries might best be secured.

a. SPECIAL UNITED NATIONS FUND FOR ECONOMIC DEVELOPMENT (SUNFED)

- (1) Report of the Committee on a Special United Nations Fund

As provided by Council resolution 416 A (XIV),⁸ the Secretary-General appointed a committee of nine members to prepare a detailed plan for a special fund in accordance with the terms of Assembly resolution 520 A (VI). The Committee, which held a seven-week session beginning 21 January 1953, prepared, in accordance with its terms of reference, a detailed plan for the establishment (when circumstances permit), operation,

management and control of a special fund for grants-in-aid and low-interest, long-term loans to under-developed countries for the acceleration of their economic development. The Committee's report, entitled Report on a Special United Nations Fund for Economic Development (E/2381),⁹ presented the unanimous recommendations of its authors, who acted in their personal capacities and put forward their recommendations on their own responsibility.

The detailed plan drawn up by the Committee dealt, in turn, with the income, the operations and the disbursements of the special fund. It also contained recommendations on the structure—control and management—and concluded with a short account of how the special fund might work. The Committee did not advise on whether or not a fund should be established nor did it express any views as to when circumstances might permit the fund to be set up. It considered that these matters were not within its competence.

Concerning income, the Committee recommended that the fund should depend on voluntary contributions paid regularly in the currencies of the contributors, the amounts to be assessed by governments themselves according to their economic strength and resources. While not estimating the ultimate size of the fund, it recommended that it should not be established until the equivalent of \$250 million had been pledged by at least 30 governments. The Committee also advocated the advance pledging of contributions covering a period of at least one further year.

Under "Operations", the Committee dealt with the principles and policies which it considered should govern the fund's relations with its member countries. These, it emphasized, "will largely turn upon the creation and maintenance of mutual confidence and a sense of partnership directed towards the promotion of the assisted countries economic development". The Committee also recommended that governments receiving assistance should, within the framework of their general economic policies, develop fiscal and monetary policies adequate for their needs and should endeavour to keep inflationary pressures under

⁶ For discussion of the question of fiscal incentives to increase the international flow of private capital, see pp. 355-57.

⁷ See Y.U.N., 1951, pp. 376-91 and Y.U.N., 1952, pp. 363-78.

⁸ See Y.U.N., 1952, pp. 369-70.9

⁹ U.N.P., Sales No.: 1953.II.B.1. For the Committee's membership, see Appendix III.

control; governments should seek the maximum mobilization of their domestic resources since the fund's assistance should be supplementary; governments should, as a matter of economic policy, move towards the formulation of integrated economic development policies. Finally, assistance from the fund should be directed to the welfare of the population as a whole.

On the other hand, it was stressed, the fund should observe certain fundamental principles in its dealings with the under-developed countries. One such principle was that the fund must be concerned with the insufficiency of the total resources at the disposal of countries requesting assistance. Thus, while non-self-liquidating projects might constitute a significant part of the fund's total operations, the fund should not be limited to that type of financing only. Although assistance from the fund would be given to governments only, the Committee felt that this should not restrict applications to projects in the public sector. The fund, as a United Nations institution, should not serve as a means of foreign economic and political interference in the internal affairs of assisted countries.

The implementation of these principles would require a framework of formal relations between the fund and governments requesting assistance. These relations were formulated by the Committee in terms of the policies affecting governments and those regulating the operations of the fund. In presenting these policies the Committee stressed the great importance of ensuring the prudent and effective use of the assistance granted and recommended safeguards which it judged were essential to protect the interests of all members of the fund.

With regard to disbursement of resources from the fund, the Committee decided against both the method of predetermined country allocations and the case-by-case approach of dealing with individual country applications on their merits. It recommended a method combining some of the advantages of both systems, and set forth guiding considerations for the allocation of resources in the early phase of the fund's operations.

Basically, the Committee concluded, in a further recommendation regarding distribution of resources, that loans by the special fund were "acts of assistance" to under-developed countries and were distinguishable from grants-in-aid only in that it might be found possible and convenient to recover wholly or in part the sums involved. It recommended that the fund should not attempt to recover principal or ask for interest, where this would jeopardize the applicant country's economic

development. However, each case should be determined individually and administrative flexibility should be left to the fund in deciding both on the distribution of its resources between loans and grants and on the terms of loans granted.

With regard to membership of the fund, the Committee recommended that it should be open to any government which: (1) is prepared to subscribe to the fund's principles and policies; (2) is a Member of the United Nations or any specialized agency; and (3) is willing to pledge a contribution to the operational budget, and pay its share of the administrative budget. Any other government which is not a Member of the United Nations or any specialized agency might also join, provided that the "General Council of the Fund" accepted its membership and that the government was prepared to subscribe to the conditions of membership.

The Committee recommended that members should meet annually to pledge their contributions, to lay down all major policy matters, to approve the fund's administrative budget and to receive reports on the fund's activities. This annual meeting would be known as the "General Council of the Fund". To provide immediate control, it recommended the election by the General Council of an Executive Board of eight to twelve members.

While recognizing that there would be many practical advantages if the fund were integrated with an existing United Nations institution, the Committee nevertheless felt obliged to recommend the establishment of a new institution. The Committee also made specific recommendations concerning liaison and co-ordination between the fund and other financial agencies of the United Nations and the agencies participating in the Expanded Programme of Technical Assistance.

(2) Consideration by the Economic and Social Council at its Sixteenth Session

The Council considered the report during its discussion of the agenda item "Economic development of under-developed countries" at the 138th to 140th meetings of its Economic Committee, on 21 and 31 July and 3 August, and at its 725th to 731st and 749th plenary meetings, on 15 to 18 July and 4 August 1953.

There was a substantial measure of agreement in the Council on the need both for increased financial assistance to accelerate economic development and for an international fund to make grants to under-developed countries. Almost all representatives expressed their high regard for the Committee's constructive report.

The representatives of the more-developed countries stated that it was the settled policy of their governments and their peoples to aid the efforts of the peoples of under-developed areas to develop their resources and improve their working conditions. Several of these representatives, among them those of Australia, France and the United Kingdom, reviewed the substantial programmes of international aid that their governments were currently undertaking. The United States representative referred to the increasing scale of such aid, in spite of the fact that his country had been compelled to join other free nations in repelling aggression, and pointed out that the citizens of his country, both as private individuals and through the government, were making large investments to this end. He regretted that circumstances, over which his country had no control, had limited the scale of the assistance provided.

The representatives of under-developed countries warmly commended the Committee's findings. The representatives of Egypt, the Philippines and Turkey instanced, in particular, the following features of the report as commendable:

(1) that the Committee had recognized that the economic development of under-developed countries must primarily be the concern of such countries themselves;

(2) that it had taken as a "fundamental premise" the need for non-commercial capital in the form of grants-in-aid or long-term, low-interest loans;

(3) that it had viewed realistically the strain on the economies of developed countries in suggesting the modest initial requirement of \$250,000,000;

(4) that in suggesting the minimum of 30 contributors it had endorsed the view that the fund's strength would reside, initially, not in its absolute size but in its widespread support by the United Nations; and

(5) that the Committee had appreciated the current situation in recommending that contributions, apart from those to the administrative budget, might be made in local currency and that governments might reserve the right to restrict the export of goods regarded as essential to their domestic economies.

The USSR representative stated that the proposals made by the Committee had envisaged a fund designed to stimulate the flow of foreign capital to the under-developed countries. But experience had shown that foreign investments were usually made in the under-developed countries on such terms that they served to worsen the already bad economic situation of those countries and resulted, contrary to United Nations principles, in interference in their domestic affairs. It was therefore impossible, he said, to accept the view that foreign capital should constitute the principal method of promoting the economic development

of the under-developed countries. It could play some part in that development (though only an auxiliary part) provided it was made available on conditions which were not detrimental to the national interests of the under-developed countries and without interference in their domestic affairs. The representative of Poland, supporting this statement, expressed the view that the establishment of a special fund (or international finance corporation) would not be beneficial in the current political situation.

The representatives of India and Uruguay felt that it was incumbent on the Council, in the light of General Assembly resolution 520 A (VI) which had requested the Council to submit a detailed plan, to study the report and to express views on the merits of the Committee's proposals. However, among others, the representatives of China, France, Sweden, the United Kingdom and the United States felt that to debate the precise organization of the proposed fund and even the broader issues raised in the report would be premature since the circumstances which would prevail at the time the fund was established were still unknown. At the Assembly's sixth session it had been recognized that the time was not yet ripe for the establishment of the proposed fund and circumstances had not changed since then.

The Swedish representative suggested that it might be more desirable to expand existing institutions. The representative of Yugoslavia held that the ultimate decision was up to the Assembly, not the Council. He therefore proposed (E/L.522 & Corr.1) that the Council transmit the Special Committee's report to the Assembly, recommending that the fund be established as soon as possible on the basis of the report.

The representative of Chile, however, speaking as an observer, referred to the threatened worsening of the world situation which made the need for such a fund more urgent and he argued that in advising a small initial minimum contribution and in assuming the absence of free convertibility of currencies in the fund, the Committee had, by implication, advised that the fund should be set up sooner rather than later.

Further discussion in the Council tended away from detailed examination of the Committee's recommendations. Discussion was mainly concerned with the questions of the adequacy of the resources presently available for economic development and a proposal that savings from disarmament be devoted to economic development through an international fund.

The insufficiency of the resources available for more rapid economic development was stressed

by representatives of under-developed countries. While fully accepting the position that the more energetic mobilization and utilization of domestic resources must be the basis for accelerated economic development, they felt that renewed emphasis on this proposition, which was self-evident and generally agreed, was out of place, and they considered that it would be more useful to stress the severely limited extent to which investment could, in practice, be financed from domestic resources.

The representative of the International Confederation of Free Trade Unions (ICFTU) emphasized the need for self-help in the under-developed countries and supported the proposal for the establishment of a special fund.

Several representatives, among them those of Belgium, Sweden and Venezuela, referred to the substantial part which had been, and must continue to be, played by the import of private capital by under-developed countries. Some, including the Yugoslav representative, emphasized the serious limitations of this form of finance as an instrument of economic development. They feared that the growing burden of interest and amortization, which in periods when the rate of new investment fell off could easily exceed new investment and result in a net export of capital from the under-developed countries, might place such a heavy burden on these economies as to jeopardize their development. A further limitation on the usefulness of private external capital was that, since it moved in response to the profit motive, its flow was reduced in times of depression and it was therefore a destabilizing factor. Furthermore, it was naturally invested in the most profitable forms of investment from the point of view of the investor, such as the production of primary commodities for export, which were not necessarily forms of investment which contributed most to the economic development of the territories in question. The Argentine representative stressed that private capital should not be the main driving force behind economic progress. The representatives of Poland and the USSR considered that the colonial or semi-colonial character of the economies of under-developed countries was reflected in their excessive dependence on the export of raw materials and their lack of industry as opposed to agriculture and mining; this distortion, they said, was attributable to the behaviour of private international investment.

The representative of the World Federation of Trade Unions (WFTU) stated that foreign investment had not benefited the under-developed countries since it had led to their excessive de-

pendence on the export of primary commodities and on the decisions of foreign monopolies.

The representative of the International Chamber of Commerce (ICC) pleaded for a restoration of a favourable atmosphere for a resumption of a freer flow of international investment which would make it possible gradually to restore multilateral world trade. He stated that it was the view of his organization that public capital could not replace private capital which brought with it valuable "know-how". Care should be taken not to make public loans at artificially low rates of interest in such a way as to encourage waste.

The representative of the Food and Agriculture Organization of the United Nations (FAO) emphasized the tremendous gap between the funds required and those available for investment. FAO had offered its help to governments in the preparation of applications to the International Bank for Reconstruction and Development for schemes of agricultural development, in the light of the difficulty experienced by the Bank as a result of the lack of specific and well-documented loan applications.

A number of representatives pointed out that exports of primary commodities by under-developed countries constituted a more important source of foreign exchange than foreign investment. In this connexion, the representatives of Egypt, Poland and Venezuela stressed the difficulties for under-developed countries resulting from the fact that the markets for the primary commodities which such countries export are subject to very considerable instability. Representatives of the under-developed countries emphasized the importance of achieving stability in commodity prices as a condition of economic development. The Argentine representative, in addition, considered that commodity price stabilization would succeed only if it were undertaken on a comprehensive basis. An equitable level of prices for primary commodities in relation to those of manufactured goods was required. The representative of Indonesia, speaking as an observer, stated that the provision of foreign finance as a supplement to domestic savings would afford only limited support to the development plans of under-developed countries unless the markets for their exports were stabilized.

The USSR representative felt that the most effective method of assisting the under-developed countries would be the elimination of the abnormal restrictions on trade with other countries imposed by certain major Powers. Such restrictions contributed to the deterioration in terms of trade of the under-developed countries, as a result of

which foreign monopolies bought raw materials and foodstuffs cheaply and sold their own goods at high prices. The development of normal trade relations would create conditions in which foreign capital would be attracted to the under-developed countries on terms compatible both with the interests of those countries and with the commercial interests of foreign capital itself. Under the current policy of trade restrictions, foreign capital was given an opportunity of imposing conditions disadvantageous to the under-developed countries.

Others, including the representatives of the Philippines and Yugoslavia, urged that obstacles to multilateral trade, such as import restrictions, exchange control and inconvertibility of currencies, were preventing the expansion of world production. There was an obvious interdependence between the constantly diminishing volume of international private investment and the existence of such obstacles to trade. Nevertheless, increasingly severe restrictions were currently being placed by many countries on the flow of trade and this was a major impediment to economic development.

The representative of the World Federation of United Nations Associations (WFUNA) urged the need for finding some financial means of speeding up economic and social development, over and above the technical assistance programme, and urged that, if a special fund were established, Territories under United Nations Trusteeship should benefit fully from its operations.

While the majority were in agreement concerning the need to expand the volume of international assistance for the economic development of under-developed countries at the earliest possible date, representatives of the more developed countries which would be the major potential contributors to the proposed fund stated that their countries were unable to assume, at present, any additional financial burdens.

However, in the course of the discussion the United States representative reminded the Council that the President of the United States had recently declared, after outlining the ways in which international tension could be relieved and the burden of armaments reduced, that his Government was ready to ask the American people to join with all nations in devoting a substantial percentage of the savings which would be achieved by such disarmament to a fund for world aid and reconstruction. The representative of the United States repeated that pledge on behalf of his Government.

The fund envisaged by the President of the United States would, he said, be an international fund with a broad membership, designed to facilitate the fulfilment of the United Nations mission of building a better world. The precise form which such a fund might take could not at present be foreseen. It might serve as an instrument for making loans and grants, or it might be largely concerned with technical assistance. It might be used to promote social as well as economic progress, and might even develop novel procedures for associating private and public initiative. The representative of the United States expressed the hope that all countries would find it possible to join in making a pledge such as that proposed by President Eisenhower, and his delegation had accordingly included in Part A of its draft resolution on the economic development of under-developed countries (E/L.536 & Corr.1) an equivalent declaration in which Members of the United Nations pledged themselves to ask their peoples, when genuine progress had been made towards internationally supervised world-wide disarmament, to devote a portion of the savings, achieved through such disarmament, to an international fund for development and reconstruction.

Part B of the United States draft resolution would have the Council express the opinion that further refinement of a scheme, such as proposed by the Special Committee, would be premature, and would transmit the report to the Assembly for its information.

Many representatives warmly welcomed the initiative taken by the United States representative in placing such a draft declaration before the Council, and associated themselves with the general purposes of that declaration. Council members recognized the pledge made by the President of the United States as marking an important step forward in the approach of the major industrially advanced countries to the problem of financial aid to the under-developed countries.

The representative of Belgium stressed that such a fund could not be a substitute for either loans or trade, and presented an amendment (E/L.540/Rev.1) to alter the proposed declaration to that effect.

A number of representatives, including those of Argentina, Egypt, India and Yugoslavia, considered that the expansion of financial aid to the under-developed countries should not be entirely contingent upon disarmament, even though it might well be recognized that many countries might not be in a position to make a maximum contribution to such an expansion until the burden of armaments expenditures had been somewhat

eased. It was pointed out by the Philippine representative that the Assembly, in its resolution 520(VI), had requested the Council to prepare its recommendations in this field "keeping in mind the desirability of universal participation and the utilization of any savings that may accrue from any programme of disarmament, as one of the sources of contributions". The Assembly had thus envisaged disarmament as providing an additional source of funds, but had not implied that the establishment of an international fund depended upon disarmament.

At the 138th meeting of the Economic Committee on 21 July, the representatives of Argentina, Egypt, India, the Philippines, Uruguay and Yugoslavia presented a joint amendment (E/AC.6/L.75)¹⁰ to the United States draft resolution (E/L.536). In presenting it, the Indian representative explained, *inter alia*, that its purpose was to:

(1) provide that the proposed fund be supplied by independent contributions and not exclusively from savings resulting from disarmament and that it be within the framework of the United Nations;

(2) emphasize that the Council had considered, not merely received, the Special Committee's report and recommend it as a basis for the Assembly's consideration of further preparatory steps for the establishment of a special United Nations fund; and

(3) provide that the fund be for the exclusive benefit of under-developed countries.

Following informal discussions, a joint draft resolution (E/AC.6/L.76), superseding all other draft resolutions and amendments, was presented by Australia, Cuba, Egypt, India, the Philippines, the United States and Yugoslavia at the Economic Committee's 139th meeting on 31 July.

It was adopted, without further discussion, by the Committee (E/2505 I) by 15 votes to none, with 2 abstentions, and by the Council at its 749th plenary meeting on 4 August, by the same vote, as resolution 482 A (XVI). It read:

A

METHODS OF FINANCING ECONOMIC DEVELOPMENT

I

"The Economic and Social Council,

"Having taken into consideration the document entitled Report on a Special United Nations Fund for Economic Development, prepared by a committee appointed by the Secretary-General pursuant to Council resolution 416 A (XIV),

"Having in mind General Assembly resolutions 520 A (VI) and 622 A (VII) requesting the Council to submit to the General Assembly a detailed plan for establishing, as soon as circumstances permit, a United Nations fund for the financing of the economic development of under-developed countries,

"1. Expresses its great appreciation to the Committee for its work;

"2. Transmits the report of the Committee to the General Assembly, together with the pertinent records of the sixteenth session of the Council;

"3. Recommends that the General Assembly consider, in the light of the report of the Committee and the records of the sixteenth session of the Council, what other preparatory steps might usefully be taken towards the establishment, when circumstances permit, of an international fund designed to assist development and reconstruction of the under-developed countries."

II

"The Economic and Social Council,

"Desirous of strengthening the United Nations in its mission of guarding the peace and security of all peoples and of making the United Nations a more effective institution for the promotion of higher standards of living and of conditions of economic and social progress and development in under-developed countries,

"Looking forward to the time when sufficient progress in internationally supervised world-wide disarmament will make it propitious to devote additional resources to assist development and reconstruction, particularly in the under-developed countries,

"Recommends that governments consider joining, at the eighth session of the General Assembly, in the following draft declaration:

"We, the governments of the States Members of the United Nations, in order to promote higher standards of living and conditions of economic and social progress and development, stand ready to ask our peoples, when sufficient progress has been made in internationally supervised worldwide disarmament, to devote a portion of the savings achieved through such disarmament to an international fund, within the framework of the United Nations, to assist development and reconstruction in under-developed countries."

(3) Consideration by the General Assembly at its Eighth Session

The General Assembly considered the question of establishing a special fund for grants-in-aid and for low-interest, long-term loans, during its discussion of the question of economic development of under-developed areas at the 257th to 282nd meetings of its Second Committee, from 12 October to 1 December, and at its 468th plenary meeting on 7 December 1953. The Committee had before it, *inter alia*, the report of the Economic and Social Council (A/2430) and a memorandum by the Secretary-General (A/2447 & Corr.1) providing a summary of the background material on questions relating to economic development.

¹⁰ As a result of the consolidated joint amendment, amendments by India (E/L.537) and the Philippines (E/L.539) to the United States proposal and an Egyptian amendment (E/L.538) to the Indian amendment were withdrawn, as well as the Yugoslav draft resolution (E/L.522 & Corr.1).

During the extensive debate, the views expressed were primarily those put forward in the discussions in the Council. The representatives of the more developed, capital-exporting countries, while recognizing the need to accelerate economic development, emphasized that their governments were not in a position at this time to make additional contributions to an international development fund, primarily because of rearmament expenses. It would be both unwise and a sham, in their opinion, to create such a fund without sufficient funds for its effective operation. Current efforts should concentrate on making more effective use of existing programmes and sources of financing, they considered.

Among the views expressed by the less-developed countries was that the creation of such a fund should not depend on disarmament and that savings from disarmament should only be viewed as an additional source of finance. In their opinion, the speeding up of economic development—which would be accomplished by such a fund—would help secure world peace and put an end to the internal threats and political unrest which endangered that peace. The acceleration of economic development, they stressed, must not be postponed indefinitely nor put off pending world-wide disarmament.

Other representatives, including those of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR, emphasized that the fundamental factor in economic development was industrialization and considered that the best way to help under-developed countries obtain funds was to develop non-discriminatory international trade relations. Foreign financial aid should only be used to supplement domestic resources and earnings from foreign trade. They doubted that much would be achieved by the establishment of the special fund, although they would not oppose its creation. However, they considered that it must not be linked to the International Bank for Reconstruction and Development which, they alleged, was under the influence of United States capitalist monopolies.

The representative of Canada pointed out that the debate showed that the differences in views related more to matters of time and method than to objectives and that it should be possible to work out a solution acceptable to all.

The Second Committee had before it three draft resolutions on the establishment of a special fund.

(1) A draft resolution by the United States (A/C.2/L.204), by which the Assembly would adopt the "declaration" recommended by the Economic and Social Council, on the proposal of the United States representative.

Egypt submitted an amendment (A/C.2/L.208) to this draft to specify that the additional resources resulting from disarmament be devoted to a special fund rather than merely to assist development and reconstruction. He later withdrew that amendment on the assurance that the adoption of the resolution would not preclude the possibility of establishing a special fund before world disarmament under international control was effected.

(2) A draft resolution by Greece, Haiti and Pakistan (A/C.2/L.205), by which the Assembly would refer to the Expert's Report on a Special United Nations Fund for Economic Development, state its opinion that the establishment of the fund need not be dependent only on internationally supervised world-wide disarmament and express its confidence that favourable conditions necessary for the establishment of the fund would be created in the near future. It would:

(a) request the Secretary-General to transmit the Expert's Report to Member Governments for their detailed comments on the creation of the fund and on the extent to which they were in a position to contribute to its establishment;

(b) request the Council to study these comments and submit to the Assembly's ninth session recommendations concerning the practical steps that could be taken to set up the fund as soon as circumstances permitted; and

(c) recommend, meanwhile, that all countries should give special consideration to the views expressed by the Assembly with a view to the creation of the fund as soon as circumstances permitted.

(3) A draft resolution by Afghanistan, Bolivia, Brazil, Burma, Chile, Colombia, Costa Rica, Cuba, Egypt, Guatemala, India, Indonesia, Iraq, Lebanon, the Philippines, Saudi Arabia, Syria, Venezuela, Yemen and Yugoslavia (A/C.2/L.206/Rev.1). The operative part of the draft resolution, as revised would have the Assembly, *inter alia*, invite comments from governments and specialized agencies on the Expert's Report and on the degree of moral and material support and adherence which might be expected from them. It would also provide for the appointment of a small contact group of persons of high standing to consider the comments and to consult with governments, if necessary by personal visits, and to report to the Assembly's ninth session.

As revised, this draft resolution took into account a Netherlands amendment (A/C.2/L.207) the purpose of which, the Netherlands representative stated, was to stress that economic and social advancement of the under-developed countries could also contribute towards the maintenance of international peace and security and that the establishment of the fund should be seen in that context. The Netherlands representative expressed the view that, while it was generally accepted that development was closely tied to disarmament, the creation of SUNFED might be considered as an exception since the sum required to start it was insignificant in comparison with the amount spent on disarmament.

The Committee, at its 270th meeting on 2 November, agreed to establish a working group which

would have as a primary reference the three-Power draft resolution (A/C.2/L.205), the 20-Power revised draft resolution (A/C.2/L.206/Rev.1) and the Netherlands amendments (A/C.2/L.207) to the original text, with the understanding that if, in the course of its work, the group should find it had to deal also with the United States draft resolution (A/C.2/L.204) and the Egyptian amendment thereto (A/C.2/L.208), it should do so.

The working group held ten meetings between 3 and 19 November and submitted a compromise draft resolution (A/C.2/L.212 & Corr.1). As a result, the 20-Power draft resolution (A/C.2/L.206/Rev.1), the amendments by the Netherlands (A/C.2/L.207) and the three-Power draft resolution (A/C.2/L.205) were withdrawn by their sponsors.

The Committee discussed the compromise draft resolution and the United States draft resolution at its 275th to 277th meetings, from 23 to 25 November. The majority supported both resolutions in general. The representatives of Argentina, Brazil, Chile, Colombia and Guatemala, among others, regretted that the working group had not been able to recommend more positive steps, but agreed that the compromise draft was a step forward and, at least, kept the idea of a fund alive. A number of representatives, including those of Colombia, Egypt, Honduras, Iraq and Venezuela, indicated their support of the United States proposal, on the understanding that the establishment of a fund was not made conditional on worldwide disarmament.

The Egyptian amendment having been withdrawn, the draft resolution proposed by the United States (A/C.2/L.204) was adopted by the Committee (A/2590 A) at its 277th meeting on 25 November by 41 votes to none, with 13 abstentions.

It was adopted by the General Assembly at its 468th plenary meeting on 7 December, without discussion, by 44 votes to none, with 6 abstentions, as resolution 724 A (VIII). (For text, see below.)

During the discussion of the draft resolution (A/C.2/L.212 & Corr.1) recommended by the working group, considerable debate arose over paragraph 4 of the preamble which would have the Assembly express confidence that an expanded flow of capital to under-developed countries would contribute to the solution of the basic economic problems of our time, both for under-developed and developed countries. The representative of Czechoslovakia stated that he could not support the draft resolution unless it were explicitly stated in that paragraph that foreign investments should

not be made conditional on any demands for economic, political or military privileges; he submitted an amendment (A/C.2/L.214) to this effect.

The amendment was supported by the representatives of the Byelorussian SSR, Guatemala, Honduras, Poland, the Ukrainian SSR and the USSR. The majority, however, while agreeing with the question of principle involved, opposed the amendment on the grounds that it was out of place in this particular resolution and served no useful purpose. The resolution, they held, was concerned with the establishment of a fund within the framework of the United Nations and therefore there could be no question of such an institution's seeking to exploit the countries to which it granted financial aid.

Several compromises were suggested. The representative of Cuba proposed the addition of a new paragraph stating the principle involved. The representatives of Saudi Arabia and India suggested deleting the paragraph altogether. The representative of France proposed (A/C.2/L.215) that the problem might be solved by adding before the words "would contribute" the words "in conformity with the principles and purposes of the United Nations Charter".

Following a meeting of the working group, the Committee, at its 277th meeting on 25 November, rejected the following amendments, the others having been withdrawn:

(1) By 28 votes to 4, with 23 abstentions, a proposal to delete paragraph 4, originally withdrawn by India and Saudi Arabia and now verbally resubmitted by Pakistan.

(2) By a roll-call vote of 26 to 7, with 22 abstentions, the Czechoslovak amendment (A/C.2/L.214).

Paragraph 4 was subsequently adopted by 46 votes to none, with 7 abstentions.

The Committee adopted the draft resolution in paragraph-by-paragraph votes, ranging from a unanimous vote to 46 votes to none, with 7 abstentions. It adopted (A/2590 B) the resolution, as a whole, by 50 votes to none, with 5 abstentions. The Committee's draft resolution was adopted by the General Assembly at its 468th plenary meeting on 7 December, without discussion, by 46 votes to 5, with 5 abstentions, as resolution 724 B (VIII).

Resolution 724 A & B (VIII) read:

A

"The General Assembly,

"Having noted Economic and Social Council resolution 482 A (XVI) of 4 August 1953,

"Desirous of strengthening the United Nations in its mission of guarding the peace and security of all peoples and of promoting higher standards of living and conditions of economic and social progress and development in under-developed countries,

"Looking forward to the time when sufficient progress in internationally supervised world-wide disarmament will make it propitious to devote additional resources to assist development and reconstruction, particularly in the under-developed countries,

"Adopts the following declaration:

"We, the governments of the States Members of the United Nations, in order to promote higher standards of living and conditions of economic and social progress and development, stand ready to ask our peoples, when sufficient progress has been made in internationally supervised world-wide disarmament, to devote a portion of the savings achieved through such disarmament to an international fund, within the framework of the United Nations, to assist development and reconstruction in under-developed countries."

B

"The General Assembly,

"Having considered the Report on a Special United Nations Fund for Economic Development prepared by the Committee of Nine appointed by the Secretary-General, and submitted in pursuance of Economic and Social Council resolution 416 A (XIV) of 23 June 1952 and General Assembly resolution 622 A (VII) of 21 December 1952,

"Mindful of the aim expressed in the preamble of the Charter "to employ international machinery for the promotion of the economic and social advancement of all peoples" and of Articles 55 and 56 of the Charter,

"Believing that, especially in the present state of world tension, the social and economic advancement of the under-developed countries can contribute towards the achievement of international peace and security,

"Confident that an expanded flow of capital to under-developed countries would contribute to the solution of the basic economic problems of our time, both for under-developed and developed countries,

"Considering that the use of international machinery for financially assisting the acceleration of the economic development of the under-developed countries contributes to the achievement of an expanding and stable world economy,

"Noting that the efforts made and the activities undertaken so far by and under the United Nations for the economic development of the under-developed countries have proved beneficial and represent a marked advance in economic co-operation among nations,

"Bearing in mind the recommendations contained in Economic and Social Council resolution 482 A (XVI) of 4 August 1953 relating to a special United Nations fund,

"Considering that the General Assembly should keep under review the question of the establishment of a special fund and, in particular, be attentive to any changes either in world conditions or in the attitudes of the governments of Member States, which might

be propitious to the establishment of such a fund in the near future,

"Hopeful that conditions favourable to the establishment of an international fund will be created in the near future and that savings from internationally supervised world-wide disarmament will provide additional means for financing the economic development of under-developed countries, and will further the aims and objectives of such a fund,

"1. Expresses its great appreciation of the work of the Committee of Nine;

"2. Invites governments of States Members of the United Nations and of the specialized agencies in the economic and social field to transmit to the Secretary-General their detailed comments both on the recommendations contained in the report of the Committee of Nine and on the degree of moral and material support which may be expected from them for such a fund;

"3. Decides to appoint the present President of the Economic and Social Council, Mr. Raymond Scheyven, to examine, with the assistance of the Secretary-General, the comments of governments submitted in response to the invitation contained in the preceding paragraph; to collate and where he judges necessary to request elaboration of such comments, if desirable by direct consultation with governments; and to submit to the Economic and Social Council at its eighteenth session an interim report on his work, and, in any event to submit to the General Assembly at its ninth session, a final report together with his comments, with a view to assisting it to make such recommendations as it would find possible which could facilitate the establishment of such a fund as soon as circumstances permit;

"4. Requests the Secretary-General to:

"(a) Provide Mr. Scheyven with all necessary assistance and facilities;

"(b) Transmit to the governments specified in paragraph 2 above the report of the Committee of Nine, together with the records of the discussion on the subject at the eighth session of the General Assembly;

"(c) Circulate as soon as possible to the governments specified in paragraph 2 above (i) the comments submitted in response to that paragraph, and (ii) the final report of Mr. Scheyven; and submit a summary of the comments of governments to the General Assembly at its ninth session;

"(d) Prepare a working paper, for submission to the Economic and Social Council, on the extent and methods of co-ordination which may be desirable or necessary between the activities of such a fund, of the Technical Assistance Board and of such of the specialized agencies as may be engaged in tasks relating to the economic development of under-developed countries;

"5. Requests the Economic and Social Council to study at its eighteenth session the working paper referred to in paragraph 4 (d) above and to transmit it, together with its views, to the General Assembly at its ninth session;

"6. Decides to include in the provisional agenda of the ninth session of the General Assembly a separate item for the consideration of the results of the steps provided for above."

b. PROPOSAL FOR THE ESTABLISHMENT
OF AN INTERNATIONAL FINANCE
CORPORATION

(1) Consideration by the Economic and
Social Council at its Sixteenth Session

In accordance with resolution 416 C (XIV),¹¹ the Council had before it a report by the International Bank for Reconstruction and Development (E/2441) on the results of its further examination of the proposal to establish an international finance corporation designed to promote the flow of private capital to under-developed countries.

The Bank reported that informal discussions between Bank officers and Member Governments on the desirability of setting up such a corporation indicated that, almost without exception, representatives of the less-developed countries had supported the proposal and, in addition, two of the more highly-developed countries had indicated that their governments supported the proposal. Spokesmen for most of the highly-developed countries, however, while expressing sympathetic interest, had reserved judgment on the merits of the proposal, and several had stated that their governments were not at present in a position to contribute to a corporation of that kind.

The report of the Bank stated that "... while maintaining their interest in the proposal, countries on whom the corporation would necessarily have to depend for the greater part of its funds have not as yet indicated that they are ready to commit themselves to subscribe to its capital. Because of this, the management of the Bank does not believe that any point would be served by greater formalization of the project at this time. The management intends, however, to continue to explore the matter with the Bank's Member Governments and, if and when there appears to be a reasonable prospect that sufficient financial participation will be forthcoming, will be prepared to present concrete proposals to them for consideration. The Bank will be glad to inform the Council promptly of further developments in connexion with the project."

The Council discussed the report during its discussion of the agenda item "Economic development of under-developed countries" at the 138th to 140th meetings of its Economic Committee, on 21 and 31 July and 3 August and at its 725th to 731st and 749th plenary meetings, on 15 to 18 July and 4 August 1953.

In the course of a supplementary statement, the representative of the Bank stated that the Bank was still of the opinion that the international

finance corporation would give a modest but worthwhile stimulus to the growth of private enterprise and thus further the development of the Bank's Member countries. For the time being, however, the unwillingness of the more important Member countries to subscribe to the corporation's capital made it doubtful whether any useful purpose would be served by taking the project a step further at the present time.

During the discussion, a variety of views were expressed, ranging from those of the Yugoslav representative, who held that since private capital would seek foreign investment opportunities to the extent that these were more attractive to it and that since an international finance corporation could not make such opportunities more attractive the corporation could serve little purpose, to the view of the Argentine representative that the corporation should be set up without further delay. The representatives of China, Egypt and Sweden, among others, held that in the light of the Bank's advice, and particularly in the light of the unwillingness of potential contributors to commit any funds to this purpose, little more could be done at this stage than to keep the question under review and invite the Bank to continue its studies with a view to preparing a more detailed plan for establishing a corporation when circumstances permitted. The representative of the United Kingdom, while endorsing the case for equity investment, and considering that there was scope for guaranteed lending, questioned whether an international organ or, indeed, any institution of universal scope was the best means of providing this service.

The representative of ICFTU regretted that the prospects of establishing an international finance corporation had changed for the worse during the past year, but welcomed the willingness of the International Bank to make further soundings and thought that time might be saved if the Bank were to proceed with working out a draft agreement.

The representative of India thought that the corporation should be established as soon as circumstances permitted and proposed (E/L.534) that the Bank draw up a more detailed plan. The representatives of Australia, Belgium, the United Kingdom and the United States considered it both premature and undesirable to ask the Bank to undertake to draw up a detailed plan at this time, particularly when there were many important issues needing further exploration. They therefore proposed an amendment (E/AC.6/L.73) provid-

¹¹ See Y.U.N., 1952, p. 367.

ing instead that the studies should be directed to the clarification and analysis of the basic questions still outstanding.

Following informal discussions by the representative of India with those representatives sponsoring the amendment, a revised joint draft resolution (E/AC.6/L.77) was presented, sponsored by the five delegations, at the Economic Committee's 140th meeting on 3 August. It was adopted by the Committee (E/2505 II) by 11 votes to none, with 3 abstentions, and by the Council, without discussion, at its 749th plenary meeting on 4 August by 14 votes to none, with 3 abstentions, as resolution 482 B (XVI).

By this resolution, the Council noted that the Bank intended to continue to explore the question of an international finance corporation with its Member Governments, and commended the Bank for the useful contribution it had made to the study of the question. It invited the Bank to present, as soon as possible, the results of a further study with a view to clarifying and analysing the questions which had been raised and the different points of view that had been expressed, continuing at the same time further exploration of the matter with its Member Governments, and in so doing to take into account the comments on the Bank's further report during the sixteenth session of the Council. The Council further invited the Bank to report on the progress made in these respects to the Council at its seventeenth session.

(2) Consideration by the General Assembly at its Eighth Session

The General Assembly considered the proposal for the establishment of an international finance corporation during its discussion of the question of economic development of under-developed areas at the 257th to 282nd meetings of its Second Committee, from 12 October to 1 December, and at its 468th plenary meeting on 7 December 1953. It had before it, *inter alia*, the report of the Economic and Social Council (A/2430) and a memorandum by the Secretary-General (A/2447 & Corr.1) providing a summary of the background material on questions relating to economic development.

Representatives of the under-developed countries, generally speaking, stressed the importance of increasing the flow of private foreign capital, emphasizing that, though domestic capital was important, it needed to be supplemented. The flow of private foreign capital, although considerable, was insufficient and had, moreover, decreased since the Second World War. The representative of Colombia stated that in his country, for ex-

ample, a favourable climate for private investment existed, but the flow of private capital still did not meet the demands. The representatives of Canada and India thought that many of the fears of under-developed countries with regard to private financing were not justified in all cases and were based on unfortunate incidents. The representatives of Belgium and Cuba agreed that private capital would feel more secure with an international finance corporation and that fears of both private creditors and the under-developed countries might thus be allayed. The representative of Saudi Arabia suggested drafting an international code to govern relations between government borrowers and their private creditors. The Chinese and United States representatives supported this idea.

The Cuban representative thought that the Council ought to be asked to draw up detailed plans forthwith for the establishment of the international finance corporation. Among those who spoke in support of the establishment of such a corporation were the representatives of Brazil, Chile, Colombia, Costa Rica, Egypt, Haiti, Indonesia, Liberia, Pakistan and Panama. The representative of Costa Rica suggested that the Bank prepare a draft statute for the corporation. The representative of Turkey, among others, felt that the Bank ought to continue to explore the question further with governments.

The Committee had before it a draft resolution by Costa Rica, Cuba, Ecuador, Egypt, Indonesia, Iraq, Pakistan and Saudi Arabia (A/C.2/L.209) on the status of the proposal to establish an international finance corporation.

According to section I of this draft resolution, the General Assembly would: (1) commend the International Bank for its efforts and express its appreciation of the Bank's reports on the proposed international finance corporation; (2) emphasize the beneficial effects the proposed corporation would have on the mobilization of financial resources in developed and under-developed countries in order to ensure additional resources for financing economic development in the under-developed countries; (3) look forward to the establishment, as soon as circumstances permitted, of an international finance corporation; (4) request the Bank to intensify its activities to seek the participation of public and private financial resources in furnishing the capital for a corporation as envisaged in the Bank's reports, and, with that end in view: (a) to analyse in detail the views expressed by governments and private financing circles concerning the methods of furnishing the capital for an international finance corporation, its function and operation; (b) to conduct its consultations for the establishment of an international finance corporation and for securing its initial capital in a more intensive manner, and to report to the Economic and Social Council at its eighteenth session; and (5) request the Council to review at that session the Bank's reports on the proposed international finance

corporation with a view to recommending the drafting of its statute and to report thereon to the Assembly during its ninth session.

In section II of the draft resolution, the Assembly would request that the study, which was being prepared by the Secretary-General pursuant to Assembly resolution 622 C (VII), on the general role of private external capital be examined by the Council during its seventeenth session with a view to recommending effective means through which external private capital would be made more readily available to under-developed countries.

In section III, the Assembly would urge Member States to create favourable conditions conducive to the development of more liberal trade relations among them, and to adjust as much as was practicable any existing disequilibrium in the terms of trade and payments between the highly developed and under-developed countries, in order to create circumstances in which sources of additional capital would be more adequately available to under-developed countries.

The representative of Belgium supported the draft resolution, but thought that it might give the impression that the Bank had expressed an opinion regarding the establishment of a corporation which was capable of being constituted immediately and the aims, working methods and financing of which were known, whereas the Bank's report clearly showed that it was still only a question of a proposal. The draft resolution, he considered, also seemed to prejudge the results of the studies being made and drew conclusions which were perhaps premature in emphasizing the beneficial effects the proposed corporation would have on the mobilization of financial resources. With regard to section III of the draft resolution, he did not think it advisable in a resolution dealing specifically with a financial investment corporation to take up the question of the establishment of fair and equitable international prices for primary commodities. Therefore the Belgian representative, jointly with the representatives of Denmark, Norway, Sweden and the United States, submitted an amendment (A/C.2/L.211) to effect these changes.

The representative of Czechoslovakia, referring to section II of the draft resolution, stated that the Council could not recommend means through which external private capital would be made more readily available to under-developed countries until it had considered the question as a whole and had determined whether such capital would benefit the economy of the countries concerned. He therefore proposed (A/C.2/L.210) deleting that part of the paragraph which called on the Council to examine the study on the general role of private capital "with a view to recommending effective means through which external private capital would be made more readily available to under-developed countries."

The representative of France seriously objected to section III of the draft resolution which he considered not only obscure but contradictory. On the one hand, he stated, it asked Member States to develop more liberal trade relations, while, on the other hand, it called on them to adjust as much as was practicable the disequilibrium in the terms of trade and payments between the highly developed and the under-developed countries.

In an attempt to take into account these views, among others, the authors of the joint draft resolution submitted a revised text (A/C.2/L.209/Rev.1) at the Committee's 274th meeting on 16 November.

As revised, the resolution would have the Assembly in section I: (1) express its appreciation of the useful contribution the Bank had made to the study of the question; (2) emphasize the beneficial effects the proposed corporation could have on the mobilization of additional domestic resources in the under-developed countries and on the flow of external capital into these countries in order to augment the financial resources for their economic development; (3) look forward to the establishment, as soon as circumstances permitted, of an international finance corporation; (4) request the Bank to: (a) analyse in detail the questions raised and the views expressed by governments and non-governmental institutions concerning the methods of furnishing the capital for an international finance corporation, its functions and operation, (b) conduct its consultations on the question of the creation of an international finance corporation and securing its initial capital in a more intensive manner, (c) report to the Council at its eighteenth session on the subjects referred to in sub-paragraphs (a) and (b) above; and (5) request the Council to review at its eighteenth session the Bank's reports on the question of creating an international finance corporation and to report thereon to the General Assembly during its ninth session.

In section II, the Assembly would request that the study being prepared by the Secretary-General on the general role of private external capital be examined by the Council during its seventeenth session with a view to ensuring the steady flow into under-developed countries of private capital in adequate amounts, so that it might effectively contribute to the harmonious and adequate integration of the economies of those countries and to their economic and social development.

In section III, the Assembly would request the Council to consider at its seventeenth session the report to be prepared by the group of experts appointed pursuant to Assembly resolution 623(VII) and, if possible, to propose recommendations for consideration by the Assembly at its ninth session.

The French representative expressed satisfaction with the revision of section III. However, the representative of Czechoslovakia did not think that section II, as revised, had altered the meaning and he therefore retained his original amendment (A/C.2/L.210). The United States representative considered that the resolution still implied acceptance in principle of the proposal to establish

an international finance corporation and that the only question was when it should be established. The United States Government, he stated, still had the proposal under consideration and thus could not support that point. Secondly, the draft resolution still prejudged the question whether the proposed corporation would in fact have beneficial effects on the mobilization of additional resources for investment in under-developed countries. The joint amendment (A/C.2/L.211) was, therefore, also retained.

A working group was established, which, after two meetings on 19 and 20 November, presented a draft resolution (A/C.2/L.213) at the Committee's 275th meeting on 23 November. The eight-Power joint draft resolution (A/C.2/L.209/Rev.1) and the amendments thereto (A/C.2/L.210 & L.211) were then withdrawn by their respective sponsors. Following the acceptance of a drafting amendment by Indonesia, the Committee at its 279th meeting on 27 November adopted (A/2590 C) the draft resolution in paragraph-by-paragraph votes, ranging from a unanimous vote to 43 votes to none, with 5 abstentions. The resolution, as a whole, was adopted by 46 votes to none, with 5 abstentions.

The General Assembly at its 468th plenary meeting on 7 December adopted the preamble of the draft resolution by 50 votes to none, with 5 abstentions; Part I by 51 votes to none, with 5 abstentions; Part II by 49 votes to none, with 5 abstentions; and Part III unanimously. The draft resolution, as a whole, was adopted by 51 votes to none, with 5 abstentions, as resolution 724 C (VIII). It read:

"The General Assembly,

"Bearing in mind that the general problem of economic development of the under-developed countries concerns both the under-developed and the more developed countries,

"Mindful that the economic development of the under-developed countries depends primarily on their own efforts and resources,

"Recognizing, however, that financial resources at present available in the under-developed countries are inadequate to finance the desired rate of economic development,

"Believing that additional external resources, both private and public, made available, as appropriate, within or without the framework of the United Nations, would greatly aid the under-developed countries in financing their development programmes,

I

"bearing in mind General Assembly resolution 622 B (VII) of 21 December 1952 and Economic and Social Council resolutions 416 C (XIV) and 482 B (XVI) of 23 June 1952 and 4 August 1953 respectively,

"Having considered the reports of the International Bank for Reconstruction and Development on the question of creating an international finance corporation,

"Bearing in mind that the consultations and study requested below might indicate the practicability of establishing such a finance corporation in the near future,

"1. Expresses its appreciation of the useful contribution the International Bank for Reconstruction and Development has made to the study of the question;

"2. Emphasizes the beneficial effects the proposed corporation could have in so far as it would promote the mobilization of additional domestic resources in the under-developed countries and the flow of external capital into these countries, in order to augment the financial resources for their economic development;

"3. Urges governments which have not done so to give early consideration to the merits of establishing an international finance corporation, and to make known to the International Bank their views on the possibility of supporting such a corporation in time for the Bank to take them into consideration when preparing its report for the eighteenth session of the Economic and Social Council, as foreseen in paragraph 4 below;

"4. Requests the International Bank to:

"(a) Analyse in detail the questions raised and the views expressed by governments and non-governmental institutions concerning the methods of furnishing the capital for an international finance corporation, its functions and operations;

"(b) Conduct its consultations in a more intensive manner on the question of the creation of an international finance corporation and on the prospects of financial support for it;

"(c) Report to the Economic and Social Council at its eighteenth session on the subjects referred to it in sub-paragraphs (a) and (b) above;

"5. Requests the Economic and Social Council to review at its eighteenth session the reports of the International Bank on the question of creating an international finance corporation and to report thereon to the General Assembly during its ninth session;

II

"Recognizing the importance of finding means to stimulate the flow of external private capital to the under-developed countries in order to accelerate their development,

"Mindful of General Assembly resolution 622 C (VII) of 21 December 1952,

"Requests that the study which is being prepared by the Secretary-General, pursuant to General Assembly resolution 622 C (VII), on the general role of private external capital be examined by the Economic and Social Council during its seventeenth session, with a view to ascertaining under what conditions the flow into under-developed countries of private capital can effectively contribute to the harmonious and adequate integration of the economies of those countries and to their economic and social development;

"Recognizing the importance of fluctuations in the terms of trade and the effect of these fluctuations on the financing of the economic development of the under-developed countries,

"Requests the Economic and Social Council to consider at its seventeenth session the report prepared by the group of experts appointed pursuant to General Assembly resolution 623(VII) of 21 December 1952 and to make such recommendations as it may find desirable for consideration by the General Assembly at its ninth session."

c. ANNUAL REPORT OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

The Council, at its 684th and 685th plenary meetings on 14 April 1953, considered the annual report of the International Bank for Reconstruction and Development (E/2360) together with a supplement covering the period from 1 July 1952 to 28 February 1953 (E/2360/Add.1).

The President of the Bank, in a supplementary statement to the Council, stated that, during the year ending 30 June 1952, the Bank had loaned approximately \$300 million and, during the subsequent nine months, a further \$175 million. He stated that total disbursements by the Bank thus far were \$1,050 million and during the past twelve months had been larger than in any comparable period since the end of the Bank's lending for European reconstruction. Disbursements outside the United States of funds raised in that country were increasing, and the Bank's lending in non-dollar currencies had reached a significant level. The Bank was continuing to urge Members other than the United States to release for lending additional funds from their subscribed capital and was meeting with considerable success. Since June 1952, the Bank, despite the fact that the cost of borrowed funds continued to rise, had successfully floated a \$60 million issue in the United States and a 50 million Swiss franc issue in Switzerland.

The President of the Bank stated that the Bank was devoting more attention to problems of administrative and financial management in connexion with the execution of projects it was financing and that it was assisting the borrowers in working out effective solutions. In some cases, such factors as inflationary monetary and fiscal policies had hampered effective Bank action, but the Bank had been very active in undertaking investigations into the feasibility of providing new loans or reducing current difficulties of Members. During the past nine months, more than 40 Member countries and dependencies had been visited by Bank missions, including general survey

missions. Advice had been given to stimulate the mobilization of local capital through the organization of development banks and the marketing of domestic securities.

He noted that in some respects the world economic situation had almost reversed since the beginning of 1951. The accumulated demand for goods in industrialized countries had largely been met, critical shortages had been overcome to a great extent, inflation had somewhat subsided and a period of adjustment appeared to be setting in. Whatever the turn of events might be, he did not anticipate any slackening in either the demand for or the urgency of economic development.

During the debate, several representatives, among them those of Argentina, Australia, France, India, the Philippines, Sweden, Turkey, the United Kingdom, the United States and Uruguay, expressed their satisfaction with the progress of the Bank's lending activities and its technical assistance programme, including its survey missions. The representatives of Egypt, India and the Philippines thought that, although the Bank was now giving greater attention to under-developed countries than in the past, certain geographical areas had, as yet, received an unduly small proportion of loans. The United States representative expressed approval of the flexibility of the Bank's operations, which had included for the first time a large direct loan to a privately owned manufacturing enterprise in India, and an increasing amount of loans in non-dollar currencies. The need for balanced distribution of assistance to development schemes in the under-developed areas in the industrial as well as the agricultural spheres was emphasized by the Indian representative. He and the United Kingdom representative pointed out that, in addition to its loans, the Bank had contributed to the revival of a somewhat better climate for international investment, which was of particular importance at a time when public capital and particularly private risk capital was increasingly scarce.

Other representatives, including those of Belgium and France, noted that economic development continued to be hampered by the fact that a true multilateral system of payments had not been re-established. The former expressed the opinion that the Bank did not seem to have paid sufficient attention in its lending operations to the objective of currency convertibility, in particular through fostering the expansion of triangular trade. This, he urged, would have special importance for the export of capital goods by European countries. Even though the Bank had to

plan its operations on the assumption that for the time being certain currencies would remain inconvertible, it would be desirable to make its lending operations more multilateral. He also suggested that the Bank might free a country that had been granted a dollar loan from the obligation of repayment in dollars provided that a non-dollar country where the proceeds of the loan had been spent assumed the obligation of converting the equivalent amount back into dollars when the payments became due.

The representatives of Argentina and India expressed concern as to the ability of the Bank to operate effectively without a sharp drop in its rate of investment in under-developed countries in the event of a depression, because of its limited resources and of its credit system, and hoped that the Bank would work out policies for such an eventuality. The Australian representative pointed out that the Bank, which was restricted in the amount and nature of the assistance it could offer, could not alone provide the international capital required for economic development. However, it was only one of several instruments capable of promoting a greater international flow of public and private capital. The creation of a special fund for economic development, in the view of some representatives, including those of Turkey and Yugoslavia, was an urgent necessity; such a fund and the Bank would then together be able to play an important role in the sphere of world finance. The view was expressed by the Australian representative that more importance should be attached to the argument that the foreign financing of a country's productive development might be a powerful factor in solving the economic and financial problems that gave rise to difficulties in its international relations.

The representative of WFUNA pointed out that thus far the Bank had sold its bonds to exchange agents and brokers who resold them to such agencies as insurance companies and banks. He suggested that the Bank make arrangements for offering its bonds to individual small savers as well—a method which he felt was economically feasible and which would also have an important psychological effect.

Following the debate, the Council, by 16 votes to none, with 2 abstentions, adopted resolution 466(XV) taking note of the report of the Bank.

2. Technical Assistance for Economic Development

The Technical Assistance Administration (TAA)¹² set up on 31 July 1950 is responsible

for the operational activities under General Assembly resolutions 200(III) on technical assistance for economic development, 418(V) on advisory social welfare services, for the operational and substantive aspects of 246(III) on training in public administration, and for the United Nations operational activities under the Expanded Programme of Technical Assistance for Economic Development of Under-Developed Countries, established by the Economic and Social Council under resolution 222 A (IX).¹³ The first three programmes are financed by the regular United Nations budget; the Expanded Programme is financed by voluntary contributions from governments to a Special Account. However, with the exception of the origin of the funds, the United Nations makes no administrative distinction between the technical assistance which it gives under resolutions 200 (III) and 246(III) and that which it gives with Expanded Programme funds. This is also true of those social welfare services provided under resolution 418(V) that pertain directly to economic development, for example, those in the fields of housing and town and country planning, migration and population.

The United Nations and the specialized agencies participate jointly in the Expanded Programme. The Technical Assistance Board (TAB) co-ordinates, integrates and reviews the activities carried out by these organizations under this Programme. The Technical Assistance Committee (TAC), a standing committee of the Council makes a critical examination of activities undertaken and results achieved and reports to the Council concerning the reports it receives from TAB.

a. EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE

(1) Consideration by the Economic and Social Council at its Fifteenth Session

The Council's Technical Assistance Committee (TAC) met (29th to 37th meetings) from 23 March to 2 April 1953 and presented two reports to the Council, at its 687th plenary meeting on 15 April 1953. The first (E/2394) was primarily a report to precede the discussions (see below) to be held at the following session of TAC and at the Council's sixteenth session. It dealt briefly with preparatory work to be done before TAC's next session: (1) on proposals for improving the procedures for developing co-ordinated technical as-

¹² See also Y.U.N., 1952, p. 353.

¹³ For these resolutions, see Y.U.N., 1948-49, pp. 437-38, 443 and 480; Y.U.N., 1950, p. 596.

sistance programmes at the country level, and (2) on the preparation of a statement of the responsibilities of Resident Representatives and the corresponding responsibilities of the field representatives of the participating agencies. It also referred to the plans for a study of future financing of the Programme and to the need for working out estimates on a basis longer than a one-year period.

The second report (E/2395 & Corr.1) dealt in detail with the question of local costs to be borne by governments. In this connexion, TAC had had before it a report (E/TAC/R.59) by TAB on the question of the payment by recipient governments of local costs of technical assistance projects. TAC had also had before it reports of its working party (E/TAC/4 & Corr.1 & 2) as well as a resolution of the Executive Board of WHO (E/TAC/5) on the subject. The Committee had accepted, with slight changes, the proposals of its working party and, in an annex, set forth the financial implications of these proposals, which it recommended to the Council.

There was general agreement in the Council that the solutions recommended by TAC were in the nature of a compromise and the representative of the Philippines praised the remarkable co-operative effort of the delegations concerned. The French representative expressed the hope that recipient countries would themselves participate in the local costs of projects to a greater extent than that which was strictly required by the terms of the TAC decision. The Australian representative pointed out that the obligations assumed by recipient governments were not confined to the living costs of experts and that, when a government decided to carry out a development plan, it was fundamentally responsible for the administration and financing of the plan.

On the basis of TAC's report, the Council, at its 687th plenary meeting on 15 April, by 16 votes to none, with 2 abstentions, adopted the resolution (E/2395 B) proposed by TAC.

By this resolution (470(XV)), the Council decided that the new method of obtaining payment toward the living costs of experts, recommended by TAC in its resolution of 27 March 1953 (see below) should be substituted for the methods contained in paragraph 2¹⁴ of the operative part of the resolution of TAC of 17 July 1952 and put into effect not later than 1 January 1954. It recommended that payments made by governments towards living costs should be accounted for and administered in the same manner as voluntary contributions under resolution 222 (IX), provided

that reports on the financial status of the Programme shall distinguish between voluntary contributions and payments made by governments toward the living costs of experts. The Council also requested the Assembly to authorize the Secretary-General to account for and administer payments made by governments towards the living costs of experts in accordance with the above-mentioned recommendations of the Council.

The resolution adopted by TAC was annexed to this resolution. It read as follows:

"The Technical Assistance Committee,

"Having reaffirmed the principle that governments should make a substantial contribution to the cost of technical assistance in local currency or in kind,

"Noting that the present method of determining the level of payments by governments towards the living costs of experts has tended to create disparities in the rates paid by different recipient governments in respect to such costs; that it has tended to bring about a progressive deterioration of the position in respect to the aggregate amount of government payments towards such costs, and that the present methods of payment of experts' living costs have created certain difficulties,

"Having considered the proposals on local costs to be borne by governments under the Expanded Programme of Technical Assistance, contained in annex I of the report of the Committee,

"1. Adopts the policies and procedures set forth therein;

"2. Decides that, at a date not later than 1 January 1954, and without affecting the arrangements for meeting other types of local costs, the existing methods of assessing and paying local living costs of experts shall be modified to accord with those policies and procedures, to the end that,

"(a) All cash entitlements due to experts will be paid directly either by the employing organization or by an agent of the Technical Assistance Board, out of Programme funds;

"(b) The amount due from each recipient government in respect of each expert man-day provided to the government under the Programme will be assessed at a standard rate in local currency;

"(c) For purposes of calculation of amounts due for expert services, the standard rate will be 50 per cent of the TAB subsistence rate for the country concerned;

"(d) The amount calculated as due in respect of the total expert man-days to be provided in the year will be paid in accordance with financial arrangements to be negotiated between the government, the Executive Chairman and the participating organizations concerned;

¹⁴ Paragraph 2 provided that "requesting governments should not be required to provide the cost of lodging or travel per diem for experts in respect of such projects and programmes for the implementation of which extensive staff and other facilities are provided by the requesting governments; in all cases requesting governments should undertake to secure suitable accommodations for the experts".

"(e) The financial arrangements thus negotiated will take into account the option to be exercised by the recipient government which would elect whether (i) to make its payments towards these costs programme by programme, or alternatively, (ii) to make such payments in respect to all experts employed under all programmes in that country as a lump sum;

"3. Decides that, in cases of extreme hardship, general waivers may be granted by the Executive Chairman in consultation with the Technical Assistance Board to cover all programmes in the recipient country for limited periods; waivers may also be granted in exceptional circumstances to cover certain specific projects;

"4. Requests governments recipients of technical assistance to take all actions necessary to enable them to make payments in local currency on the above basis;

"5. Requests the Executive Chairman of the Technical Assistance Board, in consultation with the participating organizations, to carry out the necessary negotiations with the governments concerned and to establish the necessary administrative procedures, so that the new arrangements herein approved may be in effect at a date not later than 1 January 1954, in accordance with the provisions for implementing them set forth in the report of the Working Party of the Technical Assistance Committee."

(2) Consideration by the Economic and Social Council at its Sixteenth Session

TAC met (38th to 53rd meetings) from 22 July to 5 August and submitted its report (E/2497) to the Council at its 751st plenary meeting on 5 August 1953. The report was based on the fifth report of TAB (E/2433), which gave an account of the Programme's development in 1952, reviewed its financial aspects and summarized activities approved for 1953 and proposed for 1954. At the request of TAC, the Executive Chairman of TAB had also submitted proposals regarding the future financing of the Programme (E/TAC/10), the establishment of programmes of technical assistance at the country level (E/TAC/12) and the role of Resident Representatives (E/TAC/13). The Council also had before it a special report by the Advisory Committee on Co-ordination (E/2450) on policy issues involved in the operation of the technical assistance Programme under the Council's resolutions.

During the debate in TAC, general support was expressed for the concept of developing at the country level a programme aimed at ensuring that the projects carried out were closely integrated with the recipient governments' own efforts and plans of development. In discussing the role of Resident Technical Assistance Representatives, the Executive Chairman of TAB stressed that inter-agency co-operation had been strengthened by the appointment of these Representatives in a number of countries. The Polish and USSR

representatives doubted the advisability of such appointments and thought expenses could be cut considerably by eliminating these posts. It was generally agreed, however, that these Representatives should continue to advise governments at their request on the formulation and implementation of requests for technical assistance in their countries of residence. In addition to the regular duties of Resident Representatives, it was considered that they might take on specific duties as might be agreed upon between the government concerned and TAB. These functions would to a large extent be determined in the light of the existence of an effective planning and co-ordinating machinery in the country concerned, subject to the overriding concept envisaged in the development of programmes at the country level.

The Executive Chairman and the Board were asked to make a close examination of the position in countries where Resident Representatives had been appointed, particularly in those where representatives of specialized agencies were functioning simultaneously, with a view to achieving economy and maximum efficiency. In this connexion, consideration should be given to the possibility of broadening the assignments of Resident Representatives to include more than one country.

The Committee adopted a new system of reports, as proposed by the Executive Chairman, and stressed that more attention should be given to programme evaluation and appraisal of the results.

TAC held a detailed discussion on the financial situation with which the Programme was faced, its future financing and the administrative and financial procedures under which it was operated.

While all recognized the need for administrative economies, they noted the particular problems arising from the complexity of the organizational arrangements for the Expanded Programme. The majority felt that TAB should closely examine the question of concentration of activities with a view to ensuring that contributions were used as effectively as possible. Noting that TAB had set up a working group to consider improved methods of classifying indirect operation costs, the Committee expressed the hope that TAB would carefully scrutinize such costs, as well as administrative costs, with a view to achieving economies.

The Committee stressed the importance of governments paying promptly their pledged contributions, and welcomed the decision of the USSR and Poland to contribute financially to the Expanded Programme. The desirability of long-term

financing of the Programme was also recognized. The Committee further came to the conclusion that a review of the current financial procedures should be undertaken immediately and appointed a working party to conduct such a review. As a matter of urgency, TAC also requested TAB to review thoroughly the current financial procedures of the Expanded Programme, including the system of commitment and obligation and the size of the Special Reserve Fund and to report to the working party.

The Committee also suggested that the Assembly might wish to request the Advisory Committee on Administrative and Budgetary Questions to review the administrative procedures of TAB and those of the participating organizations, and their administrative expenditures financed from the Special Account. Such advice, it stated, would be welcomed by TAC in considering the policies of the Programme.

Following a brief discussion at the Council's 751st plenary meeting on 5 August, at which the need for a reduction in administrative expenses was again stressed, the two draft resolutions proposed by TAC (E/2497) were adopted by the Council.

By 16 votes to none, with 2 abstentions, the Council (492 C I (XVI)) took note of the memorandum of the Executive Chairman of TAB outlining the measures adopted by the Board for improving the procedures whereby co-ordinated country technical assistance programmes might be developed at the country level. It also requested TAB to report to TAC on the results obtained by putting these proposals into effect. It recalled, in that connexion, General Assembly resolution 519(VI) which requests the recipient governments to strengthen their internal machinery with a view to rendering more effective the activities of the participating organizations and to facilitate the co-ordination work of TAB and of its Resident Representatives.

The draft resolution concerning financial arrangements for 1954 and future financing of the Expanded Programme was adopted in parts: Part B was adopted by 16 votes to none, with 2 abstentions; and the preamble and Parts A, C, and D unanimously. The draft resolution, as a whole, was adopted unanimously. This resolution (492 C. II (XVI)) read as follows:

"The Economic and Social Council,

"Having considered the report of the Technical Assistance Committee on the Expanded Programme of Technical Assistance, together with the fifth report of the Technical Assistance Board, the documents presented

by the Technical Assistance Board, and the special report of the Administrative Committee on Co-ordination,

"Reaffirming its conviction that the Programme as a positive force in the economic development of under-developed countries and as a moral force for building the foundations of a peaceful world merits continuation and expansion,

A

"1. Emphasizes the pressing need that governments pay their pledged contributions promptly, including those already announced;

"2. Urges States participating in the Expanded Programme of Technical Assistance to continue to give it their full support, financial and other, so as to ensure its essential and natural development and help it to meet the growing needs of the under-developed countries;

"3. Urges that, in order to permit the Expanded Programme of Technical Assistance to progress, governments contribute for the year 1954 so as to meet to the maximum extent possible the programme needs for 1954, and in any case so that the funds available shall be no less than the amount earmarked by the Technical Assistance Board for the approved 1953 programme;

"4. Requests that, in order to enable the participating organizations to plan their programmes for 1954 in advance of the beginning of that year, the United Nations Negotiating Committee for Extra-Budgetary Funds meet as soon as possible after the close of the sixteenth session of the Council, and that the fourth Technical Assistance Conference be held as early as possible during the eighth regular session of the General Assembly;

B

"5. Recommends to the General Assembly to approve at an early date in its eighth regular session the following financial arrangements for the year 1954:

"(a) Seventy-five per cent of total funds available, excluding carry-over, shall be available for allocation to the participating organizations after approval of country programmes by the Technical Assistance Board, in accordance with the percentages set forth in paragraph 8 (c) of Council resolution 222(IX) as amended and modified pursuant to paragraph 19 of the report of the Technical Assistance Committee to the thirteenth session of the Council;

"(b) The balance of funds available, including carry-over, shall be retained in the Special Account: (i) to cover the necessary minimum expenses of TAB and the resident representatives, and (ii) for further allocation to the participating organizations, as provided in Council resolution 433(XIV);

"(c) In establishing the level of the necessary administrative expense in the whole programme, the need for economy, in view of the present level of operational expenditure, shall be fully taken into account;

C

"6. Takes note of the decision of the Technical Assistance Committee to appoint a working party:

"(a) To review the financial procedures under which the Expanded Programme of Technical Assistance operates;

"(b) To consider in due course the system of allocation of funds to be applied as from 1955, taking into account the resolutions of TAC concerning the development of technical assistance programmes at the country level;

"7. Requests the Technical Assistance Committee to submit any recommendations it may wish to make in connexion with sub-paragraph (a) in the preceding paragraph to the resumed session of the Council, to be held during or shortly after the eighth regular session of the General Assembly;

D

"8. Having considered the feasibility of working out estimates for the Programme on a basis longer than a one-year period, according to the desire expressed by the General Assembly in its resolution 621(VII),

"9. Expresses the view that, for the orderly development of programmes, it would be useful to have assured financial support for a period longer than a year, even if the establishment of accurate long-term estimates of the requirements of the Programme is not feasible;

"10. Invites, therefore, such participating countries as may be in a position to do so, to take steps, within their constitutional limitations, to ensure the financial support of the Programme on a long-term basis."

(3) Consideration by the General Assembly at its Eighth Session

The General Assembly considered the Expanded Programme of Technical Assistance at the 249th to 257th meetings of its Second Committee, from 28 September to 12 October, and at its 454th plenary meeting on 23 October. It had before it the report of the Economic and Social Council (A/2430) and a memorandum by the Secretary-General providing a summary of the background material on questions relating to economic development.

The Executive Chairman of the Technical Assistance Board (TAB), in an opening statement to the Committee, pointed out that the crucial question was whether or not the Programme would be provided with the financial resources to proceed, to expand gradually and to fulfil its promise. Although the rate of cash payments had been better in 1953 than in 1952, considerable doubt had arisen concerning the probable payment of some contributions. He regretted that the tremendous momentum gained by the Expanded Programme had not been maintained in 1953. Financial limitations and uncertainties had made it necessary to abandon plans for expansion, many requests had been refused, and the hopes of many governments had been disappointed. In sharp contrast to the earlier years, 1953 had been marked by consolidation, disengagement and retrenchment. It was hoped that the forthcoming pledging conference would remedy the situation, but as no significant carry-over funds from 1953 to 1954

could be expected, governments would have to pledge a total of not less than 20 per cent in excess of the previous pledged total if the Programme were to be implemented in 1954 on the scale originally planned for 1953.

During the debate, the value of the Programme was stressed by all speakers. The mutual advantages deriving from a world-wide exchange of skills were stressed, as was also the contribution of the Programme to world peace by helping peoples to overcome conditions which breed unrest, tyranny and war. The Programme had shown that, despite political differences, the countries of the world could unite through the United Nations in a common endeavour for the general good of all. It was a practical activity by which many people would judge the Organization. Its actual achievements to date warranted the continued support of United Nations Members.

As in the Council, many representatives, in discussing the operation of the Programme, held that administrative costs were too high. Some representatives, among them those of Guatemala, India, Saudi Arabia and Venezuela, thought the salaries of experts appeared excessive. The representative of India held that the use of Resident Technical Assistance Representatives often imposed a heavy financial burden and suggested that there be fewer Representatives and that they be appointed on a regional basis rather than for a single country. In this connexion, the Indonesian representative agreed that the possibility of some readjustment of jurisdiction assigned to Resident Representatives might be explored in the interests of better co-ordination.

A number of representatives announced their governments' continuing support for the Programme and their intentions—subject to parliamentary approval—to increase their pledges for the coming year. The representative of Czechoslovakia had also earlier announced, at the 444th plenary meeting on 24 September, that his country was ready to contribute to the Programme.

There was some discussion as to the possibilities of governments pledging funds for a period of more than one year, but it was generally recognized that, for constitutional and administrative reasons, it would be impossible for most governments to make such pledges. However, in this connexion, the Indonesian representative announced that his Government would make a pledge for a period of three years. The representative of Saudi Arabia suggested that an annual quota system be set up similar to that used in maintaining the regular United Nations budget. The representative

of Argentina also favoured some system of permanent contributions.

As a means of raising additional funds, the Haitian representative suggested the sale of a special Technical Assistance postage stamp in Member States. The representative of Peru supported the examination of this proposal and suggested also the possibility of obtaining funds from private institutions or donors.

The need for greater co-ordination of the Programme was stressed during the debate. The representatives of Argentina, Belgium and the USSR supported the idea that programmes conducted by individual agencies in the countries should be integrated into wider national programmes and that the specialized agencies should be induced to give up part of their independence in order to promote the flexible and regular operation of the Expanded Programme. The representative of France suggested that governments be more closely associated with the approval of programmes and the allocation of funds for technical aid projects, somewhat along the lines of the procedures followed in other United Nations operations financed from voluntary contributions by governments, like the United Nations Children's Fund or the programmes for Korea and Palestine refugees. He also favoured abolishing the current system, whereby a certain proportion of the funds for the Expanded Programme were automatically allocated between the participating organizations in accordance with an established formula. Several members, including the representatives of Argentina, Belgium, Egypt, Israel, Iraq and the Netherlands, thought these suggestions deserved further study. The representative of the Netherlands, however, cautioned that the scheme for more direct association of governments in the execution of the Programme would not fully come up to expectations if it involved the creation of some sort of advisory inter-governmental body of very restricted membership.

The Assembly had before it a joint draft resolution (A/C.2/L.197) by Belgium, Bolivia, Canada, the Dominican Republic, Iraq, the Netherlands, Pakistan, Saudi Arabia, the United States and the United Kingdom embodying the substance of the recommendations by the Council.

The representatives of Israel and Norway proposed (A/C.2/L.198) the insertion of a new paragraph which would request "the participating governments and agencies to intensify their efforts to secure wide publicity for the Programme". Among others, the representatives of Egypt, India, Iran and Lebanon objected to this amendment

primarily on the grounds that it was inconsistent with the needs and recommendations for economy. The sponsors of the amendment agreed to add (A/C.2/L.198/Rev.1) the words "by existing means at their disposal" since, they stated, they had not intended that additional money be required.

The representative of Greece submitted a proposal (A/C.2/L.199/Rev.1) which, following the acceptance of a drafting amendment by Iraq, would invite TAC and TAB, in working out their recommendations on the administration, financial procedures and system of allocation of funds, to take into consideration the relevant views expressed in the Assembly's debates.

The representative of the USSR thought that the paragraph in the draft concerning unfulfilled pledges should specify that the governments which had not fulfilled such pledges had made them at conferences of participants, and suggested an amendment (A/C.2/L.200) to clarify this point. He accepted a suggestion by Pakistan to refer to "obligations assumed" rather than "pledges", in view of the fact that in the legal sense the majority of governments did not assume a binding engagement since decisions had to be ratified by their legislatures.

The representative of Egypt thought that the resolution ought to conform more closely to Council resolution 492 C (XVI). The Council, he stated, had reaffirmed that the Programme must be dynamic and continually expanding. The Assembly should take the same approach rather than condemning the Programme to stagnation by expressions of satisfaction with the current status. He therefore submitted amendments (A/C.2/L.201) to this effect.

At the Committee's 257th meeting on 8 October, a draft resolution was submitted (A/C.2/L.202) by a working group set up at the previous meeting. The working group had substituted a new text for the joint amendment submitted by Israel and Norway and this was subsequently adopted by 41 votes to 1, with 10 abstentions (see below, paragraph 1).

The USSR representative considered that the point of his amendment had not been met. However, he agreed to a text submitted verbally by the French representative; this text was adopted by 45 votes to none, with 7 abstentions (see below, paragraph 3). The Committee also agreed, as proposed by Poland and the United Kingdom, respectively, to refer in paragraph 4 specifically to Council resolution 492 C. I & II (XVI), paragraphs 6 and 7 (see above).

On the request of the representative of the USSR, paragraph 6 was voted on separately; it was adopted by a vote of 45 to none, with 7 abstentions.

The draft resolution, as a whole, as amended, was adopted unanimously by the Committee (A/2519 I), and by the General Assembly at its 454th plenary meeting on 23 October 1953. Resolution 722(VIII) read:

"The General Assembly,

"Believing that the results so far achieved by the Expanded Programme of Technical Assistance demonstrate the important contribution which the Programme has made and is capable of making in the economic development of under-developed countries,

"Desirous that the Expanded Programme shall continue to play an increasingly effective role in the achievement of higher standards of living for the people of the under-developed areas,

"1. Recommends that governments and participating agencies pay due regard to making the aims and operations of the Expanded Programme of Technical Assistance more widely known;

"2. Urges that, in order to permit the Expanded Programme to progress, governments contribute for the year 1954 so as to meet to the maximum extent possible the Programme needs for 1954 and, in any case, so that the funds available shall be no less than the amount earmarked by the Technical Assistance Board for the approved 1953 programme;

"3. Emphasizes the pressing need that governments pay promptly their contributions pledged at conferences, with special regard to previous financial periods;

"4. Notes with satisfaction the actions taken by the Economic and Social Council in paragraphs 1, 2 and 3 of section I and in paragraphs 6 and 7 of section II of resolution 492 C (XVI) of 5 August 1953 designed to strengthen the organization and administration of the Expanded Programme, so as to assure the most effective use of the contributions made available, and invites the Technical Assistance Committee and the Technical Assistance Board, in working out their recommendations on the administration, the financial procedures and the system of allocation of funds of the Expanded Programme of Technical Assistance, to take into consideration the relevant views expressed in the debates during the eighth session of the General Assembly;

"5. Requests the Advisory Committee on Administrative and Budgetary Questions to review as soon as possible the administrative procedures of the Technical Assistance Board and those of the participating organizations as well as their administrative expenditures so far as those are financed from the Special Account;

"6. Approves the financial arrangements set forth in the annex hereto as recommended by the Economic and Social Council in paragraph 5 of section II of resolution 492 C (XVI);

"7. Requests the Negotiating Committee for Extra-Budgetary Funds, appointed pursuant to General Assembly resolution 759(VIII) of 5 October 1953, to undertake, in addition to already assigned tasks and as soon as convenient after the closing of the eighteenth

session of the Economic and Social Council, negotiations with governments regarding their pledges to the Special Account for the year 1955 towards the goal to be suggested by the Council at the same session;

"8. Notes that the Economic and Social Council, in response to the desire expressed by the General Assembly in resolution 621(VII) of 21 December 1952, has expressed the view that, for the orderly development of programmes, it would be useful to have assured financial support for a period longer than a year, and invites those participating countries which may be in a position to do so to take steps within their constitutional limitations, to ensure the financial support of the Expanded Programme on a long-term basis."

ANNEX FINANCIAL ARRANGEMENTS

(Recommended by the Economic and Social Council in paragraph 5, section II, of resolution 492 C (XVI))

(a) Seventy-five per cent of total funds available, excluding carry-over, shall be available for allocation to the participating organizations after approval of country programmes by the Technical Assistance Board, in accordance with the percentages set forth in paragraph 8 (c)¹⁵ of Council resolution 222 A (IX) as amended and modified pursuant to paragraph 19 of the report of the Technical Assistance Committee to the thirteenth session of the Council;

(b) The balance of funds available, including carry-over, shall be retained in the Special Account (i) to cover the necessary minimum expenses of TAB and the resident representatives; and (ii) for further allocation to the participating organizations, as provided in Council resolution 433(XIV);

(c) In establishing the level of the necessary administrative expense in the whole Programme, the need for economy, in view of the present level of operational expenditure, shall be fully taken into account.

(4) Activities during 1953¹⁶

During the year, a total of 86 countries and territories received technical assistance under the Expanded Programme. The total direct project costs incurred by all the participating organizations on their projects in these countries and territories during 1953 amounted to the equivalent of US \$17.8 million. Of the total, projects implemented in Africa accounted for \$1.7 million, Asia and the Far East for \$5.5 million, Europe for \$1.5 million, Latin America for \$4.6 million and the Middle East for \$3.2 million. A sum of \$1.3 million was obligated on inter-regional projects which benefited jointly countries in more than one region.

¹⁵ Formerly paragraph 9 (c).

¹⁶ For activities of the United Nations under the Expanded and regular programmes, see below. For activities of the specialized agencies under the Expanded Programme and under their regular programmes, see under the respective agencies. For a summary of advisory social welfare activities under the Expanded Programme and under resolution 418(V), see pp. 460-61.

To provide for some unforeseen but urgent requests from governments, to meet the shortage of financial resources and to utilize more fully some of the non-convertible currencies, various adjustments had to be made in the Programme during 1953. As a result, 269 projects were completed during the year and, at the end of 1953, a total of 502 were in operation in 68 countries and territories.

During 1953, as in previous years, the main forms of assistance continued to be: (1) the provision of the services of experts in various specialized fields; (2) the award of fellowships and study or training grants to nationals of the under-developed countries for observation, study or training abroad in the various fields related to economic or social development; and (3) the provision of limited amounts of supplies and equipment not locally available in the countries assisted and needed for purposes of training and demonstration in connexion with particular technical assistance projects. The relative importance of these three forms of assistance in the Programme as implemented in 1953 can be seen from the fact that, of the total amounts obligated for

projects during the year, experts accounted for \$13,585,310 (76 per cent), fellowships for \$2,531,582 (14 per cent) and supplies and equipment for \$1,701,255 (10 per cent).

A total of 1,757 experts of 64 nationalities were sent to 65 countries and territories during 1953, as against 1,626 experts of 64 nationalities sent in 1952 to 62 countries and territories. An important feature of the 1953 operations was the sharp fall in the number of fellowships and scholarships awarded as a result of the acute financial stringency. Thus, a total of 1,195 scholarships and fellowships were awarded to nationals of 85 countries and territories, compared with the 2,127 awards made in 1952 to nationals of 92 countries and territories, and 67, as compared with 76, countries or territories acted as hosts to fellows.

(5) **Contributions to the Expanded Programme of Technical Assistance**

As a result of the Third Technical Assistance Conference in February 1953, 69 governments, by 31 December, had pledged \$22,395,687 for the year 1953, as follows:

Name of Country	Local Currency Amount	US Dollar Equivalents
1. Afghanistan	Equivalent of US \$	10,000*
2. Argentina	Argentine pesos	200,000
3. Australia	Equivalent of US \$	400,000
4. Austria	Schillings	19,231
5. Belgium	Equivalent of US \$	283,500
6. Bolivia	Bolivianos	25,000
7. Brazil	Cruzeiros	459,459
8. Burma	Equivalent of US \$	12,000
9. Cambodia	United States \$	5,000
10. Canada	United States \$	800,000
11. Ceylon	Equivalent in pounds sterling of US \$	15,000
12. Chile	Chilean pesos	209,032
13. China	United States \$	10,000
14. Colombia	United States I	100,000
13. Costa Rica	United States \$	5,000
16. Cuba	Cuban pesos	50,000
17. Denmark	Danish kroner	434,342
18. Dominican Republic	United States \$	10,000
19. Ecuador	Sucre	6,400
20. Egypt	Egyptian pounds	86,157
21. El Salvador	United States \$	6,000
22. Ethiopia	United States \$	20,000
23. Finland	Equivalent of US \$	10,000
24. France	French francs	1,207,500
25. Germany, Fed. Rep. of	German marks	148,810
26. Greece	Equivalent of US \$	20,295
27. Guatemala	United States \$	7,500
28. Haiti	United States \$	12,000
29. Honduras	United States \$	9,600
30. Iceland	Equivalent of US \$	2,800
31. India	Equivalent of US \$	275,000

Name of Country	Local Currency	Amount	US Dollar Equivalents
32. Indonesia	Equivalent of US		63,585
33. Iran	Equivalent of US		40,000
34. Iraq	Pounds sterling	4,000	11,201
35. Israel	Equivalent of US		40,000
36. Italy	Equivalent of US		93,000
37. Japan	Equivalent of US		80,000
38. Korea	United States \$	3,000	3,000
39. Laos	Piastres	100,000	4,857
40. Lebanon	Lebanese pounds	15,000	6,846
41. Liberia	United States \$	12,000	12,000
42. Libya	United States \$	3,000	3,000
43. Luxembourg	Equivalent in Belgian francs of US \$		2,500
44. Mexico	Mexican pesos	300,000	34,682
45. Monaco	French francs	400,000	1,143
46. Netherlands	Netherlands guilders	1,600,000	421,053
47. New Zealand	New Zealand pounds	45,000	125,593
48. Nicaragua	Cordobas	25,000	5,000
49. Norway	Norwegian kroner	500,000	69,999
50. Pakistan	Pakistan rupees	550,000	166,213
51. Panama	United States \$	3,000	3,000
52. Paraguay	United States \$	5,000	5,000
53. Peru	United States \$	10,000	10,000
54. Philippines	United States \$	50,000	50,000
55. Poland	Zlotys	300,000	75,000**
56. Saudi Arabia	United States \$	15,000	15,000
57. Sweden	Swedish kroner	2,000,000	386,623
58. Switzerland	Swiss francs	1,000,000	233,372
59. Syria	Syrian pounds	25,000	11,410
60. Thailand	Baht	500,000	40,000
61. Turkey	Turkish pounds	509,600	183,571
62. USSR	Rubles	4,000,000	1,000,000***
63. United Kingdom	Pounds sterling	500,000	1,400,168
64. United States	United States \$	12,767,145	12,767,145
65. Uruguay	Equivalent of US \$		75,000
66. Venezuela	Equivalent of US \$		25,000
67. Vietnam	Equivalent of US \$		7,500
68. Yemen	Indian rupees	10,000	2,100
69. Yugoslavia	Equivalent of US \$		62,500
			22,395,687

* Pledge increased by the equivalent of \$3,000, in accordance with letter of 17 September 1953 from Afghan Government.

** Pledge announced at the sixteenth session of the Economic and Social Council.

*** Pledge announced at the sixteenth session of the Economic and Social Council, but subject to confirmation.

As a result of the Fourth Technical Assistance Conference, in November, 69 governments and the Holy See, by the end of the year, had pledged \$24,204,529 for 1954.

b. UNITED NATIONS PROGRAMME OF TECHNICAL ASSISTANCE¹⁷

(1) Progress Report of the Secretary-General

The Council, at its 747th plenary meeting on 3 August 1953, had before it a report submitted by the Secretary-General (E/2414) describing technical assistance rendered to governments by the United Nations during 1952 and, more briefly, important developments in this field during the first three months of 1953.¹⁸ The report covered

activities under the Expanded Programme of technical assistance as well as under the three related programmes concerning economic development, public administration, and advisory social welfare services established by General Assembly resolutions 200(III), 246(III) and 418(V), respectively. The report contained a description, by country and project, of action taken to meet requests from 77 governments and territories, as well as some 45 regional and other projects, many of which had been planned or carried out in co-

¹⁷ See also under Advisory Social Welfare Services, pp. 460-61.

¹⁸ For details of assistance rendered during 1952 and 1953, respectively, see Y.U.N., 1952, pp. 362-63 and this Yearbook, pp. 317-18.

operation with the secretariats of the regional economic commissions and with other agencies.

The Secretary-General in his report drew the Council's attention to the striking increase in the volume of assistance rendered to governments. The number of experts had, for example, risen from 165 in 1951 to 451 in 1952; and whereas, in 1951, 451 fellows and scholars had taken up awards, the comparable figure in 1952 had been 729. He reminded the Council, however, that this encouraging development was offset by the fact that, at the very moment when the technical assistance programme was getting into its stride, its further growth had been at any rate temporarily curtailed by the shortage of funds.

He reported a growing tendency on the part of countries in the process of development to play an active part as givers of technical assistance, either by furnishing host facilities for fellows and scholars or by making available experts to give technical advice or to conduct training or demonstration projects. Particularly in the case of the fellowship programme, periods of study and observation, in the Secretary-General's view, could often be more fruitful to the individual concerned if spent in countries where the level of economic development did not diverge too sharply from that in his own country and where a similar social and cultural pattern obtained. The Secretary-General further stated that careful attention had been paid, in accordance with views frequently expressed in the Council, to the selection of projects in the social field to be financed under the Expanded Programme. Only those projects directly related to economic development would be so financed.

On the subject of reporting, the Secretary-General informed the Council that he proposed to continue his current practice of submitting one annual report to the Council on the activities of TAA as a whole. He further suggested that, in order to meet the requirements of General Assembly resolution 200(III) on technical assistance for economic development, which asks for the submission of a report to each session of the Council on measures taken in compliance with that resolution, a brief information paper on activities under the resolution might be circulated at other sessions of the Council during a given year. Such a paper had in fact been circulated during the Council's fifteenth session (E/2375).

During the discussion, the representatives of France and the United States declared that they were generally satisfied with the progress recorded and considered that the programme had

been well directed and conducted during 1952. The representative of the USSR thought that much good had been achieved and, although there were shortcomings, they did not detract from the significance of the programme. The United States representative also expressed the view that the growing part played in the implementation of the programme by countries in the process of development was an encouraging sign. He and the French representative expressed particular satisfaction with the increasingly effective collaboration with the secretariats of the regional economic commissions and with the development of regional activities in general. However, the representative of France felt that the expenses entailed by the large number of seminars and working groups might be considered excessive. Satisfaction was also expressed at evidence of smoother co-ordination with other technical assistance programmes and within the United Nations Secretariat itself. The USSR representative warned that attempts to achieve co-ordination with bilateral programmes might implicate the United Nations programme in matters alien to the nature and aims of international technical assistance.

The representatives of the United Kingdom and the United States placed particular emphasis on the importance of the follow-up of technical assistance by recipient governments, both as regards the implementation of experts' recommendations and as regards the use to which returning fellows and scholars were able to put the training they had received abroad. It was essential, they held, that the Council should receive information on, and an evaluation of, the results of technical assistance, and future reports by the Secretary-General should cover this question as fully as possible. On the general subject of reports, it was agreed that one annual report on the previous year's activities would meet the Council's needs, and that, in addition, the brief information paper to be circulated at other sessions would serve a useful purpose.

A French draft resolution (E/L.656) was adopted by the Council by 16 votes to none, with 2 abstentions. The Polish representative, explaining his abstention, expressed the view that the Council should use a uniform phrase in acknowledging reports and not "take note" of them in some instances and "express satisfaction" in others. This view was shared by the USSR representative. In resolution 492 A (XVI), the Council noted with satisfaction the Secretary-General's report concerning the Regular United Nations Programme of Technical Assistance.

(2) **Technical Assistance in Public Administration**(a) **CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS SIXTEENTH SESSION**

The Council at its 747th and 748th plenary meetings, on 3 and 4 August, had before it a report by the Secretary-General on "Technical Assistance in Public Administration" (E/2415). The report outlined the history of the programme, pointing out that the emphasis had gradually shifted from the conception, embodied in General Assembly resolution 246(III), of an international training centre to the provision of opportunities for national and regional training, and that, at the request of governments, direct expert assistance in public administration was being furnished on an increasing scale. The Secretary-General described the elements of the programme as currently carried out and suggested that the Council might wish to give its official sanction to these activities, which were wider in scope than those originally conceived by the Council and the General Assembly at the inception of the programme.

The discussion of the report revealed that the Council was in substantial agreement that the need existed for a new and more realistic definition of the terms of reference, aims and methods of the programme of technical assistance in public administration and that it endorsed, in general, the trends and developments noted by the Secretary-General in his report. The principle that economic development could only be securely founded in countries possessing sound administrative structures was reaffirmed, and it was pointed out, by the Argentine representative, that the countries most in need of United Nations assistance in public administration were those in the process of development. Several representatives, among them those of Australia, Egypt, France, the USSR and the United States, agreed that the shift in emphasis towards regional and national training was wise, since there was a special need in the field of public administration for technical assistance designed and adapted to meet the needs of a particular country. In this connexion, the Egyptian representative urged that emphasis should be placed on national, rather than on regional, training centres. It was also generally agreed that future reports on the programme should include an assessment of practical results achieved.

A number of representatives, among them those of Belgium, France and the United Kingdom, noted with satisfaction the collaboration described in the Secretary-General's report between the United Nations and the International Institute of

Administrative Sciences, and urged that the maximum use be made of the expertise of this and similar institutions, in the interests of both efficiency and economy. The representative of the USSR held the view, however, that such co-operation should not entail any allocation of United Nations funds to these institutions.

While it was generally considered that the collection and dissemination of technical information was an important aspect of the programme, the United Kingdom representative stressed that the major effort of the Public Administration Division of TAA should be directed towards tangible assistance to governments and that the collection of technical information should be left to expert bodies. The USSR representative thought that the type of information received was often superfluous and that the United Nations should concentrate on information submitted by governments which would have a direct bearing on the problems of technical assistance in public administration.

The Council had before it a joint draft resolution (E/L.562) by Argentina, Cuba, Egypt, the Philippines, Sweden, the United Kingdom and the United States redefining the functions and aims of the programme of technical assistance in public administration along the broad lines suggested in the Secretary-General's report.

The Council noted an oral statement by the Director-General of TAA to the effect that the adoption of the draft resolution would not authorize the initiation of any new activity and would neither increase nor decrease the financial commitment of the United Nations. By 15 votes to 2, with 1 abstention, it rejected an oral proposal by the USSR representative to include in the draft resolution a specific directive that the financial estimates for the programme should be put forward within the limits of the previous year's appropriation. It was agreed, however, that, while the Council should not impose such an unprecedented limitation on the Secretary-General's powers to suggest increases or decreases in the United Nations budgetary estimates, his attention should be drawn to the need for ensuring that the programme was administered with the utmost economy.

The sponsors of the draft resolution accepted a French amendment (E/L.566), which would provide for collaboration with the International Institute of Administrative Sciences not only with regard to exchange of information but also with regard to collection and analysis of technical information in the field of public administration. As

suggested by the representative of Cuba, the words "where appropriate" were inserted. In a separate vote on this part of the paragraph, it was adopted by 16 votes to 2, and the remainder of the draft resolution was adopted by 16 votes to none, with 2 abstentions. The draft resolution, as a whole, as amended, was adopted by the Council at its 748th meeting on 4 August 1953, by 16 votes to none, with 2 abstentions.

By resolution 492 B (XVI), the Council took note of the Secretary-General's report on the programme of technical assistance in public administration and of the organizational measures which he had taken in that connexion, and recommended that the Assembly adopt a resolution approving a revised United Nations programme in public administration. (For text as adopted without change by the Assembly, see below.)

(b) CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS EIGHTH SESSION

The General Assembly considered the item "Technical assistance in public administration" at the same time as it discussed questions concerning the Expanded Programme of technical assistance for economic development at the 249th to 257th meetings of its Second Committee, from 28 September to 12 October, and at its 454th plenary meeting on 23 October.

During the general debate, a number of representatives, including those of Belgium, Brazil, Cuba, Iran, the Netherlands and Turkey, stressed the importance of the public administration programme. Without an efficient public administration, the representative of Belgium pointed out, the economic and social standard of living could not be raised. Since public administration was a very large subject, experts, he stressed, should give their advice on specific points and these recommendations should be practical and adapted to local conditions. The representative of Iran stated that he would endorse any means to improve public administration in under-developed countries by methods more closely adapted to the individual requirements of such countries and by more direct assistance.

The draft resolution, as proposed by the Council (492 B (XVI)), was adopted unanimously by the Second Committee (A/2519 II) at its 256th meeting on 9 October, and by the Assembly at its 454th plenary meeting on 23 October 1953. Resolution 723 (VIII) read:

"The General Assembly,

"Noting that the programme of activities and the organizational arrangements developed by the Secretary-General in consultation with the Economic and Social

Council in response to General Assembly resolution 246(III) of 4 December 1948, and placed on a continuing basis in accordance with General Assembly resolution 518(VI) of 12 January 1952, are no longer adequately covered by the terms of resolution 246(III),

"Noting further that the aforementioned activities now form an integral part of a wider programme of assistance to governments in the field of public administration, including aspects other than training,

"Recognizing the increasingly important role of governmental administration in programmes for the promotion of economic development and social welfare,

"1. Approves a revised United Nations programme in public administration comprising:

"(a) The provision, at the request of governments, of technical assistance related to public administration, including training for public service, through:

- (i) The advisory services of experts;
- (ii) Fellowships and scholarships;
- (iii) Training institutes, seminars, conferences, working groups and other means;
- (iv) The provision of technical publications;

"(b) The collection, analysis and exchange of technical information in the field of public administration, in collaboration, where appropriate, with the International Institute of Administrative Sciences and other appropriate institutions, and assistance to governments to promote, by all suitable means, sound public administration, in relation to economic and social development;

"2. Authorizes the Secretary-General to continue to include in the budgetary estimates of the United Nations the funds necessary for carrying out an effective operational programme based on the provision of the above services and, in addition, to finance such activities from funds made available from the United Nations Expanded Programme of Technical Assistance, provided that, in the latter case, such assistance is related to the economic development of under-developed countries;

"3. Reaffirms the principle by which each requesting government shall continue to be expected to assume responsibility, as far as possible, for all or part of the expenses connected with the services furnished to it;

"4. Requests the Secretary-General to report regularly to the Economic and Social Council on activities carried on under this programme."

(3) Activities during 1953

In 1953, under the United Nations programme of technical assistance, 495 experts, recruited from 50 countries, gave advice in the fields of social welfare, economic development, and public administration in response to requests from 55 governments. The experts were specialists in transport and communications, industrial development, applied economics, statistics, water and mineral resources, monetary and fiscal policy, cottage industries, electrification, housing and town planning, rehabilitation, population, rural welfare, training of civil servants and social workers, personnel selection and central and local administration.

Work has been diversified and has varied from geological surveys of almost unmapped territories to the revision of statutes of central banks. Experts have assisted in finding new water supplies for drought-threatened cities and have aided finance ministers in devising new investment programmes. New ports have been developed, new techniques in industry and in building applied, and new equipment installed.

In addition to providing expert advice, the United Nations, in 1953, arranged to send abroad 627 fellows and scholars; of these, 273 observed and studied in the field of economic development, 100 in the field of public administration, and 254 in that of social welfare.

Technical assistance is also supplied by means of group activities. During 1953, for example, a group of technicians from Asia and the Far East visited Australia to study the prospecting, mining, and utilization of lignite. Demonstrations have been held in Israel on the use of stabilized earth as a building material and preparations were made for the opening in Pakistan of a regional training centre in railway operations.

In Santiago, Chile, an Economic Development Training Programme has continued the work begun in a previous year. A seminar on the transport problems of five Central American countries has been part of a larger programme of the economic integration of their national systems. In Egypt, a Demonstration Centre for the Rehabilitation Service of the Blind has been opened under the guidance of a Canadian expert; the Centre combines a school, home training facilities and a Braille printing press.

Training schools in Public Administration have been established in Brazil, Turkey and Libya, and plans were well advanced by the end of the year for a school in Central America. Seminars on public administration and budget management were organized in Istanbul and Mexico City.

Two regional seminars in social welfare were held in Latin America. One, on rural welfare, dealt with the problems associated with migration from the countryside to the towns; the other was concerned with the prevention of crime and treatment of offenders. In Europe, Exchange Plan Seminars in social welfare were organized on similar lines to those of previous years.

c. ASSISTANCE TO LIBYA

The General Assembly on 1 February 1952 (515(VI))¹⁹ requested the Economic and Social Council to study, in consultation with the Government of the United Kingdom of Libya, ways

and means by which the United Nations, with the co-operation of all governments and the competent specialized agencies, and upon the request of the Government of Libya, could furnish additional assistance to that country with a view to financing its fundamental and urgent programmes of economic and social development, and to report thereon to the Assembly. At the request of the Libyan Government (E/2282), the Council at its fourteenth session in 1952 postponed consideration of the question until 1953, at which time that Government had indicated it expected to be in a position to furnish the requisite factual information on Libya's economic and social development programmes and on the functioning of the related operative organs only just established.

(1) Consideration by the Economic and Social Council at its Sixteenth Session

The Council at its 746th and 747th plenary meetings, on 3 August 1953, had before it a memorandum (E/2469 & Corr.1) from the Acting Prime Minister of Libya setting forth a five-year capital development programme, defining the financial assistance needed for projects to be carried out with the aid of technical assistance experts as well as for building up an agricultural credits fund and a stabilization reserve for emergency expenditures in drought years. In introducing this memorandum to the Council, the observer for the Government of Libya further explained his country's vital need for assistance in its development, expressed the gratitude of the Libyan people for the help received to that end under the United Nations Expanded Programme of Technical Assistance and under bilateral arrangements for the same purpose, and emphasized that his Government would welcome additional contributions, compatible with the country's independence and sovereignty, from States which wished to accord economic and financial assistance to Libya.

The Council also had before it a joint draft resolution (E/L.563) by Egypt and Turkey on assistance to Libya, which was subsequently adopted (see below). During the discussion, the majority agreed that Libya greatly needed assistance in developing its resources and in improving the welfare of the people. They supported the draft resolution, recognizing that the United Nations had a special responsibility towards the State it had helped to create, and commended the development programme drawn up by the Libyan Government. It was clear, they agreed, from the memorandum submitted by that Government that

¹⁹ See Y.U.N., 1951, pp. 275-76.

substantial financial assistance would have to be provided if Libya were to overcome the grave and urgent problems with which it was faced.

The representative of the United Kingdom stated that it was incumbent on all governments to consider, in the light of their existing resources and commitments, whether they could make an increased or fresh contribution. The representative of France thought that the extent of the financial aid and technical help that could be given at the present time should not be overestimated, but hoped that the adoption of the draft resolution would pave the way for more effective help to Libya in the future. The Yugoslav representative, while also supporting the draft resolution, felt that more should be done by the United Nations to help strengthen the Libyan economy and develop the country as an independent State. He believed that certain questions barely touched upon in the text as drafted would have to be taken up for consideration when the resolution came before the General Assembly.

The representatives of India and the USSR, sharing the view that more explicit provision for additional assistance to Libya through the United Nations ought to have been made in the draft resolution, expressed misgivings regarding the "other channels" of assistance referred to therein, a reference which might be construed as implying approval by the Council of such bilateral agreements as that just concluded for a period of 20 years between the United Kingdom and the Libyan Governments. While no objection, in principle, could be voiced against bilateral arrangements for assistance in economic development, the Indian representative stated, such assistance, where the bargaining strength of the contracting parties was very unequal, might in the long run endanger Libya's economic freedom and not be altogether in its interests. The representative of the USSR, though recognizing that the Government of Libya was free if it so chose to enter into such an arrangement, stated that the terms of the treaty were not compatible with United Nations principles as defined in the Charter. On these grounds he also felt unable to support the draft resolution but would also not oppose it, wishing Libya to receive any appropriate help in its development.

The Council, at its 747th plenary meeting on 3 August, adopted the joint draft resolution by 15 votes to none, with 3 abstentions, as resolution 493(XVI).

By this resolution, the Council recalled the part played by the United Nations in the creation of the independent State of the United Kingdom of

Libya in accordance with General Assembly resolution 289(IV); noted that consultations had been undertaken with the Libyan Government in accordance with General Assembly resolution 515 (VI); and considered that it was open to governments to assist Libya through any appropriate mechanisms within the United Nations that might be available for receiving voluntary contributions or through other channels acceptable to the Libyan Government.

The Council, therefore, recommended that the General Assembly: (1) invite all governments which were in a position to do so to provide, in the spirit of the United Nations Charter and within their possibilities, financial and technical assistance to Libya in order to assist in Libya's economic development; (2) recommend that, if and when further means became available for assisting in the financing of the development of under-developed areas, due consideration should be given to the specific development needs of Libya; and (3) request the Secretary-General and the specialized agencies concerned to continue to waive local costs and to give all possible favourable consideration to the requests of Libya for technical assistance, taking into account the special needs of Libya and the principles of the technical assistance programmes of the United Nations and the specialized agencies.

**(2) Consideration by the General Assembly
at its Eighth Session**

The question was before the General Assembly at the 285th to 287th meetings of its Second Committee, on 3 and 4 December, and at its 469th plenary meeting on 8 December 1953. The Second Committee had before it, inter alia, a joint draft resolution (A/C.2/L.221/Rev.1) by Egypt, Indonesia, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria, Turkey and Yemen, based on the previous resolutions adopted by the Council and the Assembly concerning aid to Libya.

As in the Council, it was agreed that, if Libya were to overcome the grave and urgent problems with which it was faced, it must have substantial financial and technical assistance, and that the United Nations, having played a part in bringing about its independence, should consider what could be done to help provide such assistance. Among those speaking in support of the draft resolution were the representatives of Afghanistan, Argentina, Chile, Cuba, India, Peru, the Philippines, the United Kingdom and the United States. The representatives of Afghanistan, Chile, Ecuador, Ethiopia, Liberia, Mexico and Uruguay supported the draft resolution, but stated that their

Governments were not in a position at this time to make funds available to Libya. The representatives of Cuba and Peru stated that they did not regard support of the resolution as a definite commitment to contribute to the financing of the fundamental programmes for the development of Libya. The representative of the Philippines thought it should be understood that assistance to Libya would not continue indefinitely and that the waiving of local costs was intended as an interim measure.

As in the Council, the USSR representative criticized the bilateral agreement between the United Kingdom and Libya as containing provisions infringing upon Libya's sovereign rights. He stated that he could not support those parts of the draft resolution which would make such a policy possible, although other parts of the draft resolution were acceptable. His delegation would therefore abstain.

At its 287th meeting, following paragraph-by-paragraph votes, ranging from a unanimous vote to 44 votes to none, with 6 abstentions, the Committee adopted the draft resolution, as a whole, by 45 votes to none, with 5 abstentions.

The draft resolution, as proposed by the Committee (A/2612), was adopted at the Assembly's 469th plenary meeting on 8 December by 41 votes to none, with 5 abstentions, as resolution 726(VIII). It read:

"The General Assembly,

"Recalling the part played by the United Nations in the creation of the independent State of the United Kingdom of Libya, in accordance with General Assembly resolution 289 A (IV) of 21 November 1949 recommending that Libya, comprising Cyrenaica, Tripolitania and the Fezzan should be constituted as an independent and sovereign State, and that this independence was achieved on 24 December 1951, in accordance with that resolution,

"Recalling General Assembly resolution 515(VI) of 1 February 1952 by which the Assembly requested the Economic and Social Council to study, in consultation with the Government of the United Kingdom of Libya, ways and means by which the United Nations, with the co-operation of all governments and the competent specialized agencies, and upon the request of the Government of Libya, could furnish additional assistance to the United Kingdom of Libya with a view to financing its fundamental and urgent programmes of economic and social development, giving consideration to the possibility of opening a special account of voluntary contributions to that end, and to report thereon to the General Assembly at its seventh session,

"Recalling further its resolution 529(VI) of 29 January 1952 on the problem of war damages in Libya,

"Recalling General Assembly resolution 398(V) of 17 November 1950 which recognizes the special responsibility assumed by the United Nations for the future of Libya,

"Bearing in mind the recommendations submitted by the Economic and Social Council in its resolution 493 (XVI) of 3 August 1953,

"Having heard the statement made by the representative of the United Kingdom of Libya concerning the needs of Libya for economic and financial assistance,

"1. Invites all governments willing and in a position to do so to provide financial assistance to the United Kingdom of Libya through the appropriate mechanisms within the United Nations Organization available for receiving voluntary contributions, in order to assist Libya in the financing of its fundamental and urgent programmes of reconstruction and of economic and social development;

"2. Recommends that, if and when further means become available for assisting in the financing of the development of under-developed areas, due consideration be given by the United Nations and the specialized agencies to the specific development needs of Libya;

"3. Requests the Secretary-General and the specialized agencies concerned to continue to waive local costs and to give all possible favourable consideration to the requests of Libya for technical assistance, taking into account the special needs of Libya and the principles of the technical assistance programmes of the United Nations and the specialized agencies enumerated in Economic and Social Council resolution 222(IX) of 15 August 1949;

"4. Requests the Secretary-General to bring the present resolution to the attention of the governments of Members and to take the necessary measures to facilitate the implementation of paragraph 1 above;

"5. Requests the Secretary-General to make a special report on the question of United Nations assistance to Libya in time to be placed on the agenda of the tenth session of the General Assembly."

3. Methods to Increase World Productivity

In resolution 416 E (XIV) of 10 July 1952, the Council requested the Secretary-General, after consultation with the specialized agencies concerned, to arrange for the continuation of studies concerning the problem of raising productivity in under-developed countries, particularly in such fields as agriculture, manufacture, mining, transport, the construction industries and the distributive trades, and for the preparation of working papers on the problem of raising productivity in relation to programmes for the expansion of production in these fields and on the role of labour in any programme for increasing productivity.

Accordingly, at its sixteenth session, the Council had before it two working papers by the Food and Agriculture Organization of the United Nations (FAO) and by the International Labour Office.

The working paper prepared by FAO (E/2435) briefly discussed the problems of produc-

tivity, for which FAO has international responsibility in agriculture, fisheries and forestry. Special emphasis was placed on the important differences which distinguish problems of productivity in these fields from those in industry, mining, transport and other forms of secondary or tertiary economic activities. The report, inter alia, listed six principal means of raising productivity in agriculture:

- (1) transformation of the natural resources of land and water in such a way that they can contribute in full to plant growth;
- (2) improving the capacity for growth and production of the plant and animals domesticated by man;
- (3) better nutrition for plants and animals;
- (4) improvements in technical equipment;
- (5) prevention of losses in growing crops and livestock through pests and diseases and losses from products in storage and in transit; and
- (6) raising skill and understanding in the conservation and use of resources and the care of plants and animals and the utilization of technical equipment.

The working paper prepared by the International Labour Office (E/2440) concerned the role of labour in programmes for increasing productivity. It dealt with measures to enlist the co-operation and safeguard the interests of workers in programmes for raising productivity, namely: education and vocational training; measures to stabilize the labour force in particular undertakings; growth of a trade-union movement; explanations and joint consultation; equitable distribution of the benefits of higher productivity; security against unemployment; and working conditions.

During the discussion of the agenda item "Economic development of under-developed countries" at the Economic Committee's 138th to 140th meetings, on 21 and 31 July and 3 August, and at the Council's 725th to 731st and 749th plenary meetings, on 15 to 18 July and 4 August, the International Labour Office and FAO were complimented on the clarity of their working papers.

There was general agreement among Council members on the need for greater productivity to raise living standards, particularly in view of the conspicuous fact that food production was lagging behind population growth. Immense natural resources were not being fully utilized owing to shortage of money and technical skills. The importance of carrying out land reforms was also stressed.

The representative of FAO emphasized that the distinctive feature of any attempt to increase productivity in agriculture as opposed to industry was the need to ensure that renewable resources

were improved and not decreased or wasted. He referred to the importance, over and above the six principal methods of raising productivity in agriculture set out in the FAO report, of incentives, of adequate and supervised agricultural credit systems and of adequate and stable prices for primary commodities.

The representative of Egypt suggested that, in view of the particular importance of the problem of developing arid land, the United Nations should set up a special body to co-ordinate the work. He also felt that attempts to improve productivity in agriculture on the lines suggested by FAO would prove ineffective unless accompanied by comprehensive land reform and the organization of co-operatives, agricultural credits and an international system for the commercial distribution of agricultural produce.

The French representative referred to, among other things, the intimate relationships between productivity and other problems, such as those of employment, restrictive business practices, international trade, integrated economies, non-self-liquidating investment, means of economizing in raw materials, and differences in the taxation and social legislation systems of various countries. These relationships made it doubtful that the Council should continue to deal with these matters independently of one another.

The representative of the United Nations Educational, Scientific and Cultural Organization (UNESCO) stated that production in under-developed countries depended on millions of illiterate workers and he referred to the contributions of UNESCO in the field of science and education towards economic development.

The representative of ICFTU expressed the concern of his organization to protect workers against any undue demand being made on them as the result of excessive speeding up of work and to secure for the workers their proper share of any increases in productivity.

At the 749th plenary meeting on 4 August, the President, on behalf of the Council, thanked the representatives of FAO and the International Labour Office for the working papers they had submitted.

4. Integrated Economic Development

The Council, at its fourteenth session, requested (416 F (XIV))²⁰ the Secretary-General to prepare a working paper regarding the concrete proposals referred to in General Assembly resolution

²⁰ See Y.U.N., 1952, pp. 391-92.

521(VI)²¹ and relating to a programme of rapid industrialization of under-developed countries.

Accordingly, the Council, at its fifteenth session, had before it a working paper submitted by the Secretary-General (E/2384) on certain aspects of this question. This paper contained a brief review of the various resolutions by the several United Nations organs and the programme of studies in progress or completed by the United Nations on subjects such as financing of economic development, national income, international price relations, availability of development goods, land reform, productivity and resource utilization—all of which were based on the recognition not only of the importance of the principle of "integrated economic development" but also of the fact that to the furtherance of such development the efforts of both developed and under-developed countries were essential. The remainder of the paper dealt with proposals on two specific topics which had not yet been considered by the Council: (1) the problem of initiating economic development in subsistence societies and the part that enterprise at the local level might play in this field; and (2) the development corporation as an instrument for furthering the process of integrated economic development.

During the Council's discussions of the subject at its 694th to 697th plenary meetings, from 21 to 23 April, it had before it a joint draft resolution (E/L.500) by Argentina, Cuba, Egypt, India, the Philippines, Uruguay and Yugoslavia. The operative part proposed that the Secretary-General:

(1) convene a group of experts to prepare a report for the Council's eighteenth session on the process and problems of industrialization of the under-developed countries, in order to provide a basis for a programme of rapid industrialization of the under-developed countries, including the economic, social, fiscal, technical and organizational problems involved, and the role that both the industrially advanced and the under-developed countries have to play in such a programme; and

(2) continue the studies of industrialization as part of the general problem of economic development and submit periodical reports to the Council on the progress of his work.

It was generally agreed that the measures to be adopted with regard to integrated economic development must necessarily vary according to conditions prevailing in each country, but opinion was divided as to the most effective way of dealing with the question through international channels. The representative of the USSR stressed that the development of the economies of under-developed countries in their own national interests was an essential consideration and that the achievement of economic independence by the under-

developed countries would have a beneficial effect on the world as a whole.

Some representatives, among them those of Sweden and the United Kingdom, pointed out that industrialization was not the only method of advancing economic development. The representatives of Uruguay, Yugoslavia and Venezuela, among others, agreed with this view, but thought that efforts to increase agricultural production should proceed simultaneously with other development schemes and that a combination of methods was needed to advance development. Rapid industrialization, the Australian representative stated, was essentially an internal problem and should be attacked at the national and not at the international level. The representative of Argentina pointed out that it was not a matter of choosing between agriculture and industrial development, but rather of promoting balanced expansion in all sectors of the economy. He and the representative of Uruguay considered that rapid industrialization of under-developed countries was essential in order to establish equilibrium between the economies of those countries and those of the industrialized countries.

In the course of the discussion, statements were made by representatives of the International Chamber of Commerce (ICC), the International Co-operative Alliance (ICA) and the World Federation of Trade Unions (WFTU). The representative of ICC presented the views of his organization on General Assembly resolution 626 (VII) on "Right to exploit freely natural wealth and resources"; the representative of ICA spoke on the role the co-operative movement could play in assisting under-developed countries in their economic development programmes; and the representative of WFTU spoke of industrialization as a major factor in the economic development of under-developed countries and a means of achieving economic independence.

Several representatives doubted the advisability of establishing a group of experts to undertake a generalized international study of problems of industrialization. The representative of the United Kingdom thought it would have little practical value and that the general principles had been amply debated in the Council at various times. The experts, in his opinion, could hardly draw up a general programme for all countries. The real need, he held, was for technical assistance and an exchange of information on the experience gained by other countries in dealing with similar problems. The representatives of France and the

²¹ See Y.U.N., 1951, p. 416.

United States thought that general studies had a limited usefulness, that there was already voluminous documentation on the general aspects of the question and that it would be better to concentrate on well-defined and specific questions which would lead to practical conclusions that could be applied immediately. They proposed (E/L.502), therefore, that the Council, instead of setting up a group of experts, might invite some of its subsidiary bodies, the regional commissions, several functional commissions and appropriate specialized agencies to devote special attention in their work to the United Nations priority programmes concerning "increased production in fields other than food", as listed in section B, paragraph 10, of the annex to resolution 451(XIV).²²

The Australian representative, while agreeing that international studies on the subject should be pursued, expressed doubts as to the advisability of establishing the group of experts. He suggested that it might be more advantageous if the Secretary-General were to continue to expand his studies in the field, paying special attention to the problems which the joint draft resolution would have entrusted to an expert group. The Yugoslav representative suggested that a special study of the results of experience acquired in planned industrialization and in the modernization of agriculture might also be useful.

Taking into account the suggestions and comments made during the discussion, the sponsors of the joint draft resolution presented a revised text (E/L.503) at the Council's 697th plenary meeting on 23 April. The representatives of France and the United States considered that paragraphs 2 and 3 (see below) were still too general and maintained their amendment (E/L.502). It was rejected by 11 votes to 5, with 2 abstentions.

The revised text was adopted unanimously, as resolution 461(XV). It read:

"The Economic and Social Council,

"Having examined the Secretary-General's report on the progress of the work undertaken in accordance with Council resolution 416 F (XIV),

"Reaffirming the principles set forth in General Assembly resolution 521(VI) and Council resolution 416 F (XIV) with regard to the need for the rapid industrialization of under-developed countries,

"1. Notes the Secretary-General's first report on the progress of the work undertaken in accordance with resolution 416 F (XIV);

"2. Requests the Secretary-General, in continuing his studies on the question of industrialization as part of the problem of integrated economic development of under-developed countries, to submit, after taking into account the discussions in the fifteenth session of the Council and not later than the eighteenth session of

the Council, a study on the processes and problems of industrialization which may assist the under-developed countries in preparing practical programmes of rapid industrialization, the study to deal also with the economic, social, fiscal, technical and organizational problems involved and with the role which the industrially advanced countries can play in order to help further such programmes;

"3. Authorizes the Secretary-General if necessary to consult with experts for the purposes of the above study;

"4. Invites the Secretary-General to prepare for the seventeenth session of the Council:

"(a) A bibliography of the studies undertaken by the organs of the United Nations and the specialized agencies on the subject of industrialization of under-developed countries;

"(b) A similar bibliography of important books and documents otherwise published on the subject;

"5. Requests the Secretary-General, in the light of the above, to prepare and submit a list of subjects relating to the industrialization of under-developed countries which have not so far been dealt with by the United Nations or the specialized agencies, with a view to completing the programme of studies requested in General Assembly resolution 521(VI);

"6. Requests the Secretary-General also to submit further details of the functioning of development corporations in the countries where they exist."

5. Conservation and Utilization of Non-Agricultural Resources

The Council, during its fifteenth session, at its 689th and 690th plenary meetings, on 16 and 17 April, had before it the Secretary-General's third report (E/2367) submitted in accordance with Council resolution 345(XII).

Under this resolution, the Secretary-General furnishes each session of the Council with a statement on specific plans and action taken with respect to a programme designed to promote the systematic survey and inventory of non-agricultural natural resources and on the results of any explorations with respect to the desirability of holding international conferences on particular resources or resource problems. The Council had also requested the Secretary-General to report, not later than at its fifteenth session, on other activities specified in that resolution, namely, those related to requests from governments for technical assistance and to his consideration of any international action designed to promote an integrated approach in this field.

In his report, the Secretary-General informed the Council that the meeting of the Ad hoc Committee of Experts, established to study and prepare

²² See Y.U.N., 1952, p. 539.

recommendations on standard concepts and terminology for use in connexion with surveys and inventories of iron ore resources, had been postponed to mid-1953 for lack of staff (see below). As a result and because budgetary arrangements provided for only one resource meeting a year, it had been necessary also to suspend investigations with respect to coal and lignite resources. Similar activities on water resources under Council resolution 417(XIV)²³ had also to be delayed. The report contained information on the technical assistance furnished to Member States by the United Nations during 1951 and 1952 in connexion with the development of resources, and on the technical conferences and meetings on various resources initiated by the regional economic commissions.

Thirty-three fellowships and scholarships, relevant to the development of non-agricultural resources, had been awarded to nationals of 26 countries. No requests for international conferences on any particular resources had been received from Member Governments. However, a meeting of experts, organized jointly by the Economic Commission for Latin America (ECLA) and the Technical Assistance Administration (TAA), had been held at Bogota, Colombia, from 13 October to 13 November 1952, to consider basic problems and processes of the iron and steel industry of Latin America.

The importance of international co-operation on questions of water resources was stressed by the majority of speakers, and it was agreed that work in this respect should be undertaken as soon as possible. The Council, at its 690th plenary meeting on 17 April, therefore, unanimously adopted a joint draft resolution (E/L.495/Rev.1) by Argentina, Australia and France.

By this resolution (463(XV)), the Council took note of the Secretary-General's report, and recommended the effective continuation of the action provided for by resolution 345(XII) and that the earliest possible action should be taken under resolution 417(XIV).

The Secretary-General, in accordance with resolution 345(XII), furnished the Council, at its sixteenth session, with a further statement (E/2442) of specific plans and action taken in compliance with the terms of the resolution. He noted that the Ad hoc Committee of Experts, which was established to study and prepare recommendations of standard concepts and terminology for use in connexion with the survey and inventory of iron ore resources, would hold a preliminary session in June 1953 at New York and a second and final session in March 1954 at Geneva. A regional conference on mineral resources development, sponsored by ECAFE with the participation of TAA, had been held in Tokyo from 20 to 30 April 1953. Preparatory work, he reported, had been started by the Bureau of Flood Control and Water Resources Development of ECAFE on the convening of a regional technical conference on water resources and development, which was scheduled for 1954. The Economic Commission for Europe (ECE) was working on the subject of coal classification, and studies were being made of solid fuel utilization and on the substitution possibilities between coal and other forms of energy. ECLA, at its fifth session in April 1953, had extended its activities in the field of non-agricultural resources. In particular, resolutions had been adopted and projects had been included in ECLA's work programme dealing with: iron ore utilization; the compilation of data on estimated reserves of ores of non-ferrous metals and problems in their mining and use; and the development and utilization of energy resources.

C. FULL EMPLOYMENT

The Economic and Social Council at its sixteenth session considered the question of full employment under the following headings: (1) reconversion after the rearmament period; (2) consideration of replies from governments to the annual questionnaire circulated by the Secretary-General concerning full employment objectives, policies and measures; (3) report of the International Monetary Fund concerning the adequacy of monetary reserves; and (4) report of the Secretary-General concerning full employment and inflation.

The question was considered by the Council at its 720th to 724th, 748th and 749th plenary meetings, on 10, 11 and 13 July and 4 August, and at the 133rd to 137th meetings of the Economic Committee, on 14, 16 and 20 July. The Council's discussions opened with a general debate on all four subjects at the 720th to 724th plenary meetings. Its consideration of these subjects is dealt with below, the first two being grouped together.

²³ See Y.U.N., 1952, pp. 383-84.

1. Reconversion After the Rearmament Period and Replies from Governments to the Questionnaire on Full Employment

a. MEMORANDUM BY ICFTU

Regarding the subject of reconversion, the International Confederation of Free Trade Unions (ICFTU) had presented to the Council at its fifteenth session a memorandum entitled "Reconversion after the Rearmament Period" (E/2421). In this memorandum, ICFTU argued that any discontinuation of rearmament was bound to have a serious impact on economic and social conditions, and expressed the view that the Council should give a lead to the study of this problem. The Council at the 703rd plenary meeting of its fifteenth session, on 28 April, decided to include the item "Reconversion after the Rearmament Period", proposed by ICFTU, in the provisional agenda for the sixteenth session.

Subsequently, ICFTU submitted a further memorandum on this subject (E/2474), containing recommendations designed to ensure that full advantage was taken by Member Governments of the end or falling-off of rearmament so as to switch resources to production contributing directly to human welfare and to forestall any possible adverse effects of a cessation of arms production on employment and living standards.

The recommendations which ICFTU proposed should be made by the Council to Member Governments included: research into the probable effects of the falling-off of arms production; plans for measures to stimulate private consumption, in particular through a policy of high wages, improved social security schemes and benefits, as well as reductions of taxes on lower incomes; plans for an increased level of public investment, especially in social housing; and increased public and private investment by industrial countries in economically under-developed areas.

Other recommendations were that the Council, in conjunction with the regional economic commissions, should work out plans for an international housing fund; that it should try to speed up the establishment of the proposed international institutions for increased investments in economically under-developed countries and should appeal to Member Governments to contribute to international funds for the development of such countries; and that it should convene further international commodity conferences.

b. REPLIES OF GOVERNMENTS TO QUESTIONNAIRE ON FULL EMPLOYMENT

The Council also had before it the replies of governments²⁴ to the questionnaire on full employment, the balance of payments and economic trends, objectives and policies in 1952 and 1953, which had been prepared and circulated to governments by the Secretary-General in accordance with General Assembly resolution 520 B (VI) and with Council resolutions 221 E (IX), 290 (XI) and 371 B (XIII). Further, it had before it an analysis (E/2445 & Addenda) by the Secretariat of the replies to the questionnaire. Owing to the fact that, at the time of the preparation of the analysis, the replies of governments of under-developed countries had not been received in sufficient number or detail from all regions, it did not prove possible to examine the problems of economic development in under-developed countries, as provided in Council resolution 371 B (XIII). The Secretary-General advised the Council (E/2445) that he had under consideration measures to secure a more adequate response to the questions relating to under-developed countries in the future.

The Secretariat's analysis of the replies to the questionnaire consisted of three parts. The first part (E/2445) reviewed domestic full employment policies; the second (E/2445/Add.1) dealt with balance of payments and related policies; and the third (E/2445/Add.2) provided a tabular comparison of certain economic indicators in the more developed and the less developed countries.

The first part indicated that most governments had had little to add to previous replies concerning their full employment standards, and that the general picture of economic activity in 1952 emerging from the replies did not differ radically from that given in the World Economic Report 1951-52.²⁵ The analysis therefore concentrated on forecasts of the level of economic activity in 1953.

²⁴ By 11 September 1953, complete or partial replies (E/2408 & Add.1-12) had been received from: Australia, Austria, Belgium (including statement for Non-Self-Governing Territories), Cambodia, Canada, Ceylon, Chile, China (Taiwan), Costa Rica, Czechoslovakia, Denmark, the Dominican Republic, Ecuador, Finland, France, Honduras, Iceland, India, Israel, Italy (including statement for Trust Territory), Japan, Laos, Luxembourg, the Netherlands, New Zealand (including statement for Non-Self-Governing and Trust Territories), Norway, Pakistan, Peru, Poland, Portugal, Romania, Sweden, Switzerland, Thailand, Turkey, the Union of South Africa, the USSR, the United Kingdom (including statement for Dependent Territories), the United States (including statement for Non-Self-Governing and Trust Territories) and Vietnam.

²⁵ See Y.U.N., 1952, pp. 348-49.

The replies of six major industrialized countries—Canada, the Netherlands, Norway, Sweden, the United Kingdom and the United States—which had arrived in time for analysis, anticipated an average increase in the national product of over 3 per cent from 1952 to 1953, compared with an actual rise of about 2 per cent from 1951 to 1952. It appeared that average unemployment would be no higher in 1953 than in 1952 in Canada, Norway, and the United States, but that some rise in unemployment was likely in Sweden.

The second part showed that relatively little information was supplied by governments concerning prospects of balance-of-payments trends and policies for 1953.

The United States reply stated that "with favourable climatic conditions abroad and continued favourable business conditions in the United States, foreign countries should be able to raise their gold and dollar assets again in 1953, although probably at a slower rate".

However, structural disequilibrium in international trade and payments persisted, and the problem of rebuilding foreign exchange reserves appeared, in most countries, to be far from solved. A number of countries had introduced fiscal and monetary measures in their programmes for restoring a balance in their external accounts. There was also a widespread desire for a general relaxation of exchange and trade restrictions. Structural changes in production were likely to be required in industrial as well as primary producing countries for the re-establishment of international equilibrium.

The third part listed the following twelve economic series which it stated might reasonably serve as partial indicators of economic development: all agricultural commodities, food, mining, manufacturing, cotton goods, crude steel, cement, building bricks, fertilizers, employment in manufacturing, quantum of exports and ton-kilometres of railway traffic. The more developed countries listed were: Argentina, Australia, Austria, Belgium and Luxembourg, Canada, Denmark, Finland, France, Germany (Fed. Rep. of), Ireland, Italy, Japan, the Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, the Union of South Africa, the USSR, the United Kingdom and the United States. The less developed countries listed were: Algeria, Brazil, Ceylon, Chile, Colombia, Cuba, Egypt, Greece, India, Israel, Malaya, Mexico, Morocco (French), Pakistan, Peru, the Philippines, Thailand, Tunisia, Turkey and Yugoslavia.

c. VIEWS EXPRESSED IN THE ECONOMIC AND SOCIAL COUNCIL

In the course of the general debate, several representatives, including those of Australia, China, Cuba, Egypt, France and the Philippines, paid tribute to the initiative of ICFTU in bringing the subject of reconversion before the Council. It was observed that the analysis prepared by the Secretariat indicated that most of the leading industrialized countries anticipated higher output in 1953 than in 1952. Nevertheless, an easing of international tensions was likely to be accompanied by some relaxation in the pressure of arms production, and it was necessary for countries to be prepared well in advance to take such measures as might be required to maintain total effective demand in the event of any slackening in economic activity in the armament and related industries.

The representative of Belgium declared that the stabilization of armaments expenditure harboured the seeds of deflation, because all economic activities connected with the expansion of arms production would then lose their point. Stability, he held, was synonymous with depression in a world in which 25 per cent of all economic activity was based on the production of capital goods. That had been clear in 1952 when the prices of raw materials had declined at the mere prospect of such stability.

Certain representatives, in particular those of Belgium, the United Kingdom and the United States, pointed to the need for expanding civilian expenditures to replace any decline in military expenditures. It must not be said, the representative of Belgium emphasized, that armaments were synonymous with economic prosperity and peace with economic depression. The United Kingdom representative agreed with ICFTU that any problem created by falling demand in the defence sector would not be solved almost automatically by the freeing of a great, pent-up civilian demand for both consumer goods and investment, as had been the case in the period immediately following the end of the Second World War. At the same time, he maintained, the problem should not be exaggerated and the extent of reconversion required would be far less than in 1945. He and the representative of the United States pointed out that any reduction in defence spending would provide opportunities for more rapid increases in investment in civilian industry and in standards of living and would free important resources of labour, materials and machinery for civilian needs.

Certain representatives, including those of Argentina, Australia, Belgium and Sweden, stressed the impact on the world economy of developments in the leading industrial countries, notably the United States. It was observed that even a comparatively small change in the economic climate of the United States might have repercussions on the world market many times larger than those felt in the United States itself, particularly since the foreign trade of the United States comprised a far smaller proportion of its general economic activity than was the case in many other countries.

The representative of the United States recognized the concern of other countries regarding future prospects in his country. The United States Government had pledged itself to do everything necessary to maintain a high level of productive employment with rising standards of living in the United States, as a direct contribution to the improvement of living standards throughout the world. There were powerful and sustaining forces for economic expansion in the United States, including, for example, the growth in population. In the task of reconversion, the co-operative efforts of all citizens would be reinforced by the determination of the Government to maintain full employment. At the same time, the United States representative pointed out, the maintenance of an expanding world economy was a collective responsibility which must be shared by all countries.

Several representatives, including those of Argentina, Cuba, Egypt, France, the Philippines, Venezuela and Yugoslavia, emphasized the inter-relationship between problems of full employment and of economic development. The representative of France, for example, declared that the industrialized countries could not enjoy lasting prosperity or solve the problem of full employment until the economic development of the backward countries had been assured. Conversely, he said, without full employment in the industrialized countries there was no solution for the problem of economic development in the under-developed countries.

The representative of Yugoslavia considered that an essential element in any international policy for full employment would be an expansion of financial aid to the under-developed countries, since this would not only contribute to the task of economic development but would also stimulate economic activity.

Under-developed countries, it was stated, were particularly vulnerable to fluctuations in economic

activity in the industrially advanced countries. In this connexion, several representatives, including those of Argentina, Cuba, Egypt and the Philippines, stressed the need for stabilizing the demand for and prices of primary products. It was also observed that an equitable relationship should be maintained between the prices of raw materials in relation to those of manufactured goods, and that the prices negotiated in international commodity agreements should be such as to assure a fair wage to the workers engaged in producing the commodities concerned.

Certain representatives, in particular those of Belgium and India, expressed concern at the obstacles and restrictions currently affecting international trade and the difficulties in maintaining full employment experienced by any country whose exports were subject to restrictions of various kinds in external markets. The representative of Belgium contended that many countries called upon their neighbours to pursue a policy of full employment, but refused to accept either labour or goods from those same countries; the only possible basis for a policy of full employment was a wide international exchange of goods, manpower and capital. Normal trading, the representative of India stated, was still far off and, though some relaxation had taken place in exchange control and quota restrictions in Europe, difficulties attributable to those restrictions still persisted.

The representatives of Poland and the USSR contended that policies of trade discrimination against Eastern European countries and the People's Republic of China had been designed to hamper their economic development and were disrupting world trade, impeding full employment and causing strained international relations. There were signs, however, these representatives believed, that attempts at discrimination were failing and that the consolidation of trade links between East and West was progressing. In their view, recent increases in unemployment in a number of Western European countries could be attributed to the armaments race. While a growth in armaments expenditure might absorb additional labour in the armament industries, its deeper effect was to distort the economies of the countries affected and to reduce consumption and hence employment in the civilian sectors of their economies. The reduction of armaments expenditure, these representatives argued, could set free financial and material resources which could be used in order to finance productive investments, public works, housing, social security and an increase in the production of consumer goods. Such a reduction of armaments expenditure would also

reduce inflationary pressure and make it possible to decrease taxation and increase the purchasing power of the people. It could also lead to a general increase of international trade, greater stability of raw material prices, and a better supply of capital goods to the under-developed countries, which, in turn, would lead to an increase of employment in industrialized countries.

The representative of the United Kingdom, on the other hand, could not agree to the contention that the rise in unemployment had been due to the rearmament programmes of the countries concerned, since defence demands in recent years had, in his opinion, added to the total pressure of demand on the manpower and other resources of those countries.

The representative of the International Labour Organisation (ILO) said that the Governing Body of ILO had recently expressed the view that governments and employers should try to improve methods of forecasting changes in economic activity and employment in order to be better prepared to anticipate new situations. It would be most important to make a smooth conversion from a high level of armaments expenditure to more normal conditions without causing unemployment or inflation. However, some forms of unemployment were not due to a low level of effective demand and could not therefore be remedied by increased spending. ILO had outlined a comprehensive programme to deal with frictional unemployment, and its Asian Advisory Committee had made suggestions for dealing with problems of unemployment in under-developed countries. Studies had also been made of questions of productivity.

The representative of the World Federation of Trade Unions (WFTU) considered that rearmament and the systematic restriction of trade between two parts of the world were reducing employment opportunities in both developed and under-developed countries. WFTU had submitted constructive proposals for full employment to the twelfth session of the Council. The Council should take steps to promote the industrialization of under-developed countries, to raise living standards and purchasing power, to re-establish normal trading relations between all countries and to mitigate the effects of rearmament.

The representative of ICFTU expressed the view that it was the Council's duty to persuade Member Governments to draw up reconversion programmes as soon as possible. Immediate research into the probable consequences of a reduction in armaments production was required,

together with a programme of action to deal with such consequences. ICFTU had recommended certain measures to this effect (E/2474, see above).

The representative of the International Federation of Christian Trade Unions (IFCTU) recalled that this Federation had submitted a note to the Council (E/C.2/361) containing its views on the possible extension of technical assistance and the stimulation of social progress through the reduction of expenditure on armaments. The Council should express its desire that the Disarmament Commission reach a positive solution of the problems it was examining and should recommend a study to determine the amount and application of funds that could be released through a reduction in armament expenditure, with special reference to problems of productivity, trade and housing conditions.

d. DRAFT RESOLUTIONS BEFORE THE ECONOMIC AND SOCIAL COUNCIL

Three draft resolutions were placed before the Council: (1) by the USSR (E/L.531); (2) jointly by Belgium, India and Sweden (E/L.533); and (3) jointly by France and the United Kingdom (E/L.535). The last two draft resolutions were subsequently replaced by a new draft submitted jointly by the sponsors of the two former ones, namely, Belgium, France, India, Sweden and the United Kingdom (E/AC.6/L.63).

The USSR draft resolution (E/L.531) would call upon all the Member States of the United Nations, with a view to increasing employment and raising the standard of living of the people, to take the necessary steps to remove obstacles to the development of normal trade between States in conformity with the principle of abolishing the numerous discriminatory practices currently prevailing in international trade, which were doing great harm to the economy of many States and were gravely complicating international relations.

In support of his draft resolution, the USSR representative stressed the need for taking effective measures to reduce unemployment and increase the standard of living by removing obstacles to the development of international trade which were doing harm to the economy of many States. The joint draft resolution submitted by Belgium, France, India, Sweden and the United Kingdom, on the other hand, he argued, had no such practical objectives in view, but merely recommended governments to reduce obstacles to the development of normal and mutually beneficial trade. As most governments had already taken

steps to that end, the joint draft resolution, which made no reference to the discriminatory practices which the Soviet Union had in mind, did no more than reflect the existing state of affairs, which it must therefore tend to perpetuate.

The USSR draft was supported by the representative of Poland, who also stated that the discriminatory measures aimed at the Soviet Union and the peoples' democracies had failed and had only created difficulties for countries which had taken part in that useless economic blockade.

The representatives of Egypt and Sweden, in particular, while expressing agreement with some parts of the USSR draft, stated that they could not accept all its implications. The representative of Sweden as well as the representative of Turkey expressed the view that the removal of trade barriers was only one of a number of ways of assisting in the maintenance of full employment and, in any case, not the most important. The representative of Turkey also emphasized that the Soviet draft implied that rearmament was resorted to in order to achieve full employment, whereas, in point of fact, rearmament had always been resorted to by governments under force of circumstance and against their will.

The trade discrimination referred to in the Soviet draft, explained the representative of India, was a consequence of political tension. Both he and the representatives of France and the United States expressed the view that, as long as the international tension lasted, States would refuse, on obvious security grounds, to export strategic materials. The solution of the political tension, said the representative of India, was of a political nature and could not be found by the Economic and Social Council. In the opinion of the representative of France, there was a close connexion between the easing of international political tension and the development of international trade relations, it being evident that the maximum development of trade could come about only when the political atmosphere was free of all tension. In the view of the representative of the United States, the removal of security controls on trade was deliberately confused in the Soviet draft with miscellaneous barriers to peaceful trade.

The Council's Economic Committee, at its 135th meeting on 16 July, rejected the various parts of the Soviet draft in votes ranging from 11 to 3, with 4 abstentions, to 6 to 3, with 9 abstentions.

The joint draft resolution of Belgium, India and Sweden (E/L.533) would have made provision for a committee of experts to study the measures needed to counteract any decline in economic

activity to which a decrease in rearmament might give rise, to raise employment rates where they were low, and, generally, to attain and maintain high levels of employment within the framework of external and internal economic equilibrium and of liberalization of trade, and to report to the Council at its eighteenth session.

The joint French-United Kingdom draft resolution (E/L.535), on the other hand, made no provision for a committee of experts, but would have requested the Secretary-General to invite each Member Government to submit statements to the Council: (1) on the measures considered necessary to prevent adverse effects on its own economy or on those of other Members arising from foreseeable reduction in defence expenditures; and (2) on their experience in dealing with inflationary pressures associated with high levels of economic activity.

In the joint five-Power draft resolution (E/AC.6/L.63), replacing these two drafts, section B dealt with reconversion after the rearmament period and section D with full employment measures. (For the other questions dealt with, see below.) According to section B, the Council would, *inter alia*, request the Secretary-General "to invite each Member Government to indicate, before 1 December 1953, its views on the measures it may consider necessary to prevent adverse effects on its economy or on those of other Members arising from foreseeable reductions in its defence expenditures".

Under section D it would call upon "all governments, with a view to increasing trade, employment and standards of living, to take all practicable steps to reduce obstacles to the development of normal and mutually beneficial trade between countries availing themselves, *inter alia*, of any opportunities which may arise as a consequence of an easing of international tensions".

The following amendments and sub-amendments were submitted to these sections: a joint amendment by Argentina, Cuba, Uruguay, Yugoslavia and Venezuela (E/AC.6/L.64) and a Swedish sub-amendment (E/AC.6/L.70) to it; a joint amendment by Turkey and the United States (E/AC.6/L.66); an amendment by Egypt (E/AC.6/L.68); and an amendment by the USSR (E/AC.6/L.69) with a Swedish sub-amendment (E/AC.6/L.74) to substitute a new text.

The purpose of the joint five-Power amendment (E/AC.6/L.64), explained the representative of Argentina, was to insert in the preamble to section B of the joint draft resolution a reference to the importance of accelerated economic development in the countries being developed.

The Swedish sub-amendment (E/AC.6/L.70) to the joint five-Power amendment would have the Council recognize that any tendency toward a slackening or a fall in the total effective demand on some sectors of the economy resulting from any significant reduction in the level of expenditure on defence could be counteracted, among other ways, by a more rapid economic development of the less economically-developed countries.

The purpose of the joint Turkish-United States amendment (E/AC.6/L.66), according to its sponsors, would be: as regards section B, to add a statement in the preamble making it clear that the Council considered any significant reduction in arms expenditure to be desirable; and, as regards section D, to introduce a reference in the operative paragraph to some of the other major improvements in world conditions that would enable trade barriers to be reduced. The only specific opportunities of reducing trade barriers referred to in section D of the five-Power draft resolution, it was stated, were those due to an easing of international tensions. As regards section D, the Turkish-United States amendment referred, in addition, to improved balance-of-payments or monetary reserve positions and the maturing of newly-developed industries.

The Egyptian amendment (E/AC.6/L.68) proposed to specify in the preamble to section B that a reduction in expenditure on defence could cause a fall in the level of employment only "in industrial countries" and to add the word "world" before the word "economy" in order to make clear, said the Egyptian representative, that reconversion might cause a slackening in effective demand not only nationally but also internationally.

The amendment further proposed to alter section D of the draft resolution to have the Council state that the removal of obstacles to the "smooth development of international trade" (rather than the "development of normal and mutually beneficial trade between countries") would help to stimulate business activity and employment.

The USSR representative declared that the text of section B of the five-Power draft, as it stood, gave the impression that the Council was concerned at the prospect of a reduction in the level of expenditure on defence, although such a reduction was not in itself a cause for concern. His amendment (E/AC.6/L.69) to this section, he explained, accordingly referred to the need for an expansion in civilian production, a rise in the standard of living, and normal trade relations between States without discrimination. If it were adopted, he declared, the Council would be referring to the positive steps required rather than

expressing a misplaced concern at a possible reduction in the level of defence expenditure.

The Swedish sub-amendment (E/AC.6/L.74) to this USSR amendment proposed to replace the reference to the need for an expansion in civilian production, a rise in the standard of living and normal trade relations between States without discrimination, as proposed by the USSR, by a statement recognizing that any tendency toward a slackening or a fall in the total effective demand on some sectors of the economy resulting from any significant reduction in the level of expenditure on defence could be counteracted by "measures designed to increase, generally, the demand for an internal and international trade in products coming from the civilian sector of the economy". This phrase would be in addition to the phrase "by a more rapid economic development of the less economically developed countries", as proposed in the Swedish sub-amendment (E/AC.6/L.70) to the joint five-Power amendment (see above).

The USSR amendment relating to section D (E/AC.6/L.69) would substitute a revised text by which the Council would call upon all governments to take "all practical steps to reduce obstacles" instead of "all steps to remove obstacles", with a view to increasing trade, employment and standards of living.

The sponsors of the joint draft resolution on 17 July submitted a revised text (E/AC.6/L.71) incorporating all the amendments they had accepted. The revised text included all or parts of the Turkish-United States amendment (E/AC.6/L.66), the Egyptian amendment (E/AC.6/L.68) and the Swedish sub-amendment (E/AC.6/L.70) to the joint five-Power amendment. The sponsors of the five-Power amendment agreed to accept the revised text of the joint draft resolution.

The Economic Committee voted on the revised joint draft resolution at its 137th meeting on 20 July. The Swedish sub-amendment (E/AC.6/L.74) to the USSR amendment, with certain textual modifications accepted by the representative of Sweden, was adopted by 16 votes to 2.

The USSR amendment (E/AC.6/L.69) to section B was rejected by 12 votes to 2, with 4 abstentions.

Section B of the revised joint draft resolution, as amended, was adopted by 16 votes to none, with 2 abstentions (for text, see below).

The USSR amendment to section D of the joint draft resolution was rejected by 12 votes to 2, with 4 abstentions. Section D of the joint draft

resolution was adopted by 15 votes to none, with 3 abstentions (for text, see below).

2. The Adequacy of Monetary Reserves

a. REPORT OF THE INTERNATIONAL MONETARY FUND

In resolution 427(XIV),²⁶ the Council requested the International Monetary Fund to furnish an analysis of the question of the adequacy of monetary reserves to the Council in 1953. The Fund accordingly submitted a report (E/2454), which formed the basis of the Council's consideration of this question.

The report of the Fund stressed three basic considerations. In the first place, monetary reserves were meant to take care of swings in balances of payments and not to finance a permanent disequilibrium. Secondly, there was a high degree of inter-action between the effect of domestic fiscal and monetary policies on the amount of the monetary reserves of any country, and the effect of the amount of such reserves on the domestic fiscal and monetary policies of that country. Finally, a world-wide distribution of monetary reserves in accordance with the apparent need for them was incompatible with the yet more fundamental considerations of the distribution of the real resources of each country in accordance with the highest priority for their use. It was a corollary of the first consideration that the subject of reserve adequacy could be discussed meaningfully only on the assumption that countries adopted policies adequate to balance their accounts over a normal economic cycle. On this assumption, four standards of reserve adequacy could be distinguished; while almost all countries could qualify for the lowest standard of reserve adequacy specified, few could qualify for the highest standard.

The report pointed out that the resources of the Fund were available for temporary assistance to Member countries which had achieved a fundamental payments balance. In the event of a depression, the maintenance of demand would depend primarily on positive action at the national level, especially in industrial countries, rather than on defensive action such as the supplying of supplementary reserves to countries in difficulty. Nevertheless, the Fund, recognizing the importance of defensive measures, considered that supplementary reserves should be supplied early, on liberal terms, and in adequate amounts. In the event of a severe depression, the Fund would consult with its Members on the desirability of

additions to its resources and would consider possible changes in its modes of operations to meet the emergent situation.

In presenting the report to the Council, the representative of the Fund, at the 720th plenary meeting of the Council on 10 July, stated that, although the conditions under which some of the suggestions made in Council resolution 427(XIV) would be applicable had not yet come about, the Fund had applied its rules flexibly and would continue to do so. It was the core of the Fund's business to keep under review the question of Members' monetary reserves and their relationship to the levels of trade and payments and the restrictions which governments felt it necessary to impose in these fields. The report explained that no absolute determination of the adequacy of monetary reserves could be given for any specific country or area, and that reserves were merely one term in the equation which governments were continually trying to solve.

b. VIEWS EXPRESSED IN THE ECONOMIC AND SOCIAL COUNCIL

Several representatives, including those of Cuba, France, India, the United Kingdom and the United States, congratulated the Fund upon the analysis made in its report. The representative of the United Kingdom, in particular, expressed satisfaction that the Fund was disposed to make its resources more readily available to Members. The representatives of France and the United Kingdom, among others, welcomed the Fund's undertaking to keep under review the question of monetary reserves and their relationship to restrictions and trade.

The representatives of China and France noted that existing monetary reserves, even when supplemented by the resources of the Fund, would not be adequate to combat the spread of a severe depression.

The representative of the United Kingdom stated that it was his Government's view that current reserves were inadequate to finance a free flow of multilateral trade.

The representative of France observed that during the last two years the countries of Western Europe had so increased their trade that their reserves were now inadequate to finance their international trade. The currency restrictions which those countries were obliged to maintain owing to the burdens on their economy, and the social policy they were obliged to apply in order to

²⁶ See Y.U.N., 1952, pp. 401-402.

maintain as high a level of employment as possible, could certainly be relaxed to some extent if reserves were more adequate for the present volume of Western European trade. He considered that the Bretton Woods Agreement implied that drawing rights, to fulfil the requirements of reserves, should be automatic.

The representative of India suggested that the Fund devote more attention to the particular problems of under-developed countries and the representative of Yugoslavia considered that the resources of the Fund should be increased, and that loans should be granted by the Fund to under-developed countries for the stabilization of their currencies and prices and to ensure full employment.

The representative of France expressed certain doubts as to the reliability of 1938 as the base year in determining whether existing monetary reserves were adequate, and pointed out that in that year exchange reserves were very low.

At the 134th meeting of the Economic Committee on 14 July, the representative of the Fund, expressing his thanks to the Council, said that the Fund had constantly in mind the special problems of the lesser-developed countries, but that the requirement that its resources should be employed in a revolving manner for the benefit of all Members precluded the permanent commitment of those resources for the purpose of economic development in any Member country. That was the responsibility of other international agencies, national governments, private firms and individuals. In the case of under-developed countries, moreover, the Fund, in assessing a country's ability to repurchase its currency, took full account of the normal long-term capital inflow into that country, and in that way endeavoured to support its Members' economic development to the fullest extent compatible with the nature of the Fund's functions and the character of its resources as a common reserve. He agreed that reserves should be adequate, not merely during the continuance of American aid, but in a world of balanced trade, and it was for that reason that, in the Fund's report, reserves had been related to total imports, including those financed by American and other aid. The Fund, he said, would keep the adequacy of monetary reserves under review and, at an appropriate time in 1954, inform the Council on this matter.

c. DRAFT RESOLUTION BEFORE THE ECONOMIC AND SOCIAL COUNCIL

Section C of the joint five-Power draft resolution (E/AC.6/L.63)²⁷ was concerned with the

question of the adequacy of monetary reserves. The sponsors of the joint draft resolution incorporated in their revised draft (E/AC.6/L.71) an Egyptian amendment (E/AC.6/L.68) to include "consumption" among the constituents of economic stability influenced by the level of monetary reserves.

Section C of the revised five-Power draft was adopted unanimously by the Economic Committee at its 137th meeting on 20 July.²⁸

3. Full Employment and Inflation

a. REPORTS BY THE SECRETARY-GENERAL

In resolution 426 B (XIV)²⁹ of 9 July 1952, the Council had requested the Secretary-General, after consultation with the appropriate specialized agencies, to prepare, in the light of recent experience in various parts of the world and of pertinent United Nations and other reports and studies already available, a report on national and international measures designed to reconcile the attainment and maintenance of full employment with the avoidance of the harmful effects of inflation, for presentation to the Council in 1953.

In a note presented to the fifteenth session of the Council (E/2404), the Secretary-General stated that preliminary research pertinent to the report requested in resolution 426 B (XIV) had raised certain problems.

In the first place, it was difficult, in analysing past experience, to isolate the influence of a high level of employment from other factors. For example, the periods of inflation accompanied by full utilization of resources during and after the war were characterized by the fact that a much higher proportion of the national product than normal was absorbed in purposes other than the provision of consumer goods. Thus, potent factors not directly related to a high level of employment were involved.

Secondly, an analysis of the sort of chronic inflation which might develop under conditions of full employment appeared to lead to the conclusion that the counter-measures involved decisions in which the political aspect was of paramount importance. Whether, for example, a country would wish to enforce wage controls or price controls or both depended upon the particular institutions and circumstances in that country, and in any case involved political rather than economic judgments.

²⁷ See pp. 328ff.

²⁸ See p. 336.

²⁹ See Y.U.N., 1952, p. 403.

Finally, the problem of preventing inflation in the course of rapid economic development in the under-developed countries was inextricably linked with other aspects of economic development and should, therefore, be made the subject of separate study.

The Council, at its fifteenth session, discussed this note in connexion with the consideration of its provisional agenda for the sixteenth session. The consensus was that, in the first place, the Secretariat should supply a classification of the types of inflation associated with high levels of economic activity and a list of relevant recent studies, especially by international organizations. It was suggested, secondly, that the members of the Council which had had experience in dealing with inflationary pressures associated with high levels of economic activity might arrange to give the Council the benefit of their experience.

With respect to the first of these suggestions, the Secretary-General presented a report to the Council's sixteenth session (E/2449), giving a classification of the types of inflation that might be associated with a high level of economic activity and, in an appendix, a list of recent studies on the subject (with summaries) by international organizations and some private authors. The types of inflation classified were:

(1) inflation arising as a result of investment, government expenditure, or exports being "too high" in relation to available resources, in the sense that these expenditures generate a demand for consumption goods which cannot be satisfied at the normal price-wage relationship; (2) sectional inflation arising even where there is no over-all shortage of consumption goods in relation to demand, when shortages appear in some important sectors; (3) inflation arising in the course of rapid development of under-developed countries; and (4) inflation caused by a rise in wages exceeding that in productivity.

The second of the above suggestions was brought to the attention of members of the Council in a memorandum from the Secretariat dated 26 May 1953. By 23 July 1953, replies had been received from Australia and India which were circulated (E/2488 & Corr.1).

b. VIEWS EXPRESSED IN THE ECONOMIC AND SOCIAL COUNCIL

In the course of the Council's discussion at its sixteenth session, most representatives were agreed on the importance of general policies which would, on the one hand, promote full employment and the economic development of under-developed countries and, on the other, avoid the harmful effects of inflation. It was pointed out by, among others, the representatives of Belgium and China.

that, apart from their undesirable internal effects, inflationary pressures caused strains in balances of payments and gave rise to the imposition of abnormal exchange and trade restrictions. The representative of Sweden declared that inflationary trends hampered the movement of international capital required for the development of under-developed countries. The United States representative expressed the view that inflation was not inevitable during a period of full employment.

Some representatives, in particular those of France and the United Kingdom, considered that economic rigidities were of crucial importance in relation to the problem of inflation. The representative of France observed that, where there was more or less full employment, there was little elasticity of supply and general equilibrium was at the mercy of slight variations in demand. At the same time, he said, some of the factors governing over-all demand could neither be foreseen nor influenced. Consumer expenditure and the demand for private capital equipment were unresponsive to immediate action by the public authorities. Moreover, there was often a discrepancy between supply and demand in respect of the same category of products. Inflation, he said, might easily spring up in agriculture, where production could not be increased overnight.

The representative of the United Kingdom suggested that any measures which could be taken in a free society, either to encourage the movement of labour and other resources into sectors of expanding demand, or to prevent a sudden excessive demand in particular sectors from forcing up the general price-level unduly, would make it possible to maintain a higher level of total demand and employment over the whole economy without price inflation. Another important lesson of the post-war years, he stated, had been that, to maintain full employment without inflation in such a society, wage-earners, farmers and others must play their part by refraining from taking advantage of high levels of demand for their services to try to increase their real incomes faster than the rise in the income of the community as a whole would allow.

The question of wage policy in conditions of full employment was, in the view of the representative of the United States, in many respects the key aspect of the problem of inflation. He suggested that ILO, which had recently had that matter under discussion, should be requested to continue its work thereon and keep the Council advised of its findings.

The representative of ILO stated that his organization was ready and eager to co-operate

with the Council in research and operational activities for full employment without inflation.

The representative of Cuba agreed with the Secretary-General's view that it would be contrary to the United Nations Charter to eliminate inflation by increasing the amount of unemployment in the world. He was also opposed to the alternative solutions: wage control, which would link wage increases to increases in productivity; or price controls, accompanied by freely fluctuating wages. Parts of the reserve labour force in under-developed countries, he emphasized, could be used for investment projects without reducing the output of consumer goods, thereby raising total output and real wages without causing inflation.

The representative of Poland opposed the view that full employment might give rise to inflationary tendencies and considered that the attempt to link difficulties in balances of payments with full employment constituted a new sort of escapism in economic theory. The view that wages were increasing faster than productivity could be disproved by the statistical fact that although productivity had risen during post-war years, real wages in the capitalist countries had actually in most cases declined. The real reason for the current inflation in the capitalist countries was the militarization of their economies and the financing of armaments production by additional currency issues, he said. Difficulties in balances of payments were due to the diminishing capitalist market, high tariff barriers in the United States, the obstacles to East-West trade and the resistance of under-developed countries to "colonial" economic relationships.

c. DRAFT RESOLUTION AND AMENDMENTS BEFORE THE ECONOMIC AND SOCIAL COUNCIL

Section A of the joint five-Power draft resolution (E/AC.6/L.63)³⁰ dealt with the question of full employment and inflation. It would request the Secretary-General to invite Members that have had experience in dealing with inflationary pressures associated with high levels of economic activity or with the process of economic development in under-developed countries to submit written statements on this subject by 1 December 1953. The Secretary-General would be asked to prepare an analysis of these statements, and the Council, at its seventeenth session, would consider the advisability of requesting the Secretary-General to appoint a committee of experts for further study of this problem.

Amendments were submitted to this section: jointly by Argentina, Cuba, Uruguay, Yugoslavia and Venezuela (E/AC.6/L.64); by Venezuela (E/AC.6/L.65); by Egypt (E/AC.6/L.68); by the USSR (E/AC.6/L.69). Sub-amendments were also submitted to the joint five-Power amendment by Egypt (E/AC.6/L.67) and by Sweden (E/AC.6/L.70).

The purpose of the joint five-Power amendment (E/AC.6/L.64), explained the representative of Argentina, was to insert in the preamble of the joint draft resolution a reference to the importance of accelerated economic development in the countries being developed.

The Egyptian sub-amendment (E/AC.6/L.67) to this joint amendment would add to this paragraph a reference to lasting economic stability.

The Swedish sub-amendment (E/AC.6/L.70) to the joint amendment would have this paragraph refer in particular to inflation in the industrialized countries, and the urgent problem of reconciling the need for an accelerated economic development of the less economically developed countries with the avoidance of inflation.

The Venezuelan amendment (E/AC.6/L.65) proposed to add a paragraph inviting ILO to continue its review of the wage policies appropriate to different levels of employment, including the question of wage policy in relation to the problem of inflation, and to inform the Council from time to time of the results of its work.

The purpose of the Egyptian amendment (E/AC.6/L.68), the representative of Egypt said, was to mention the two separate problems before the Council, namely, inflation brought about by a policy of full employment, and inflation resulting from a policy of economic development.

The USSR amendment (E/AC.6/L.69) would reword the preamble as follows:

"Considering that, although the problem of how to attain and maintain full employment without inflation needs further consideration, it is nevertheless necessary to take steps to provide fuller employment."

The USSR representative explained that his amendment was intended to make it clear that, although the problem might well require further consideration, it was also still necessary to take positive measures to raise employment levels. The Council, he argued, would become a mere debating society if it contented itself with remarking that every problem required further consideration, and made no reference to practical steps.

The sponsors of the joint five-Power draft resolution on 17 July submitted a revised text

³⁰ See pp. 328ff.

{E/AC.6/L.71) incorporating all the amendments they had accepted. Section A of the revised text included the amendments proposed by Venezuela (E/AC.6/L.65) and Egypt (E/AC.6/L.68), and the sub-amendment by Sweden (E/AC.6/L.70) to the joint five-Power amendment. The sponsors of the joint five-Power amendment accepted the revised joint draft resolution and the USSR representative withdrew his amendment to section A.

A consolidated joint amendment proposed by Argentina, Belgium, France, the Philippines, India, Sweden, the United Kingdom, the United States and Venezuela (E/AC.6/L.72 & Corr.1) was submitted to the revised joint five-Power draft. It was decided without objection at the 136th meeting of the Economic Committee on 20 July that this consolidated joint amendment would be substituted for the second paragraph of the preamble to section A of the revised joint draft resolution (for text, see resolution as adopted, below).

The revised five-Power joint draft resolution (E/AC.6/L.71) was voted upon by the Economic Committee at its 137th meeting on 20 July. The preamble, the consolidated joint amendment (E/AC.6/L.72 & Corr.1) to section A, and section A, as amended, were all adopted unanimously.

Sections B, C and D were adopted as indicated above, and the revised joint draft resolution, as a whole, and as amended, was adopted by 16 votes to none, with 2 abstentions.

4. Resolution Adopted by the Economic and Social Council

The report of the Economic Committee (E/2491) was considered by the Council at its 748th and 749th plenary meetings on 4 August. The Council also had before it a USSR draft resolution (E/L531), previously introduced at the 720th plenary meeting on 10 July and resubmitted at the 748th meeting.

The USSR representative considered that the draft resolution put forward by the Economic Committee failed to suggest concrete measures to combat unemployment and to raise the standard of living of the workers throughout the world. It merely took note of the existing situation and did not propose to change it. If the Council were to adopt this draft resolution, he argued, it would be guilty of a serious dereliction of its important responsibilities in the matter. Further, such action might be construed as tantamount to the approval by the Council of the rearmament drive. The USSR draft resolution, on the contrary, he sub-

mitted, took the fullest account of the need for taking specific measures. It laid stress on the need for normalizing trade relations, and invited Member States to take measures which would lead to a rise in the level of employment and to an improvement in international relations. Similar views were expressed by the representative of Poland.

The representatives of France, the United States and Yugoslavia opposed the USSR draft and supported that proposed by the Economic Committee. The latter draft, in their view, was a fair expression of a wide consensus and was the result of an effort to achieve unanimity. The representative of Yugoslavia, while he acknowledged that the Committee's draft could be improved in a theoretical sense, thought that it represented a satisfactory step forward, having regard to the current international situation.

The representative of France regretted that the USSR representative had reopened a wide-ranging discussion at so late a stage. By so doing, he had refused to recognize the genuine effort made by the Economic Committee to reach agreement by including in its text the essentials of the acceptable points in the USSR draft resolution. The representatives of France and the United States maintained that the operative part of the USSR draft was open to the general criticism that it was unrealistic since it purported to be unaware of the fact that obstacles to the development of normal trade between States were due not only to economic difficulties, such as disequilibrium in the balance of payments, but also to security considerations. To remove security restrictions before the relaxation of the tensions that had made the restrictions necessary, would, in the view of the representative of the United States, be the height of folly.

The representative of Egypt observed that in the Economic Committee his delegation had voted in favour of certain parts of the USSR draft. He considered that the discussions in the Economic Committee had justified his delegation's position, since the sponsors of the Committee's draft resolution had endeavoured to improve their text so as to bring it into line with the spirit of the USSR proposal. In general, Egypt thought that the existing tendencies towards a resumption of normal political relations might be encouraged by an endeavour to achieve the maximum possible resumption of normal commercial relations. If the USSR draft did not obtain the necessary majority, however, he would vote in favour of the Economic Committee's draft resolution.

The USSR draft resolution (E/L.531) was rejected, in parts, by votes ranging from 12 to 3, with 3 abstentions, to 8 to 3, with 7 abstentions.

The USSR representative then stated that it was desirable that the Council adopt unanimously a resolution on full employment, and he accordingly proposed amendments to the Economic Committee's draft resolution (E/2491) so as to remove what he considered its defects.

The USSR amendments (E/L.568) were the following:

The preamble to section B (for text, see below) would be reworded to read:

"Recognizing that, in order to maintain a normal demand for products, civilian sectors of industry and normal trade between countries without discrimination must be developed and standards of living raised;"

In the first operative paragraph of section B (for text, see below) the words "to prevent adverse effects... defence expenditures" would be replaced by:

"for developing the civilian sectors of industry and normal trade between countries without discrimination and improving standards of living".

In the second operative paragraph of section D (for text, see below) the words "all practicable steps to reduce obstacles" would be replaced by the words "all steps to remove obstacles."

The USSR amendments were each rejected by 14 votes to 2, with 2 abstentions.

The Economic Committee's draft resolution was then adopted by 16 votes to none, with 2 abstentions, at the 749th plenary meeting, as resolution 483 (XVI). It read:

"The Economic and Social Council,

"Having considered the documentation placed before it for its discussion on the question of full employment, including, *inter alia*, the replies of the governments of Member States to the questionnaire on full employment and balance of payments and the analysis of these replies presented by the Secretary-General, the reports presented by the Secretary-General on measures designed to reconcile the attainment and maintenance of full employment with the avoidance of the harmful effects of inflation, and the report of the International Monetary Fund on the adequacy of monetary reserves,

A

"Having in mind the need for continuing efforts to achieve and maintain high levels of employment,

"Considering that the problems of reconciling the attainment and maintenance of full employment in the industrialized countries, and the acceleration of the economic development of the less economically-developed countries, with the need for avoiding the harmful effects of inflation, deserve further consideration,

"1. Requests the Secretary-General:

"(a) To suggest to Member States that those governments having had experience in dealing with inflationary pressures associated with high levels of economic activity or with the process of economic development in under-developed countries should arrange to give the Council the benefit of their experience and to submit written statements on this subject by 1 December 1953, for circulation to the Council;

"(b) To prepare a summary of these statements and to circulate it to the Council for consideration at its seventeenth session;

"2. Decides to consider at its seventeenth session the advisability of requesting the Secretary-General to appoint a committee of experts for further study of these problems;

"3. Invites the International Labour Organisation to continue its study of wage policies, including the question of wage policy in relation to the problem of inflation, and to inform the Council from time to time, as appropriate, of the results of its work in this connexion;

B

"Recognizing that any significant reduction in the level of expenditure on defence, which would of itself be most welcome, could at any time cause a slackening or a fall in the total effective demand on some sectors of the world economy,

"Recognizing, in this connexion, that any such tendency could be counteracted, *inter alia*, by a more rapid economic development of the less economically-developed countries, as well as by an expansion in the demand for, and internal and international trade in, products coming from the civilian sector of the economy,

"1. Requests the Secretary-General to invite each Member State to indicate, before 1 December 1953, its views on the measures it may consider necessary to prevent foreseeable adverse effects on its economy or on those of other Member States arising from reductions in its defence expenditures;

"2. Decides to consider at its seventeenth session the possible need for further action with reference to the above-mentioned problems of reconversion, including the advisability of requesting the Secretary-General to provide for further studies either by the committee of experts mentioned under section A, paragraph 2, above or in some other appropriate manner;

C

"Recognizing that the level of the monetary reserves available to Member States is an important factor influencing the possibility of maintaining international economic stability at optimum levels of output, consumption, trade and employment,

"Requests the International Monetary Fund to continue to keep under review the adequacy of monetary reserves for the purpose of helping countries to meet temporary disequilibria in their balances of international payments, bearing in mind the objectives referred to in paragraph 6 (a) of Council resolution 427 (XIV), and to inform the Council in 1954 of the results of its work in this connexion;

D

"Considering that the removal of obstacles to the development of normal and mutually beneficial trade

between countries would help to stimulate business activity and employment.

"Calls upon all governments, with a view to increasing trade, employment and standards of living, to take all practicable steps to reduce obstacles to the develop-

ment of normal and mutually beneficial trade between countries, availing themselves, *inter alia*, of any opportunities which may arise as a consequence of improved balance of payments or monetary reserve positions, in maturing of newly-developed industries or an easing of international tensions."

D. RESTRICTIVE BUSINESS PRACTICES

1. Report of the Ad Hoc Committee on Restrictive Business Practices

The report of the Ad Hoc Committee on Restrictive Business Practices (E/2380), established by the Economic and Social Council in resolution 375(XIII)³¹ of 13 September 1951, was before the Council at its sixteenth session.

In its report, the Committee presented and explained 20 draft articles of a proposed international agreement, which covered both the substantive principles and procedures for an international organization charged with responsibility for the prevention and control of restrictive business practices, and the internal structure and procedures which the Committee considered appropriate to the problems which would be encountered by any international agency having to deal with such practices.

The Committee did not deal with the organization to implement the principles and procedures which it recommended since, under Council resolution 375(XIII), this was the Secretary-General's responsibility. The Secretary-General, had been asked to make a report and recommendations on the matter in the light of views obtained from any appropriate inter-governmental bodies or agencies. He pointed out (E/2443) that such a report could not be made, because one of the most important of these inter-governmental bodies, the Contracting Parties to GATT, had had no regular meeting between the date of the Committee's report (30 March 1953) and the convening of the Council's sixteenth session (30 June 1953).

In accordance with the Council's recommendation that the Committee base its proposals on the principles set forth in chapter V of the Havana Charter for an International Trade Organization, the first draft article of agreement defined restrictive business practices as those which "restrain competition, limit access to markets or foster monopolistic control". The practices falling within the scope of the proposed agreement were listed and provision was made for the possibility of extending the list by a

two-thirds majority of the members of the organization present and voting.

The draft articles also defined the conditions under which restrictive business practices might be subject to investigation by the organization, *i.e.*, they must be practices affecting international trade and carried on by one or more private or public commercial enterprises possessing, individually or collectively, effective control of trade among a number of countries, and they must have been the subject of a complaint to the organization.

The obligations of adhering governments were defined as follows: each member shall take appropriate measures and shall co-operate with other members in the organization to prevent, on the part of private or public commercial enterprises, business practices affecting international trade which restrain competition, limit access to markets, or foster monopolistic control, whenever such practices have harmful effects on the expansion of production or trade, in the light of the objectives relating to commercial policy, economic development and related purposes set forth in the preamble to the proposed agreement (see below).

Provision was made for a consultation procedure and an investigation procedure applicable to products, and for a separate procedure applicable to services such as transportation and telecommunications. In addition, the draft articles also authorized the organization to make general studies of restrictive business practices.

The Committee incorporated in its draft articles of agreement a preamble inspired by the objectives of the Havana Charter. This preamble, to the extent that the objectives expressed in it were relevant, would serve to provide guidance for the organization in considering whether or not a restrictive business practice had harmful effects. Furthermore, the draft agreement provided that any restrictive business practice which was "specifically required" by governmental measures in all countries in which the practice exists should

³¹ See Y.U.N., 1951, pp. 427-28.

be exempted from the investigation procedure. These changes, together with the incorporation of certain provisions relating to co-operation with intergovernmental bodies and agencies, were deemed necessary by the Committee so that the provisions of the Havana Charter relating to restrictive business practices could stand on their own divorced from the much more comprehensive responsibilities of the International Trade Organization contemplated under the Havana Charter.

The Committee also incorporated in its draft agreement relevant parts of the Havana Charter not contained in chapter V, introduced amendments which clarified the language of that chapter and recorded its interpretation of some doubtful points. However, it adopted only one substantive amendment of chapter V, a less restrictive definition of the restrictive business practice involved in the suppression and withholding of technology.

As to the internal structure and procedures of an implementing agency for its proposals, the Committee recommended the creation of a Representative Body, consisting of the representatives of all governments adhering to the agreement, having paramount authority and the final power of decision within the agency. It also envisaged an Executive Board, consisting of a smaller number of governmental representatives, to which important powers would be delegated. Members of the Board would be drawn from countries having different types of economy and different degrees of economic development, from countries in different geographical areas, and from countries of chief economic importance having regard particularly to their shares in international trade. The Committee's proposals envisaged two groups of staff functions, to be performed by officials in an executive secretariat and an advisory staff, respectively. The officials in the executive secretariat would, among other things, examine complaints of restrictive business practices, check the information supplied and request member States to furnish supplementary information, with a view to advising the Representative Body whether the complaints *prima facie* satisfied the conditions laid down in the draft agreement.

The advisory staff would be responsible for the handling of complaints after a decision had been taken to make an investigation and members had been informed. There would be three main stages in its handling of complaints: (1) examining, analysing and setting forth the information received; (2) deciding whether the practice in question has had, has or is about to have harm-

ful effects within the meaning of the draft agreement; and (3) making recommendations in appropriate cases to member governments as to remedial measures.

The Committee also made proposals concerning the entry into force, amendment and termination of the draft agreement, and withdrawal therefrom, and made suggestions as to how the adherence of the European Coal and Steel Community to the proposed agreement might be facilitated. The report concluded with a statement of the relationship and inter-action between restrictive business practices and other barriers to international trade. Some Committee members held that the proposed agency would commend itself to governments only if it formed part of a wider body with comprehensive responsibilities in the whole field of international trade. Others felt that different types of trade barriers must be dealt with at a different pace and under different organizational arrangements.

An appendix to the draft agreement listed the national share in world trade of individual countries (computed on the basis of import and export figures supplied by the Statistical Office of the United Nations).

2. Analysis of Governmental Measures Relating to Restrictive Business Practices

In compliance with the fifth paragraph of Council resolution 375(XIII), the Ad Hoc Committee transmitted to the Council a report by the Committee's Secretary (E/2379 & Add.1) on analysis of governmental measures relating to restrictive business practices.

In its covering letter of transmittal, the Committee stated that, in accordance with the Council's resolution, it had, on 3 March 1952, addressed a letter to States that were Members of the United Nations or of specialized agencies, asking them for pertinent documents and information concerning restrictive business practices. A similar letter was sent to certain specialized agencies and intergovernmental organizations. Interested non-governmental organizations were also invited to make available to the Committee such information as they deemed relevant, either in oral statements at public meetings of the Committee or in written statements.

Prior to 31 March 1953, seventeen countries³² had forwarded documents to the Committee.

³² Belgium, Canada, Colombia, Denmark, France, Iran, Iraq, the Netherlands, New Zealand, Norway, the Philippines, Sweden, Switzerland, Thailand, the Union of South Africa, the United Kingdom and the United States.

These documents included the texts of laws or proposed laws, judicial decisions, administrative measures and reports.

The Committee decided, in view of the shortage of time and the voluminous material that had been forwarded, to charge its Secretary with the task of preparing a report giving the information received from governments. It expressed the view that information not originally submitted by governments should, wherever possible, be verified subsequently by correspondence with the governments concerned.

After two introductory chapters setting forth the types of restrictive business practices and their extent, the report by the Committee's Secretary dealt with governmental measures relating to such practices. It covered:

- (1) the legal origins of such governmental measures;
- (2) the types of legislation involved, e.g., laws providing for the surveillance, prevention and control, or adoption of restrictive business practices;
- (3) the types of business activities held illegal under national legislation, e.g., price-fixing, limitation of production;
- (4) exemptions from the scope of relevant legislation;
- (5) general provisions for the collection of information;
- (6) registration laws and procedures;
- (7) investigation procedures;
- (8) remedies and penalties; and
- (9) the effectiveness of governmental measures in this field.

One annex to the report contained the texts of the relevant legislation of some 60 countries on restrictive business practices. Another annex consisted of case histories showing how various international restrictive arrangements operated in the past in the following four industries: electric lamps; titanium pigments and related products; aluminium; and heavy nonferrous materials.

3. Consideration by the Economic and Social Council at its Sixteenth Session

The question of restrictive business practices was considered by the Council at its 742nd and 744th plenary meetings, on 30 and 31 July 1953. In addition to the above two reports of the Ad Hoc Committee, the Council had before it a joint draft resolution by Belgium, Egypt, France, Turkey and the United Kingdom (E/L.556), and a joint Swedish-Yugoslav amendment (E/L.557) to the joint draft resolution.

Under the joint draft resolution, the Secretary-General would be requested, *inter alia*:

to transmit the two reports for examination and comment to Members of the United Nations and of specialized agencies in the economic field, the specialized agencies concerned, and interested intergovernmental organizations and non-governmental organizations. The Council would resume consideration of the matter not later than its nineteenth session.

The amendment proposed the addition of a new paragraph, under which the Secretary-General would be requested:

- (1) to continue to follow, on the basis of information obtained from governments, the principal legislative, judicial, executive and administrative developments in this field;
- (2) to summarize relevant information regarding restrictive business practices in international trade which might be obtained in official government documents; and
- (3) to report thereon to the Council before it resumed its consideration of this problem.

The Council also had before it a statement by the Secretary-General of financial implications (E/L.557/Add.1) to the effect that the tasks arising from the joint draft resolution (E/L.556) could be undertaken within existing resources but that the amendment (E/L.557) would require the assignment of additional personnel, involving a cost of \$15,800. It was subsequently explained by the representative of the Secretary-General that the additional expenditure could be absorbed in the budget of the Department of Economic Affairs for 1953, but that it was not possible to prejudge any decision that might be taken on the budget of the Department in respect of 1954.

Most representatives, including those of Australia, Belgium, Egypt, France, India, Turkey, the United Kingdom, the United States and Uruguay, spoke in support of the joint draft resolution. They stated that the documentation submitted to the Council was substantial and dealt with difficult problems, and they considered that more time was needed for governments to formulate their views on the Ad Hoc Committee's recommendations. The absence of a report by the Secretary-General on the organization to implement the proposals and the lack of an opportunity to consult the Contracting Parties to GATT were further reasons for postponing discussion of the subject. Any delay thereby entailed, they argued, would be rewarded by the ultimate adoption of constructive measures.

Some representatives, in particular those of Sweden and Yugoslavia, on the other hand, favoured action before the tenth session of the Council. In their opinion, efforts should be made

to maintain public interest in the abolition of restrictive business practices during the intervening period. Their amendment therefore proposed that the Secretary-General should carry out a series of follow-up studies which would keep the Secretariat's information up to date until such time as the Council resumed consideration of the matter. Such studies, they thought, might also be useful to nations wishing to adopt measures to liberalize trade. The representative of Sweden considered it to be the consensus of modern expert opinion that cartels in many cases adversely influenced productivity by fixing prices at the level of the least efficient member and by obviating the need for rationalization, and that such practices hampered economic development, most of all in the under-developed countries. He also stated that the abolition of restrictive business practices would redound to the advantage of the balance of payments, the balance of trade, world productivity and the maintenance of full employment.

The representatives of Poland and the USSR took the position that restrictive business practices were not as important as other problems in international trade, such as discriminatory trade practices by certain governments. They held that the draft agreement was designed to promote the expansion of United States enterprises abroad and to enable United States firms to establish themselves as dominant influences in cartels and enterprises in which they had hitherto had no part. The documents before the Council were criticized for failing to take account of the harmful effects of monopolistic restrictive practices in colonial areas and in the smaller and under-developed countries.

The United States representative, in reply to these comments, affirmed the continuing devotion of his Government and people to the principles of free and fair competition under which his country had prospered and said that his country had a long record of action against trade restrictions. He stated that the trade restrictions which had been imposed and to which reference had just been made had been taken for security reasons, and not for protectionist and balance of payments purposes and his Government would be glad if conditions would change so that such restrictions could safely be lifted.

While the Committee's report and documentation supported the view that restrictive business practices in many cases had harmful effects, some representatives, in particular the representative of Belgium, cautioned against the view that this was true universally. Cartels and combines, the representative of Belgium argued, could prove to be

a useful factor through which the current rigid economic structure could be made more flexible. Agreement between undertakings might make it possible to regulate economic development, which made for stability of employment. It could guide capital into the most productive channels and reduce production costs, and therefore prices, by arranging for specialization, standardization and the pooling of the cost of technical research, advertising and market research. The evil, in his view, lay not in the mere existence of cartels and combines, but in the general economic situation to which their formation represented industry's reaction.

The representatives of Belgium and Sweden, among others, stressed the need for concurrent international action to prevent and control governmental, as well as private, restrictions on trade. The Belgium representative regretted the absence from the Committee's report of provisions relating to restrictive practices with regard to services. The representative of Sweden, drawing attention to specific cases, pointed out that national action against restrictive business practices in international trade frequently encountered difficulties and proved ineffective when it was not supported by international action.

Few comments were made on the procedural aspects of the Committee's report. The representative of Uruguay, however, considered that some of the draft articles of agreement gave too much power to the advisory staff. Certain articles, he thought, would seem to imply that the Representative Body would always have to accept the reports of the advisory staff, and if that were so it would be surrendering its own competence. His second criticism was that it would be inappropriate to establish an executive board with a restricted membership. Although it might have certain virtues, the establishment of such a board would be contrary to the democratic principle that the rights of all the States members of the proposed organization must be respected. He emphasized also that the smaller the membership of the controlling body, the easier it would be for the cartels and trusts to bring pressure to bear on it.

The representative of the International Co-operative Alliance (ICA) proposed that non-governmental organizations in category A be given the right to submit suggestions to the proposed organization. The representative of the International Confederation of Free Trade Unions (ICFTU) advanced the view that a bona fide non-governmental organization, appointed for the purpose by the members of the new agency, should

also be entitled to submit complaints as a means of protecting the general interests of the community.

The representative of France suggested that a study be made of specific phases of restrictive business practices, such as the failure of some governments to provide for the compulsory licensing of patents as a remedial measure against the restrictive practice of patent suppression, as they were obligated to do by their agreements under the Paris Union of 1883 (as most recently amended in London in 1934). More information, he said, was needed on the effectiveness of legislation purporting to restrain cartel abuse, such as the experience gained under the recent German and Japanese anti-cartel ordinances. He also noted that restrictive arrangements involving agricultural foodstuffs and articles of human consumption, which were more informal and more difficult to cope with than similar arrangements relating to industrial commodities, required further investigation and analysis.

The representative of the World Federation of Trade Unions (WFTU) considered that the report of the Ad Hoc Committee was not likely to lead to effective action against restrictive business practices and would not, for example, affect the control he claimed certain monopolies had over the economic and political life of many underdeveloped countries. The representative of the International Chamber of Commerce (ICC) stated that the views of his organization were set out in a brochure entitled *Economic Competition and Agreement*. Agreements between firms amounted to monopolies only in exceptional cases; the criteria for action should be whether the purpose of an agreement was to restrict production and trade and whether it gave the parties advantages disproportionate to the services they rendered.

At its 744th plenary meeting on 31 July, the Council adopted the amendment (E/L.557)³³ first in parts and then as a whole. The first and third parts were adopted by 12 votes to none, with 6 abstentions, and the second part by 10

votes to 1, with 7 abstentions. The joint draft resolution, as a whole, as amended, was adopted by 16 votes to none, with 2 abstentions (resolution 487(XVI)). It read:

"The Economic and Social Council,

"Noting the report of the Ad Hoc Committee on Restrictive Business Practices and the Secretariat's analysis of governmental measures relating to restrictive business practices prepared in accordance with Council resolution 375(XIII),

"Bearing in mind that restrictive business practices in international trade may have harmful effects on the attainment of the higher standards of living, full employment and conditions of economic and social progress and development envisaged in Article 55 of the Charter of the United Nations,

"Recognizing the necessity of according sufficient time to governments to give thorough study to the proposals of the Ad Hoc Committee, and to the Secretary-General to formulate the report and recommendation called for in paragraph 6 of resolution 375(XIII),

"1. Commends the Ad Hoc Committee and the Secretariat for the thoroughness and dispatch with which the tasks assigned to them have been executed;

"2. Requests the Secretary-General:

"(a) To transmit the Committee's report and the Secretariat's analysis to the States Members of the United Nations and of specialized agencies in the economic field, to the specialized agencies concerned, and to interested intergovernmental organizations and non-governmental organizations, for examination and any comments they may wish to make;

"(b) To circulate to the foregoing such comments as he may receive, together with such analysis as he deems appropriate;

"3. Further requests the Secretary-General to proceed to implement paragraph 6 of resolution 375(XIII) when a sufficient number of governments have commented on the Committee's report to provide some indication of attitudes towards the report, and to continue to follow, on the basis of information obtained from governments, the principal legislative, judicial, executive and administrative developments in this field, to summarize relevant information regarding restrictive business practices in international trade which may be contained in official government documents, and to report thereon to the Council before it resumes consideration of this problem;

"4. Decides to resume consideration of this matter not later than the nineteenth session of the Council."

E. INTERNATIONAL COMMODITY ARRANGEMENTS

At its fifteenth session, the Economic and Social Council discussed the question of convening inter-governmental study groups and commodity conferences, at the 127th to 130th meetings of its Economic Committee, on 10, 17, and 23 April, and at its 702nd plenary meeting on 27 April 1953.

As a basis for this discussion, the Council had before it a report by the Secretary-General regarding procedures for intergovernmental consultation on problems arising in connexion with primary commodities (E/2039) submitted to its

³³ See p. 339.

thirteenth session and an addendum (E/2039/Add.1) bringing the data included in the original study up to date. It also had before it the Review of International Commodity Problems, 1952³⁴ prepared by the Interim Co-ordinating Committee for International Commodity Arrangements (ICCICA).

In the course of the Council's discussion, the majority of speakers drew attention to difficulties arising from fluctuations in prices of primary products and to the importance of international efforts to reduce such fluctuations. In particular, considerable attention was given to the harmful effects of such fluctuations on the economies of the less developed countries which depend largely on the export of primary commodities.

It was generally agreed that it would be inappropriate at this time to discuss the substance of the question. Although it was recognized that commodity agreements were not the only way of stabilizing prices, the majority considered that the present machinery had proved effective and should be continued. A draft resolution to this effect was presented by Australia (E/AC.6/L.55).

The representatives of Poland and the USSR held that no solution could be found in a procedure based on the principles of the Havana Charter, since it would impose on governments the procedures of that Charter, which some of them had never accepted. In this connexion, the Australian representative pointed out that the draft resolution did not imply acceptance of the provisions of the Havana Charter. It was merely a question of being generally guided by those principles.

The representative of Argentina submitted two amendments (E/AC.6/L.58) to the Australian draft resolution. The first would recall the paramount importance of establishing machinery for intergovernmental consultations on primary commodity agreements, while the second aimed at securing more effective means of reaching such agreements.

The Australian representative stated that he could not accept the first amendment since it was a question of substance. However, he agreed to accept an oral United Kingdom compromise proposal to add to the preamble of the draft resolution a paragraph noting the study requested in paragraph 6 of General Assembly resolution 623 (VII)³⁵. The second Argentine amendment was adopted at the Economic Committee's 128th meeting on 10 April, by 13 votes to none, with 4 abstentions (see below, para. 5).

The representative of Australia also accepted, with minor drafting changes, an amendment by Uruguay (E/AC.6/L.56), which would increase the membership of the ICCICA to four, and an oral Indian amendment, to give the ICCICA a more active role by adding a provision that the Committee assist in intergovernmental consultation and action in respect of international commodity problems (see below).

The draft resolution, thus amended, was adopted (E/2410A) by 15 votes to 2 at the Committee's 128th meeting, following separate votes on the first three operative paragraphs ranging from 14 votes to 2, with 1 abstention, to 14 votes to none, with 3 abstentions.

It was adopted by the Council at its 702nd plenary meeting, on 27 April, by 16 votes to 2, as resolution 462 A (XV). It read:

"The Economic and Social Council,

"Recognizing the importance to all countries of maintaining adequate machinery to facilitate international consideration of problems of primary commodities,

"Recalling Council resolution 30(IV), 296(XI) and 373(XIII) relating to international commodity arrangements,

"Believing that these resolutions continue to constitute an effective basis for international consultation and action,

"Noting the study requested in paragraph 6 of General Assembly resolution 623(VII),

"1. Reaffirms Council resolution 296(XI) governing the procedures to be followed by the Secretary-General in convening inter-governmental commodity conferences;

"2. Recommends that Members of the United Nations continue to accept the principles of chapter VI of the Havana Charter for an International Trade Organization as a general guide in inter-governmental consultation or action with respect to commodity problems;

"3. Recommends that the membership of the Interim Co-ordinating Committee for International Commodity Arrangements (ICCICA) should be increased to four, the fourth member to be a person of wide experience in the problems confronting countries undergoing development whose economies are primarily dependent on the production and international marketing of primary commodities, and authorizes the Secretary-General to make this appointment;

"4. Recommends that the ICCICA should continue to review international commodity problems and to assist in inter-governmental consultation and action in respect of such problems;

"5. Recommends that the group of experts appointed under General Assembly resolution 623(VII) should devote attention to the question of the use of study groups and international commodity conferences."

³⁴ U.N.P. Sales No.: 1953.II.D.1. See also under World Economic Situation.

³⁵ See Y.U.N., 1952, pp. 377-78.

The Economic Committee also had before it a draft resolution by Uruguay (E/AC.6/L.57), calling for a study of steel and its principal by-products.

During the discussion, the representatives of France, Sweden and the United States, among others, stressed that it was for the ICCICA, not the Council, to make recommendations concerning specific commodities. It would therefore, they thought, be sufficient to transmit the summary records of the discussion to the ICCICA. It was also open to the Government of Uruguay, the United States representative said, to communicate directly with the Committee without a formal proposal by the Council. A number of representatives, including those of Australia, China, France and the United States, pointed out that the work being done by the regional economic commissions should also be taken into account before establishing such a study group.

The United States representative proposed (E/AC.7/L.59) that the Council invite governments to consider the usefulness and desirability of convening a study group on steel and request them to transmit their views to the ICCICA. Following a brief discussion, the representative of Uruguay agreed to accept this draft resolution if it were recorded in the summary records that the basic problem was not supply but disparity between the income received by the under-developed countries from the sales of the products they exported and the prices which they had to pay for the commodities they needed.

However, at the following meeting (130th), the United States withdrew the draft resolution and, together with India and Uruguay, submitted a joint text (E/AC.6/L.60), which was adopted by 15 votes to none, with 3 abstentions, both by the Economic Committee (E/2410B), and by the Council at its 702nd plenary meeting on 27 April 1953 as resolution 462 B (XV). It read:

"The Economic and Social Council

"1. Requests the Interim Co-ordinating Committee for International Commodity Arrangements (ICCICA) to consult governments on the desirability and usefulness of convening an inter-governmental study group on steel, and to transmit to the governments for their information the official records of the discussion of the question at the fifteenth session of the Council;

"2. Recommends that the governments consulted should transmit their views on the question to the ICCICA not later than 30 September 1953;

"3. Requests the ICCICA to consider the replies received from governments and to report to the Council at its seventeenth session on the action taken in this matter."

In accordance with the Council's resolution, the ICCICA prepared a report (E/2537) on the

question of convening a study group on steel for submission to the Council's seventeenth session.

During 1953, there was further discussion about the possibility of using commodity agreements to stabilize the relationship between prices of given primary commodities and of secondary goods which exporting countries need to import. The effect of any such arrangements would be to stabilize the prices of the commodities concerned, not in absolute terms but in relation to the prices of certain other goods. This matter was also considered by the group of experts which prepared the report Commodity Trade and Economic Development.³⁶

The international wheat agreement of 1949 expired during 1953 and, after intergovernmental discussion, was renewed, with certain changes arising from experience in its operation. The basic principles of a multilateral contract were retained in the 1953 agreement.

In accordance with Council resolution 296(XI), the Secretary-General sought the advice of the ICCICA on a request that he had received to convene an international conference to consider the conclusion of an international agreement on sugar. The ICCICA reported that a conference was desirable and the United Nations Sugar Conference was convened in London, from 13 July to 24 August 1953. The meeting was attended by over 200 representatives from 50 countries, of which twelve had observer status. At the end of the Conference, a Final Act was signed, to which was attached the International Sugar Agreement prepared at the Conference.³⁷

The technique adopted in the agreement has many new aspects. Market prices are accepted as a guide to the relation between supply and demand, and provision made to ensure that adjustments to available supplies are made quickly in response to changes in price. The first meeting of the new International Sugar Council was held on 18 December and the general clauses of the Agreement became operative on 1 January 1954.

At its meeting in London in March 1953, the International Tin Study Group considered developments following the adjournment of the United Nations Tin Conference in November 1950. To give further consideration to this matter,

³⁶ See Y.U.N., 1952, pp. 377-78. U.N.P. Sales No.: 1954.II.B.1.

³⁷ The Conference agenda, the list of representatives, the summary records of the plenary meetings, the resolutions of the final plenary meeting, the Final Act of the Conference and the text of the international agreement concluded at the Conference have been published in United Nations Sugar Conference, 1953: Summary of Proceedings. U.N.P., Sales No.: 1953.II.D.3.

it appointed a working party, which met in Brussels in June 1953. The working party prepared a report on its attempts to reconcile differences of views between producing and consuming countries on various aspects of a proposed agreement. The member governments of the International Tin Study Group were asked to examine this report and to inform the chairman of the United Nations Tin Conference concerning their views as to the usefulness of an early resumption of the conference. To facilitate further discussion regarding the proposed agreement, a drafting committee met in London in August 1953 and prepared a draft, based on the work of the 1950 conference and on subsequent proposals, setting out various suggestions which had been made. The replies from governments were generally favourable to an early resumption of the Conference, and the Secretary-

General, acting on the request of the chairman of the United Nations Tin Conference and in accordance with arrangements made at the time the Conference adjourned, convened the second session of the Conference in Geneva, from 16 November to 9 December 1953. It was attended by representatives from 30 countries; representatives of seven of these countries had observer status. An International Tin Agreement was prepared for submission to governments.

At its meeting held in Geneva in December 1953, the ICCICA reviewed the changes that had taken place during the year in the supply and demand of various primary commodities and prepared a report for the Economic and Social Council reviewing current problems in international trade in these commodities.

F. CO-ORDINATED ACTION FOR INCREASED FOOD PRODUCTION

The Council, at its sixteenth session, devoted considerable attention to problems of food production in connexion with its review of the annual report (E/2432 & Add.1 & 2) of the Food and Agricultural Organization of the United Nations (FAO).

The report, which contained an assessment of the trend of food requirements on the basis of population estimates worked out with the Population Division of the United Nations, showed that for the period 1948-1951 the rate of population increase for all countries, for which statistics were available, amounted to 1.4 per cent. Assuming that the rate of increase in countries for which statistics were not available to the United Nations was the same, then the annual increase in world population would be about 30 millions—an additional 80,000 new mouths daily to be fed. It was further pointed out that food requirements do not solely depend on the growth of population, since they are also affected by the level of food consumption per capita and by the quality of the diets consumed. In certain countries food production was increasing more rapidly than population, and indeed substantial stocks existed in North America. On the other hand, throughout the greater part of the under-developed countries and particularly in Asia and the Far East, the quantities of food available per capita were still less than in the immediate pre-war period, when malnutrition was the common lot of the greater part of the world's population. FAO, the report pointed out, devotes the greater part of its resources, under

both its regular and its technical assistance programmes, to methods of assisting governments to increase their food production and to improve distribution; but the budgetary resources at the disposal of the organization severely limit the amount of such assistance that can be given.

FAO has established a joint agricultural secretariat with each of the regional economic commissions which is responsible both to the Director-General of FAO and to the Executive Secretaries of the economic commissions. Those joint activities undertaken vary somewhat from year to year, but are directed to methods of increasing production, improvement of agricultural statistics, better understanding of agricultural economic problems, and problems of land reform.

Co-operation between FAO and other specialized agencies has been developed progressively, the report stated, in regard to the reform of agrarian structures, and inter-agency meetings have been arranged by FAO in preparation for the report³⁸ which the Secretary-General would make on this subject to the General Assembly in 1954. Close co-operation was continued between FAO and WHO on a number of nutritional problems, special emphasis being placed on questions of methods of overcoming protein deficiencies which have such serious effects on the health of young children in Africa, the Far East and in under-developed countries in general.

³⁸ Progress in Land Reform, U.N.P., Sales No.: 1954. II.B.3.

At the request of governments, the report stated, projects implemented under the United Nations Expanded Programme of technical assistance also contributed to an increase in food production.

The Council considered the report at its sixteenth session, at its 709th and 710th plenary meetings, on 2 and 3 July. The representative of FAO, in presenting the report, said that special emphasis had been placed on the relationship of world food production to world population, which appeared to be growing by approximately 1.4 per cent per annum, equivalent to an aggregate increase of 30 million persons a year. In the light of recent studies, it was now considered that increased production, favoured by good harvests during the past two years, particularly in North America, made it doubtful whether, statistically, world food production was in fact lagging behind world population growth. Indeed, substantial surpluses of foodstuffs were available in North America, but they were not readily available to the world owing to balance-of-payments and transport difficulties, although some surpluses had generously been placed at the disposal of the rest of the world by the United States and Canadian Governments. In less-favoured regions, however—and these comprised the greatest part of the world's population—the per capita consumption of food was still markedly less than before the war, he said.

The FAO representative pointed out that, at least for the time being, the number of food-importing countries had increased. Increased food production, particularly in countries from which exports might be anticipated, was a matter of the greatest importance to food-importing countries. FAO felt that technical assistance represented the most fruitful initiative undertaken by the United Nations. The very success of FAO's technical assistance programme, however, had placed the organization in a difficult position, owing to the increase in the number of requests received.

The Council also had before it a draft resolution by Sweden (E/L.511), which would have the Council take note of the report. During the discussion, members congratulated FAO and its secretariat upon the success of their work, and expressed satisfaction with the valuable services rendered by FAO in the field of technical assistance and with the co-operation achieved with other specialized agencies and with the regional economic commissions.

The majority of representatives expressed serious concern at the situation regarding world food

supplies revealed by FAO's studies, and reaffirmed support of FAO's objective, calling for a well-balanced increase in world food production of at least 1 to 2 per cent per annum in excess of the rate of population growth. The representative of France emphasized that all governments should heed the warnings of FAO and try to increase agricultural production. Agricultural and industrial development, however, should go hand in hand, he said. There were too many current examples of disequilibrium between industrial and agricultural development. Governments engaged in industrializing their countries should take care to increase agricultural output proportionately.

The representatives of Argentina, Cuba and Egypt, among others, however, thought there was a lack of balance in the FAO report. It had said that more adequate supplies of food were a prerequisite of all economic development and that the only real solution to the problem of securing such supplies in under-developed countries lay in increasing indigenous production. At a time when surpluses of food were accumulating for lack of markets, while millions in need were unable to gain access to those surpluses for lack of purchasing power—which was in turn due to the lack of economic development in under-developed countries—such statements, they held, suggested an incorrect approach to the problem. FAO should not, of course, deviate from its allotted tasks, but instead of giving priority to food production over economic development FAO should bear in mind the need for integrated and harmonious development.

The representatives of Argentina and Egypt proposed an amendment (E/L.516) to the Swedish draft resolution, by which the Council would request FAO, when dealing with the problem of increase in production of foodstuffs, to bear in mind the more general problems arising out of economic development, improvement in the standard of living, and the flow of international trade.

Replying to the observations made, the representative of FAO stated that his organization had felt it necessary to emphasize the gravity of the world food problem, but its attitude was not one of pessimism. On the contrary, it believed, in contrast to the neo-Malthusians, that the technical problems of food production could be overcome. The most formidable obstacles were political, social and economic, not technical.

With respect to integrated economic development, FAO had never suggested that the importance of industrialization could be minimized. On several occasions, in fact, the FAO Conference and

Council had stressed the importance of industrialization as part of economic development. In countries in which there was considerable under-employment in agriculture, industrialization might well prove to be the only way of remedying the situation. What FAO had maintained was rather that industrial and agricultural development should be carried out concurrently. The representatives of Cuba, France and Yugoslavia felt that, in the circumstances, the amendment would be inappropriate.

The amendment proposed by Argentina and Egypt was withdrawn, in view of the assurances given by the representative of FAO and on the understanding that the Council was in agreement

in stressing the importance of the general problems arising out of economic development, the improvement of living standards and the flow of international trade.

The representative of Sweden accepted an Australian amendment (E/L.514 & Corr.1) to express appreciation of the report and note with approval emphasis on operational activities. The draft resolution (E/L.511), as thus amended, was adopted by 16 votes to none, with 2 abstentions, at the Council's 710th plenary meeting on 3 July.

By this resolution (488(XVI)), the Council took note of FAO's report with appreciation and noted with approval the continued emphasis on the carrying out of operational activities in the field.

G. TRANSPORT AND COMMUNICATIONS

The Transport and Communications Commission held its sixth session at United Nations Headquarters from 2 to 11 February 1953.

The Commission's report (E/2363) was considered by the Economic and Social Council at its fifteenth session, at the 125th, 126th and 129th meetings of the Economic Committee, on 6, 7 and 17 April 1953, and at the 687th and 689th plenary meetings, on 15 and 16 April 1953.

On the basis of the report of the Economic Committee (E/2402) and a statement by the Secretary-General (E/2363/Add.1) on the financial implications of the report of the Commission, the Council, at its 687th plenary meeting on 15 April, by 15 votes to none, with 2 abstentions, took note of the report of the Commission, in resolution 468 A (XV).

The action taken by the Commission and the Council on transport and communications questions during 1953 are dealt with below.

1. International Road Transport

a. CONVENTION ON ROAD TRAFFIC

The Commission noted that the Convention on Road Traffic,³⁹ opened for signature on 19 September 1949, had come into force on 26 March 1952. The Norwegian and United Kingdom representatives informed the Commission that their Governments had taken steps toward ratification of the Convention and the representatives of Pakistan and China stated that their Governments

were considering the ratification of the Convention in the near future.

At its sixteenth session, the Council had before it communications to the Secretary-General from the Governments of Vietnam and the Vatican City (E/2453), requesting that the question of their accession to the Convention on Road Traffic be placed on the Council's agenda. The question was considered by the Council at its 715th plenary meeting on 7 July.

The representative of France pointed out that, under article 27, paragraph 3, of the Convention on Road Traffic, that instrument was open to accession by all States Members of the United Nations, by every State which had been invited to attend the United Nations Conference on Road and Motor Transport held at Geneva in 1949, and also by any "other State which the Economic and Social Council might by resolution declare to be eligible". Some representatives, including those of Belgium, China and Venezuela, felt that, this Convention being of a technical nature, it was essential to ensure its universal implementation. Opposition was voiced by the USSR representative, who did not consider that the application concerning Vietnam emanated from the lawful government of that country.

The Council adopted by 12 votes to 3, with 2 abstentions, and by 15 votes to none, with 2 abstentions, respectively, resolutions 506(XVI) and 507(XVI), resolving to admit the State of Viet-

³⁹ See Y.U.N., 1948-49, pp. 489-90.

nam and the State of Vatican City as Parties to that Convention.

In explaining his abstention, the representative of India stated that the point at issue had not been universality in the application of the Convention, but the eligibility of certain States—e.g., Vietnam—to accede to it.

The representative of Egypt said that his delegation, "for obvious political reasons", had abstained in the vote on the draft resolution concerning Vietnam.

At the end of 1953, the following countries had ratified or acceded to the Convention: Cuba, Czechoslovakia, France, Greece, Italy, Luxembourg, Monaco, the Netherlands, the Philippines, Sweden, Syria, the Union of South Africa, the United States, the Vatican City State and Vietnam.

b. ROAD SIGNS AND SIGNALS

The Commission, at its sixth session, approved the final report of the Group of Experts on Road Signs and Signals (E/CN.2/119-E/CN.2/CONT.1/12) which had been established in accordance with Council resolution 272(X).⁴⁰ The experts had held three sessions in the period 1950-52 and had completed a draft protocol on a uniform system of road signs and signals.

The Commission considered that this draft might appropriately be placed before governments for adoption on a world-wide basis, and discussed the procedure by which this should be done. It noted that the Group of Experts suggested the convening of a conference of governments for this purpose. However, the Commission was of the opinion that, in view of the thorough preparation of the draft, the holding of such a conference would not be essential and might delay the adoption of the uniform system.

In its consideration of this matter, the Economic Committee of the Council, by 9 votes to none, with 9 abstentions, adopted an oral Australian proposal to delete the provision in the draft protocol which would have made it impossible for governments to make reservations on signing it. A French oral proposal to have the Secretary-General "continue his consultations concerning the contents of the protocol and the date it should be opened for signature, and to report to the Council at its seventeenth session" was adopted by the Economic Committee. As thus amended, a draft resolution on this question was adopted by the Economic Committee (E/2402) at its 125th meeting on 6 April by 16 votes to none, with 2 abstentions; and by the Council, at its 687th

plenary meeting on 15 April, by the same vote, as resolution 468 D (XV). It read:

"The Economic and Social Council,

"Taking note of the considerations and recommendations of the Transport and Communications Commission in its resolution 3 concerning the final report of the Group of Experts on Road Signs and Signals,

"1. Notes in particular that the Commission considers the recommendation of the Group of Experts, as embodied in the draft convention on a uniform system of road signs and signals, a suitable solution for achieving uniformity on a world-wide basis; and that the draft convention should without delay be opened for signature and ratification by governments;

"2. Considers that a gradual application of a uniform system would be the best method of securing eventual acceptance and thus uniformity on a world-wide scale; and, therefore,

"3. Approves the decision of the Group of Experts to omit from the draft convention indication of a period of time during which the introduction of uniform signs and signals should be accomplished by governments;

"4. Notes that the draft convention, in article 41, provides that it shall terminate and replace in the relations between Contracting States the provisions of the 1931 Convention concerning the Unification of Road Signs and the 1949 Protocol on Road Signs and Signals;

"5. Decides that the draft convention shall be known as the Protocol on a Uniform System of Road Signs and Signals (New York, [year]);

"6. Instructs the Secretary-General:

"(a) To continue his consultations concerning the contents of the protocol and the date it should be opened for signature, and to report thereon to the Council at its seventeenth session;

"(b) To bring to the attention of the governments the information and explanations contained in the final report of the Group of Experts on Road Signs and Signals."

ANNEX

REVISED TEXT OF PARAGRAPH 1 OF ARTICLE 35 OF THE DRAFT CONVENTION ON A UNIFORM SYSTEM OF ROAD SIGNS AND SIGNALS

Article 35

1. This Protocol shall be open until 195 for signature by all States Parties to the Convention on Road Traffic, opened for signature at Geneva on 19 September 1949, and all States Members of the United Nations or of any of the specialized agencies.

c. LICENSING OF MOTOR VEHICLE DRIVERS

The Committee of Experts on Licensing of Motor Vehicle Drivers, established in accordance with Council resolution 379 B (XIII),⁴¹ submitted its report (E/CN.2/133-E/CN.2/-

⁴⁰ See Y.U.N., 1950, p. 489.

⁴¹ See Y.U.N., 1951, pp. 437-38.

CONF.2/3), dealing with the problem of establishing uniform minimum regulations for the licensing of drivers of the various categories of motor vehicles, to the Commission at its sixth session. In accordance with its terms of reference, the report of the Committee contained draft uniform regulations for the licensing of motor vehicle drivers which were recommended for consideration by governments in connexion with their domestic laws and regulations. It also contained draft general provisions applicable to international traffic for consideration as an annex to the Convention on Road Traffic. The Committee furthermore recommended that governments be requested to circulate the report to the driver licensing authorities in their countries. In addition it proposed that the assistance of the World Health Organization (WHO) be invoked with respect to further recommendations relative to requirements of mental and physical fitness of motor vehicle drivers.

The Economic Committee (E/2402) at its 125th meeting on 6 April, by 16 votes to 2, and the Council, at its 687th plenary meeting on 15 April, by the same vote, adopted a resolution on this matter. The USSR representative expressed the view that the licensing of motor vehicle drivers was a matter essentially within the domestic jurisdiction of States, and that a United Nations organ had no authority to impose rules on the subject. The resolution adopted by the Council (468 E (XV)) read:

"The Economic and Social Council,

"Taking note of the considerations and recommendations of the Transport and Communications Commission in its resolution 4 concerning the report of the Committee of Experts on Licensing of Motor Vehicle Drivers,

"Noting in particular that the Committee of Experts has recommended that the minimum uniform regulations for the licensing of motor vehicle drivers drafted by it should be referred to governments for consideration in connexion with their national laws and regulations,

"Further noting that the Committee has also proposed some general provisions for insertion in a new annex to the Convention on Road Traffic, concluded at Geneva on 19 September 1949, and that the Transport and Communications Commission considers that it would be appropriate to merge the proposed new annex, as revised by the Commission, with annex 8 to the Convention,

"1. Instructs the Secretary-General:

"(a) To circulate the report of the Committee of Experts on Licensing of Motor Vehicle Drivers to all States Members of the United Nations or of any of the specialized agencies:

"(i) Requesting them to consider in connexion with their domestic laws and regulations the minimum uniform regulations recommended by the Committee; and

"(ii) Drawing to their attention the attached amendment to annex 8 to the Convention on Road Traffic proposed by the Committee of Experts and revised by the Commission, and requesting the governments of those States which are Parties to the Convention to notify the Secretary-General if they wish to accept the proposed amendment in accordance with article 31 of the Convention;

"(b) To bring to the attention of the World Health Organization the recommendation of the Committee of Experts that the assistance of that organization be sought with respect to the requirements and methods of determining mental and physical fitness of applicants for driving permits;

"2. Endorses the recommendation of the Commission that the study of this question which is being undertaken on the regional level under the auspices of the Economic Commission for Europe be co-ordinated with the recommendations by the Committee of Experts and with any action taken by the World Health Organization in giving the requested assistance."

CONVENTION ON ROAD TRAFFIC: DRAFT AMENDED ANNEX 8

CONDITIONS TO BE FULFILLED BY DRIVERS OF MOTOR VEHICLES IN INTERNATIONAL TRAFFIC

(Note: Paragraph 1 is the existing text of annex 8.)

1. The minimum age for driving a motor vehicle under the conditions set out in article 24 of the Convention shall be eighteen years.

Any Contracting State or sub-division thereof may, however, recognize the driving permits issued by other Contracting States to drivers of motorcycles and invalid carriages of a lower age than eighteen years.

(Note: Paragraphs 2, 3 and 4 are new and constitute the proposed amendment.)

2. The requirement of "proof of competence" as called for in paragraph 1 of article 24 of the Convention shall be deemed to have been fulfilled if:

(1) The permit was issued to the applicant:

(a) After he had passed satisfactorily an examination of his:

(i) Ability to drive safely under normal traffic conditions a vehicle of the description to which the permit relates,

(ii) Knowledge of traffic laws and regulations, and of correct road behaviour; and

(b) After steps had been taken to ensure that the applicant was in a state of health and physical and mental condition compatible with safe driving; or

(2) The driver held a permit prior to 26 March 1952, the date of entry into force of the Convention, Provisional permits issued to learner-drivers are not driving permits in the meaning of this provision.

3. Driving permits issued to disabled persons shall bear a clause to the effect that they are valid only when the vehicle or the holder or both are equipped with devices designed to take account of the disability. This clause shall include the word "restricted" in the language of the driving permit and the translation in French *restreint* and the registration number of the vehicle, if specially equipped.

4. Contracting States in introducing the detailed measures to give effect to the provisions of this annex shall give full consideration to the recommendations of the Committee of Experts on Licensing of Motor Vehicle Drivers, established in accordance with Economic and Social Council resolution 379 B (XIII) of 11 August 1951.

2. Other Problems of International Inland Transport

a. REGIONAL DEVELOPMENTS IN THE FIELD OF INLAND TRANSPORT

The Commission took note of a report by the Secretary-General concerning developments in the field of inland transport (E/CN.2/121 & Corr.1 & Add.1) which had occurred in the various regions since the fifth session of the Commission, and, in particular, of the activities of the three regional economic commissions. The Commission noted that the Economic Commission for Asia and the Far East (ECAFE) had placed emphasis on projects, usually undertaken in conjunction with the Technical Assistance Administration (TAA) or specialized agencies, for providing training facilities for professional and technical personnel in the transport field; it noted the activities of ECE in the co-ordination of inland transport, the integration of European railway systems, the development and improvement of international road transport, the transport of dangerous goods and the simplification of frontier formalities; and that the Economic Commission for Latin America (ECLA) among a number of transport studies had undertaken a study, in collaboration with TAA, of the development and integration of the transport systems of the six Central American countries.

b. CO-ORDINATION OF INLAND TRANSPORT

The Commission noted the Secretary-General's report on the co-ordination of inland transport (E/CN.2/122 & Add.1), summarizing activities in this field since its fifth session, in particular the activities of the International Labour Organisation (ILO), ECE, ECAFE and of the International Chamber of Commerce (ICC).

Having noted that the Council in its resolution 298 H (XI)⁴² had requested the Secretary-General

to continue to examine this problem, the Commission decided that the Secretary-General should continue to make reports to it on developments in this field.

3. Facilitation of International Movement of Persons and Goods

a. TRAVEL, PASSPORTS AND FRONTIER FORMALITIES

The activities during 1951 and 1952 of a number of international bodies concerned with the promotion and facilitation of international travel were noted by the Commission on the basis of a report by the Secretary-General (E/CN.2/123 & Add.1).

The Commission also considered the Secretary-General's report on passports and frontier formalities, setting out developments in 1951-52, in particular with regard to the implementation of the recommendations of the 1947 Meeting of Experts on Passports and Frontier Formalities (E/CN.2/124 & Corr.1 & Add.1).

The Commission requested the Secretary-General to follow progress in this field, and, in his opinion it should be desirable, to address an inquiry to Member Governments, and to report results to the Commission. It was also decided to circulate the standard visa format—recommended by the International Civil Aviation Organization (ICAO), with a view to facilitating the movement of persons by international air transport—to all Member States, requesting their views concerning its application to international travel by all means of transport. With regard to another ICAO proposal that the United Nations publish periodically a booklet setting out visa requirements of States, the Commission decided that it would not be feasible to undertake this.

b. CUSTOMS FORMALITIES FOR TOURING

The Commission had before it, at its sixth session, a report by the Secretary-General (E/CN.2/135 & Corr.1, 2 & Add.1, 2 & 3) containing documents which had been circulated to governments in accordance with Council resolution 379 D (XIII)⁴³ and the comments received.

⁴² See Y.U.N., 1950, pp. 490-91.

⁴³ See Y.U.N., 1951, pp. 439-40.

The documents circulated included the draft International Customs Convention on Touring prepared under the auspices of ECE, together with the proposals submitted jointly by the World Touring and Automobile Organization (OTA) and the International Union of Official Travel Organizations (IUOTO). A draft World Wide Convention on Tourism prepared by the Government of the United Kingdom was circulated separately.

The comments received from governments concerned the desirability of concluding international conventions on customs formalities for: (1) the temporary importation of private vehicles and their equipment; and (2) tourism (i.e., the personal effects of tourists travelling by any means of transport), and on the suitability of the drafts mentioned above as a basis of discussion for concluding such conventions.

The Commission proposed a draft resolution which was adopted with certain changes by the Council. Thus, the Council's Economic Committee, by a vote of 13 to 1, with 3 abstentions, adopted a proposal that the suggested conference on customs formalities should meet in Geneva rather than at United Nations Headquarters. An Egyptian oral proposal to extend invitations to the conference to territories which were not fully responsible for their foreign relations but were self-governing in the field covered by the conference's terms of reference was adopted in the Economic Committee by 14 votes to none, with 4 abstentions, and by the same vote by the Council. The revised draft resolution was adopted in the Economic Committee (E/2402) at its 126th meeting on 7 April by 14 votes to none, with 4 abstentions, and by the Council by 15 votes to none, with 3 abstentions on 15 April.

The resolution adopted by the Council (468 F (XV)) instructed the Secretary-General to convene as early as possible in 1954, and preferably in Geneva, a conference of governments for the conclusion on a world-wide basis of two conventions relating to customs formalities, namely: for the temporary importation of private road motor vehicles carrying persons and their equipment and for tourism (i.e., personal effects of tourists travelling by any means of transport).

By the same resolution, the Council decided that all States Members of the United Nations or any of the specialized agencies should be invited to participate in the conference, that the specialized agencies, intergovernmental organizations and international organizations in this field,

as may be appropriate, be invited to send observers to the conference, and that territories, which are not fully responsible for their foreign relations, but which are self-governing in the fields covered by the terms of reference of the conference, should be invited to attend the conference without the right to vote.

c. BARRIERS TO THE INTERNATIONAL TRANSPORT OF GOODS

The Secretary-General submitted to the Transport and Communications Commission a report (E/CN.2/129) on action on the question of barriers to the international transport of goods taken by the following: the Contracting Parties to the General Agreement on Tariffs and Trade (GATT), ECE, ICAO, WHO and the International Air Transport Association (IATA).

On the basis of the Secretary-General's report, the Commission, at its sixth session, noted with satisfaction the adoption by the Contracting Parties to GATT, at their seventh session in Geneva from 2 October to 10 November 1952, of two codes of standard practices, one relative to documentary requirements for the importation of goods, and the other to consular formalities. The governments were asked to report on the steps taken to bring their own practices into conformity with the two codes of standard practices.

The Commission decided that the question could be removed from its agenda in view of the action taken by GATT. At the same time it noted the action taken on the European regional basis through the adoption at Geneva on 10 January 1952 of the International Convention to Facilitate the Crossing of Frontiers for Goods Carried by Rail, prepared by ECE.

4. Transport of Dangerous Goods

The Commission considered a report (E/CN.2/126 & Corr.1 & Add.1, 2 & 3) prepared by the Secretary-General pursuant to Council resolution 379 E (XIII)⁴⁴ on the various aspects of the problem of the transport of dangerous goods, with a view to determining which of these aspects were appropriate for uniform, or approximately uniform, regulations with respect to the various means of transport.

The Secretary-General's report, among other things, analysed comments by various organizations

⁴⁴ See Y.U.N., 1951, pp. 440-41.

on this question and made a number of suggestions regarding further action. The Secretary-General suggested that the first two aspects of the problem to receive priority should be:

(1) definition and classification of dangerous goods, determination of those which are to be excluded from (or restricted to certain types of) carriage and methods and extent of listing; and

(2) aspects related to preparation of the consignment for shipment.

The Commission made a recommendation which recognized that the greatest possible uniformity was required in the regulations for the safe transport of dangerous goods and considered that the first step should be to prepare draft regulations to meet certain problems common to all forms of transport and which might be given uniform treatment with the least possible impact on existing practices.

During a discussion of the question in the Economic Committee, the representative of the United Kingdom suggested that the work of the experts—who were proposed to be appointed to study the matter—would be more productive if the differences of opinion between governments could be settled as far as possible before the experts met. The representative of the Secretary-General stated that the Secretariat would give full consideration to the matter before a meeting of the experts took place.

A draft resolution on the question, prepared by the Commission, was adopted by the Economic Committee at its 126th meeting on 7 April by 16 votes to 2 (E/2402), and by the Council, at its 687th plenary meeting on 15 April, by the same vote.

By this resolution (468 G (XV)), the Secretary-General was requested to appoint a committee of not more than nine qualified experts from countries having a substantial interest in the international transport of dangerous goods, whose principal task would be to make a study and present to the Commission a report which, taking account of existing practices, procedures and usage, would recommend and define groupings or classification of dangerous goods on the basis of the character of risk involved, list and classify the principal dangerous goods, recommend marks or labels to identify the risk graphically and without regard to printed text, and recommend the simplest possible requirements for shipping papers. The Secretary-General was also authorized to invite appropriate international organizations to participate in the work of the Committee in a consultative capacity.

5. Problems in the Field of Shipping

a. SITUATION WITH RESPECT TO RATIFICATION OF THE CONVENTION ON THE INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION (IMCO)

The Commission at its sixth session considered the Secretary-General's report on the situation with respect to ratification of the Convention (E/CN.2/128 & Corr.1). Eleven countries at that time had ratified the Convention, six of which had more than a million gross tons of shipping each, whereas 21 parties to the Convention are required to bring it into force, of which seven must each have not less than a million gross tons of shipping. In response to an inquiry to governments which had not thus far ratified the Convention, the Secretary-General had received information that a number of them had the matter under consideration.

A resolution on the question was prepared by the Commission and adopted by the Economic Committee at its 125th meeting on 6 April by 11 votes to none, with 7 abstentions (E/2402), and by the Council, at its 687th plenary meeting on 15 April, by 13 votes to none, with 5 abstentions.

According to the resolution (468 C (XV)), the Secretary-General was instructed to pursue, with those governments that had not yet replied to his previous communication, the inquiry concerning their steps to ratify the Convention and to continue his efforts to secure the entry into force of the Convention. It also invited those States which had accepted the Convention to consider what measures might be taken with a view to hastening the bringing into being of the organization.

On the initiative of the United Kingdom Government, representatives of the fourteen governments which have accepted the Convention met in London on 27 and 28 October 1953. They agreed to recommend that their governments continue to endeavour to obtain further acceptances. They also agreed to request the Secretary-General to send copies of the report of their meeting to all governments eligible to join IMCO and to place this report before the Economic and Social Council. The report drew attention to a number of specific reasons why the establishment of IMCO was considered to be urgently required.

At the end of 1953 fourteen countries had ratified the Convention.⁴⁵

⁴⁵ See Part Two of this Yearbook, under Inter-Governmental Maritime Consultative Organization.

b. UNIFICATION OF MARITIME
TONNAGE MEASUREMENT

After noting a report by the Secretary-General (E/CN.2/141), reviewing developments on the unification of maritime tonnage measurements, explaining that rules were under study by professional bodies in various countries and describing a meeting of experts held at The Hague in June 1952, the Commission, at its sixth session, refrained from action, pending the coming into being of IMCO.

In his report, the Secretary-General stated that a third meeting of tonnage experts was held at The Hague in June 1952. The aim of this meeting, like that of the earlier ones held at Oslo in April 1948 and Stockholm in June 1950, was to ensure uniform application and interpretation of the "International Regulations for Tonnage Measurement of Ships", drawn up under the auspices of the League of Nations in 1939, and adopted by the above-mentioned Oslo Conference. It was found at the meeting that the Oslo Convention, which contains the above regulations, had been ratified by only three signatories, Iceland, Norway and the Netherlands, and that only the Netherlands had put it into effect. It was decided that the next meeting of experts should be held at Paris in 1954. It was also noted in the report of the Secretary-General that the rules of maritime tonnage measurements were under study by such professional bodies as the International Standards Committee of the Society of Naval Architects and Marine Engineers in New York and the Institution of Naval Architects in the United Kingdom.

c. POLLUTION OF SEA WATER

The Commission, at its sixth session, noted the Secretary-General's report on the pollution of sea water (E/CN.2/134 & Corr.1 & Add. 1 & 2).

The report indicated that 31 governments had so far replied to inquiries by the Secretary-General on the question. The replies contained information on studies undertaken; listed the extent of pollution; indicated the damage caused by pollution (damage to birds; damage to plant life; damage to fisheries, fish and shellfish; damage to beaches; danger to ports (danger of fire)); explained causes of pollution and conditions under which it takes place; listed possible remedies for pollution (separators on ships, facilities on barges or ashore for the discharge of polluted water, possibilities of treating oil sludge by physical or chemical processes and limiting the spread of oil discharged at sea); indicated the need for

international regulation; and summarized action that had already been taken at the international or national level.

The Council discussed the question on the basis of a draft resolution proposed by the Commission. In the Economic Committee the representatives of the United Kingdom and Sweden stated that their governments were then studying the question of pollution of sea water. The representative of the United Kingdom expressed the hope that his country would be represented on the committee of experts being planned to study the matter. The representative of Sweden felt that the only way to achieve tangible results would be to convene an international conference on the question. The Swedish representative, with certain reservations, in particular regarding the provision relating to IMCO (see below), and the French representative expressed support for the draft resolution.

That part of the draft resolution concerning expenses to be covered out of the regular budget of the United Nations was adopted by the Economic Committee at its 125th meeting on 6 April, by 13 votes to 2, with 2 abstentions, and by the Council by 16 votes to 2. The draft resolution, as a whole, was adopted by both the Committee (E/2402) on 6 April and by the Council, at its 687th plenary meeting on 15 April, by 16 votes to none, with 2 abstentions.

By the resolution (468 B (XV)), the Council authorized the Secretary-General to request Governments of Member States interested in the matter, at their own expense, to make available to him experts in this field, who would correlate the studies and other communications submitted by interested governments and draw such conclusions as might be appropriate for transmittal to IMCO when that organization became active, provided: that at least three governments were prepared to follow this course and that the Secretary-General would be authorized to cover some or all of the expense involved out of the regular budget of the United Nations if he found the expense could be covered under present budgetary appropriations.

Subsequently, the United Kingdom Government, in view of the increasing seriousness of the pollution problem and following consideration of the recommendations in a Report to the British Minister of Transport by the Committee on the Prevention of Pollution of the Sea by Oil, dated 2 July 1953, issued invitations to the major maritime Powers to attend an ad hoc diplomatic conference in London opening on 26 April 1954.

The United Nations was invited to send an observer and make available the information on the subject furnished by the various governments.

6. Co-ordination of Activities of the Specialized Agencies in the Field of Transport and Communications

The Commission, at its sixth session, took note of a report prepared by the Secretary-General (E/CN.2/127 & Corr.1, 2), surveying the activities of the United Nations and the specialized agencies in the field of transport and communications with particular regard to the co-ordination of such activities.

In summarizing the co-ordination of activities relating to subjects of direct interest to the Transport and Communications Commission the report dealt with: international transport; international communications; application of meteorology; co-ordination of statistical activities concerning transport and communications; and co-ordination of activities in the fields of aviation, shipping, telecommunication and meteorology in regard to safety at sea and in the air. In dealing with co-ordination of activities relating to subjects of indirect interest to the Commission, the Secretary-General briefly described the following:

- (1) The Expanded Programme of technical assistance for economic development of under-developed countries;
- (2) conditions of employment in international transport;
- (3) application of telecommunications—improving international understanding;
- (4) United Nations research laboratories;
- (5) co-ordination of cartographic activities;
- (6) inter-agency service privileges; and
- (7) fiscal matters.

7. Implementation of the Decisions of the Atlantic City Telecommunication Conferences of 1947

The report of the Secretary-General on the implementation of the decisions of the Atlantic City Telecommunication Conferences of 1947 (E/CN.2/130 & Corr.1 & Add.1) informed the Commission that the Extraordinary Administrative Radio Conference, held at Geneva from 16 August to 3 December 1951, had concluded an "Agreement for the preparation and adoption of the new international frequency list for the various services in the bands between 14 kc/s and 27,500 kc/s with a view to bringing into force

the Atlantic City table of frequency allocations". The International Plenipotentiary Telecommunication Conference, held at Buenos Aires from 3 October to 22 December 1952, confirmed the validity of this agreement. The Commission decided to remove this matter from its agenda.

8. Discrimination in Transport Insurance

The Transport and Communications Commission had before it a report of the Secretary-General on discrimination in transport insurance (E/CN.2/139 & Corr.1) which summarized available information on this question. One section defined discrimination, referred to the extent to which restrictions in transport insurance were being applied, and cited the impact of discriminatory practices on international trade. Another section noted the provisions concerning discrimination in various recent international conventions and agreements dealing with commerce and transportation (Havana Charter for an International Trade Organization (Havana, 1948), Convention on the Inter-Governmental Maritime Consultative Organization (Geneva, 1948), and the Economic Agreement of Bogota (1948)). A third section dealt with action by international organizations including intergovernmental and non-governmental organizations. Another section dealt with a possible approach of the Transport and Communications Commission to this subject. Here, the following various categories of discrimination were examined and various courses of action were suggested:

- (1) laws and regulations which provide for the insurance of goods in international trade to be effected in the domestic insurance market, including provisions to that effect in commercial treaties;
- (2) discriminatory taxation;
- (3) discrimination practised through the control of foreign exchange; and
- (4) practices designed to discourage the admission of foreign insurance companies.

During the discussion of this question in the Economic Committee, the representative of Argentina took exception to that part of the report of the Secretary-General which stated that Argentina applied discriminatory laws in marine insurance. He denied that Argentine laws resulted in higher cost of marine insurance or that these costs were passed to the ultimate consumer and constituted a serious impediment to international trade. He then explained in detail the system existing in Argentina.

The representative of Venezuela, while stating that he would vote for the draft resolution con-

cerning transport insurance proposed by the Commission which was before the Committee, pointed out that in Venezuela aliens enjoyed the same rights as nationals in matters of transport insurance. The insertion in every future commercial treaty of a clause designed to prevent discrimination could be dangerous, he felt, since the term "discrimination" might give rise to confusion.

The representative of the United States declared that his Government was already endeavouring to include in its commercial treaties with other countries a provision designed to prevent the discrimination referred to in the draft resolution.

The draft resolution proposed by the Commission was adopted in parts by varying votes and, as a whole, by 12 votes to 3, with 3 abstentions, by the Economic Committee (E/2402) at its 126th meeting on 7 April.

The USSR representative said that he had voted against the draft because its implementation would require amendments to domestic legislation on transport insurance and therefore constitute an interference in the domestic affairs of States.

The Council considered an Argentine amendment (E/L.492) which had the effect of providing that anti-discrimination clauses regarding transport insurance should only be inserted in future commercial treaties when the economic progress of under-developed countries would not be affected thereby. However, by 12 votes to 2, with 2 abstentions, it adopted a proposal, made orally by the French representative and accepted by Argentina, to delete altogether the provision concerned with commercial treaties.

The amended draft resolution, as a whole, was adopted by 13 votes to 2, with 1 abstention, at the 689th plenary meeting on 16 April.

By this resolution (468 H (XV)), the Council decided to bring the Secretary-General's study (E/CN.2/139 & Corr.1) to the attention of governments. It also instructed the Secretary-General to bring to the notice of the Contracting Parties to GATT the relevant resolutions of the Council and of the Commission, and the Secretary-General's study for possible action; to bring them to the notice of the International Monetary Fund with a view to examination by that organization of the possibility of achieving relaxation of exchange controls as applied to transport insurance; and to advise the Commission at its next session of the progress made in this matter.

The representative of the Fund said that only after the extent and significance of the restriction referred to in the resolution had been explored

would it be possible to determine the degree of priority treatment justified for them. The Fund hoped to be able to report to the Transport and Communications Commission at its next session.

9. Application of Certain Non-Governmental Organizations for Consultative Status

As requested by Council resolution 453 (XIV),⁴⁶ the Commission, at its sixth session, considered the application for consultative status in category B of the International Automotive Institute. The Commission, having noted that this organization had requested postponement of the consideration of its request (E/CN.2/137) and having noted the available information concerning the organization, decided not to recommend the granting of consultative status to this organization.

The Council, in voting on applications and reapplications for consultative status⁴⁷ acted in accordance with the recommendation of the Com-

10. Priority Programme of Work

The Transport and Communications Commission, at its sixth session, recommended a list of projects in the transport and communications field, divided into the three following groups of priority:

(1) continuing projects of high priority (for example, review of developments in the field of international road transport with particular reference to international action required at the world-wide level to supplement the Convention on Road Traffic; and progress in implementation of recommendations of the Meeting of Experts on Passports and Frontier Formalities);

(2) ad hoc projects of first priority (for example, uniform system of road signs and signals; and uniform regulations for the licensing of motor vehicle drivers); and

(3) projects of lower priority which might be deferred (for example, study on co-ordination of inland transport).

This question was considered by the Council's Economic Committee at its 126th meeting on 7 April and by the Council at its 687th plenary meeting on 15 April. In both the Economic Committee and in the Council's plenary meeting, the USSR representative stated that, in the absence of information on the financial implications of

⁴⁶ See Y.U.N., 1952, pp. 550-51.

⁴⁷ See pp. 503-504.

the draft resolution concerning the priority programme, he would be obliged to vote against it.

The draft resolution on this question was adopted by the Economic Committee (E/2402)

and by the Council by the same vote—16 votes to 2. The resolution (468 I (XV)) approved the list of priorities included in the report of the Commission (A/2363).

H. FISCAL QUESTIONS

At its fourth session, from 27 April to 8 May 1953, the Fiscal Commission discussed a series of substantive fiscal problems which had been brought before it under the following items of the agenda: (1) international tax problems, especially the problem of fiscal incentives to increase the international flow of private capital for the economic development of under-developed countries, (2) world tax service, (3) taxation of agriculture, (4) government finance and economic development, (5) government financial reporting, (6) public finance information service and (7) problems of municipal finance.

The Commission adopted a report on its session (E/2429) by 12 votes to none, with 2 abstentions. The report, besides reviewing the discussions at the meetings, contained a request for studies to be undertaken by the Secretariat in a certain order of priority, as well as three draft resolutions on international tax problems, government financial reporting and public finance information service.

The Economic and Social Council considered this report during its sixteenth session, at the 131st and 132nd meetings of its Economic Committee, on 6 and 7 July 1953, and at its 710th to 712th and 719th plenary meetings, on 3, 4 and 9 July 1953. The Council on 4 and 7 July adopted resolution 486(XVI) which, in part A, took note of the report of the Commission and, in part B, approved, with certain modifications, the draft resolution of the Commission concerning international tax problems recommended in the report. In parts C and D of the same resolution, the Council adopted without modifications the draft resolutions recommended by the Commission on government financial reporting and public finance information service. In part E, the Council approved the programme of work proposed by the Commission in its report. An account of the principal studies proposed and recommendations made is given below.

1. International Tax Problems

For the consideration of the problem of taxation of foreign investment the Commission had before it the study *Taxation in Capital-Exporting*

and *Capital-Importing Countries of Foreign Private Investment in Latin America—United States Income Taxation of Private United States Investment in Latin America*,⁴⁸ prepared by the Secretary-General in response to resolution 378 I 2 (b) (XIII)⁴⁹ of the Economic and Social Council, adopted upon the recommendation of the Fiscal Commission at its third session. This was the first in a series of studies designed to inquire into the impact of tax measures, in capital-exporting countries to Latin America and in selected Latin American countries, on the flow of foreign investment.

The Fiscal Commission also had before it a special request embodied in Council resolution 416 D (XIV) requesting the Commission to examine further the proposal that, through bilateral agreements or unilateral measures, income from foreign investments in under-developed countries should be taxed only in these countries, with such income being exempted from taxes in the capital-exporting countries; and to submit the results of such examination to the Council in a special section of its next report. The Fiscal Commission discussed this problem and established a working group on international tax problems to seek a reconciliation of the views expressed by its members. Upon the proposal of the working group, the Commission recommended for adoption by the Council draft resolution B on "Fiscal Incentives to Increase the International Flow of Private Capital for the Economic Development of Under-Developed Countries".

The operative part would have the Council: (1) reaffirm that the country in which income arises has as a general principle an undoubted right to tax that income; and (2) recommend that the highly developed countries, acting unilaterally or through bilateral tax agreements, give sympathetic consideration to the feasibility of taxing income from investments in under-developed countries only or primarily in the country in which the income was produced.

Furthermore, in its resolution on the programme of work of the Secretariat, the Commission requested as an ad hoc project in the first priority category the continuation of the study on the effects of taxation on foreign investment, especially in under-developed countries, in the light of this draft resolution.

⁴⁸ U.N.P. Sales No.: 1953-XVI.1.

⁴⁹ See Y.U.N., 1952, p. 413.

The Council in considering the Fiscal Commission's draft resolution B also had before it a draft resolution by Cuba (E/L.510) which would have the Council:

(1) declare that income from foreign investments in under-developed countries should be taxed only in those countries; and

(2) recommend that highly developed countries, in carrying out their policy of concluding bilateral fiscal agreements with under-developed countries, stipulate that the income of their residents from investments in the other country would be taxed only in the country where such income was produced.

A series of amendments (E/L.515 & Corr.1) to this proposal were presented by Argentina which were designed primarily to broaden the application of the draft resolution.

Representatives of the more highly developed countries, however, expressed their preference for the draft resolution proposed by the Fiscal Commission, which was subsequently adopted. They were not prepared to approve an outright recommendation of complete tax exemption for income from foreign investment in the capital-exporting countries. Among the reasons put forward by these representatives was that the inducements proposed in the Cuban draft resolution might not be effective in view of the other important influences affecting the international movement of capital. Such exemption, moreover, would seriously discriminate against domestic investment, which was also of importance to the highly developed countries, and might thus lead in some of them to the adoption of measures restricting capital exports. The representative of the United States explained that his country was in the process of re-examining its entire tax structure—including consideration of new incentives to foreign investment—pending which it would not be possible to support the Cuban draft resolution.

The representatives of Argentina, Cuba, Uruguay and Venezuela, among others, stressed the importance of providing incentives for private investments in the under-developed countries. One of these incentives, they held, consisted in the relatively lower tax rates prevailing in the under-developed countries, so long as their purpose was not defeated by the imposition of further taxes in the countries from which such investment capital was derived.

The representative of Argentina sought to have this idea included (E/L.517 & Corr.1) in a new text for paragraph V of the preamble to the draft resolution proposed by the Fiscal Commission. However, in the interest of unanimity, he subsequently withdrew the amendment and joined with the representatives of Cuba, Egypt,

the Philippines, Uruguay and Venezuela in proposing (E/AC.6/L.62) a minor rewording of the same paragraph. However, the sponsors of the joint amendment later agreed to a United States oral amendment which would include a reference to the comparative study of the taxation of foreign investment in capital-exporting countries and under-developed countries.

The paragraph, as thus reworded, was adopted (for text, see below, para. (c)), at the Economic Committee's 132nd meeting on 7 July, by 15 votes to none, with 3 abstentions.

It was generally agreed that further study was needed on the influence of taxation on international investment and that the Council should note that the Fiscal Commission planned to continue to study the problem, reporting to the Council after its next meeting. Amendments to this effect were proposed by Argentina (E/L.517 & Corr.1), the United States (E/L.520) and jointly by Argentina, Cuba, Uruguay and Venezuela (E/AC.6/L.61). On the basis of a joint amendment by Argentina, Cuba, Egypt, the Philippines, Uruguay and Venezuela (E/AC.6/L.62), the following action was taken:

(1) An additional paragraph (f) (for text, see below) was adopted by 15 votes to none, with 3 abstentions, following the acceptance of a Swedish oral amendment adding a reference to practical recommendations which might emerge from this continued study and analysis.

(2) The first operative paragraph of draft resolution B (see above) was deleted and a new paragraph adopted by 16 votes to none, with 2 abstentions (for text, see below).

The second operative paragraph proposed by the Fiscal Commission (see above) was redrafted with minor changes on the basis of suggestions by (1) Australia (E/L.518), (2) Argentina, Cuba, Egypt, the Philippines, Uruguay and Venezuela (E/AC.6/L.62) and (3) China (orally), and was adopted by 15 votes to none, with 2 abstentions.

Draft resolution B, as proposed by the Fiscal Commission, was adopted, as amended, as a whole, by 15 votes to none, with 3 abstentions, by the Economic Committee (E/2478), and by the Council, by the same vote, at its 719th plenary meeting on 9 July 1953. Resolution 486 B (XVI) read:

Fiscal incentives to increase the international flow of private capital for the economic development of under-developed countries

"The Economic and Social Council,

"Recognizing:

"(a) The great importance of finding means to stimulate the flow of private investment from the highly

developed to the under-developed countries, in order to accelerate the economic development of the latter,

"(b) That the present flow of capital exported to the under-developed countries is insufficient for their development needs,

"(c) That relatively lower taxation in force in the under-developed countries, as compared with capital exporting countries, is one of the attractions that under-developed countries may be in a position to offer to foreign capital as an incentive to investment,

"(d) That this incentive becomes less effective—although international double taxation is avoided—if the capital-exporting countries apply to the income from investments in under-developed countries any further taxation beyond that already paid in the latter,

"(e) That favourable tax treatment is one of the many factors affecting the flow of foreign capital,

"(f) That further analysis and factual study of the problem referred to in paragraph (J) above is needed, together with such practical recommendations as may emerge from this further study and analysis,

"1. Notes that the Fiscal Commission plans to continue its study of the problem referred to in paragraph (d) above and anticipates a report on the results of its further studies to the Council after the next meeting of the Commission;

"2. Recommends, meanwhile, that the highly developed countries, acting unilaterally or when concluding tax agreements, should give special consideration to the feasibility of taking action to ensure that such income is taxable only or primarily in the country in which the income was produced."

Accordingly, the Secretary-General continued his research on the effects of taxation on foreign investment. A study "Taxation of Foreign Investment in Mexico" (E/CN.8/69/Add.2) was distributed in 1953 in the series "Taxation in Capital-Exporting and Capital-Importing Countries of Foreign Private Investment in Latin America". Similar country studies were initiated or contemplated during the year, in preparation for a study attempting to analyse the potentialities of tax exemption in capital-exporting countries as an incentive to the flow of private investment capital to under-developed countries. Thus, studies on Argentina, Belgium, Brazil, Canada and Chile were in preparation; studies on the Netherlands and Switzerland and on Ecuador, Peru and Uruguay were contemplated. Within its programme of co-operation with the United Nations (see below "World Tax Service"), Harvard University undertook studies on Colombia, Cuba, Venezuela, France, Sweden, the United Kingdom, as well as enquiries among United States investment circles.

Further, in the field of international tax problems, the Fiscal Commission discussed the problems of taxation of corporate profits and dividends and the taxation of foreign nationals, residents, income, assets and transactions. For the considera-

tion of these subjects the Commission had before it a progress report on "Corporate Tax Problems" (E/CN.8/66), with a series of country studies (E/CN.8/66/Add.1 to 7; the countries covered were Argentina, Belgium, Canada, France, the Netherlands, New Zealand and the United Kingdom), and the comparative country studies on "Taxation of Foreign Taxpayers and Foreign Income" (E/CN.8/68/Add.1 to 4; the countries covered were Argentina, Canada, Israel and New Zealand).⁵⁰ In its resolution on the programme of work of the Secretariat, the Commission requested the continuation of studies on the taxation of foreign taxpayers and foreign income and the methods of relief from international double taxation, as well as of the study "Corporate Tax Problems." In response to these requests, the Secretary-General undertook to prepare a number of additional country studies in both series. In the former, country studies on Belgium and the United States were undertaken, and additional studies on France, Sweden and the United Kingdom were planned; in the latter, country studies on Egypt, India and the United States were undertaken. On the basis of this material, it is intended to prepare ultimately a comparative examination of the types of provisions in laws and agreements which govern taxation of incomes derived from international business activities.

During 1953, the Secretary-General also continued to publish and distribute the replies received from Member Governments to his questionnaire on the "Taxation of Foreign Nationals, Assets and Transactions" (E/CN.8/W.19) issued on 13 September 1948.

In its resolution on the programme of work of the Secretariat, the Commission gave high priority to the continuation of the series International Tax Agreements. Volume IV in this series was prepared during 1953 for publication in the spring of 1954. This volume contains the texts of international tax agreements signed since 1951 and brings up to date the tables on the present status of tax agreements published in Volume III, World Guide to International Tax Agreements, 1843-1951.⁵¹

2. World Tax Service

The Commission took note of the progress which had been made since its last session in the establishment of a world tax service with the possible co-operation of universities. It was informed that the first university to offer its participation

⁵⁰ See Y.U.N., 1952, p. 413.

⁵¹ See Y.U.N., 1951, p. 445. U.N.P., Sales No.: 1951.XVI.5.

in this project was Harvard University of Cambridge, Massachusetts, U.S.A.⁵² and that a programme of research was being established by Harvard University in co-operation with the Secretary-General. The Commission expressed the hope that other universities might offer their co-operation. In its resolution on the programme of work, it urged the implementation of this project. Under Council resolution 226 B 2 (IX), Harvard University has co-operated with the Secretary-General on the study on taxation, in capital-exporting and capital-importing countries, of foreign private investment in Latin America and on the study of fiscal problems of agriculture. Harvard University has also established a special training programme for tax administrators from under-developed countries under United Nations fellowships and scholarships.

3. Taxation of Agriculture

The Commission discussed the section on taxation policies in the Secretary-General's report on Land Reform⁵³ and was informed of the programme of research established and the work already undertaken jointly by the Food and Agriculture Organization of the United Nations (FAO) and the United Nations on the tax burdens of agriculture, in accordance with Council resolution 378 I 2 (c) (XIII).⁵⁴ The Commission reviewed some of the problems raised by the taxation of agriculture, and requested that further studies include consideration of methods of assessing agricultural income and of the problems of commercial plantations and rural co-operatives.

An international conference of experts on the taxation of agriculture was arranged for early 1954 as part of Harvard University's programme of co-operation with the United Nations. Its purpose would be to examine the present state of knowledge in this field and to develop guide-lines for the direction and methods of further research. The United Nations Secretariat prepared working papers for this conference on the structure and yield of the principal types of taxes levied on agriculture in different countries. Furthermore, within the programme of co-operation with FAO, two papers were prepared on "The Operation of the Land Tax in India and Pakistan" and on "Taxation of Agriculture in Under-Developed Countries."⁵⁵

4. Government Finance and Economic Development

The Commission reviewed the activities of the Secretariat in providing technical assistance to

under-developed countries. It was informed that, since its last session, United Nations missions in the fiscal field were operating in Afghanistan, Bolivia, Colombia, Ecuador, El Salvador, Libya and Paraguay. Experts in the field of banking and credit were sent to Haiti and to Pakistan. Over the same period, 116 United Nations fellowships and scholarships were awarded in the field of public finance and money and banking (E/CN.8/72). The Commission also had for its information the "Report on the Technical Assistance Conference on Comparative Fiscal Administration" held in Geneva from 16 to 25 July 1951 (ST/TAA/M/3—E/CN.8/67).⁵⁶

The Commission discussed some of the issues encountered in rendering technical assistance in the field of public finance. Various members emphasized their belief in the great importance of the technical assistance programme. In its resolution on the programme of work and priorities, the Commission gave first priority to technical assistance to Member Governments at their request.

As part of the technical assistance programme, a workshop on budgetary classification and management was held in Mexico City from 3 to 11 September 1953 under the auspices of the United Nations Technical Assistance Administration, the secretariat of the Economic Commission for Latin America and the United Nations Fiscal Division. The purpose of this workshop was to bring together budget officials from the republics of Central America, the Caribbean area, Mexico and the United States, in order to discuss budget management and classification requirements for the conduct of fiscal policy and the formulation and implementation of government economic development programmes. The bases of discussion of the workshop consisted of a preliminary draft of the "Manual for the Classification of Government Accounts", prepared by the Secretariat in response to technical assistance requirements (General Assembly resolution 407(V)), two earlier studies, Budgetary Structure and Classification of Govern-

⁵² See Y.U.N., 1952, p. 414.

⁵³ U.N.P., Sales No.: 1951.II.B.3.

⁵⁴ See Y.U.N., 1952, p. 414.

⁵⁵ These papers will be published in the Monthly Bulletin of Agricultural Economics and Statistics of F.A.O.

⁵⁶ See Y.U.N., 1952, p. 412. A revised and expanded version of this report was scheduled to be published early in 1954 as a printed volume entitled "Taxes, Fiscal Policy and Economic Development, a Report on Technical Assistance Experience, with Special Reference to Field Missions and to the Technical Assistance Conference on Comparative Fiscal Administration (16-25 July 1951)".

ment Accounts⁵⁷ and Government Accounting and Budget Execution⁵⁸ and several case studies prepared by the participants illustrating the application of new budget classification methods in their countries. A report on this workshop was scheduled for early in 1954.

5. Government Financial Reporting

The Commission had before it the study Government Accounting and Budget Execution prepared by the Secretary-General in response to Council resolution 378 D (XIII), adopted on the recommendation of the Fiscal Commission at its third session.

The Commission, after considering the study, recommended, in draft resolution C, that the Council take note of the study and commend it as a contribution towards the improvement of government accounting and budget procedures. This draft resolution was adopted by the Council at its 712th plenary meeting on 4 July, by 15 votes to none, with 2 abstentions, without modifications, as resolution 486 C (XVI).

6. Public Finance Information Service

The Fiscal Commission considered the following documents submitted by the Secretary-General under this item of the agenda: the Public Finance Survey of India (ST/ECA/SER.B/2),⁵⁹ the Public Finance Information Paper on Peru (ST/ECA/SER.A/6),⁶⁰ the Review of Fiscal Developments 1951-1952 (E/CN.8/74),⁶¹ the periodic public finance data published in the International

Monetary Fund's International Financial Statistics (based on a joint United Nations-International Monetary Fund questionnaire), and the public finance chapter contained in the Statistical Yearbook of the United Nations for 1951 and 1952.⁶² The Commission was also informed of the exploratory work done by the Secretary-General for the proposed volume "Public Finance Statistics 1938-1952."

Upon the Commission's recommendation, the Council at its 712th plenary meeting on 4 July, by 16 votes to none, with 2 abstentions, adopted resolution 486 D (XVI), recommending that the work of the Secretariats of the United Nations and the International Monetary Fund in preparing and publishing comparable public finance statistics be accelerated in so far as possible. It further recommended that the work of the projected special volume "Public Finance Statistics 1938-1952" be continued and that the "Manual on the Classification of Government Accounts" be distributed to Member Governments in draft form for their information and comments. Finally, the Council recommended that a questionnaire designed to obtain better public finance data be drafted and distributed to Member States for their comments.

The Commission also recommended the preparation of regional and country public finance surveys upon request of the regional commissions or when needed for technical assistance purposes. Special interest was expressed in the preparation of a public finance survey of Pakistan. Furthermore, the Commission requested the preparation of a review of fiscal developments in 1953-54.

I. STATISTICAL QUESTIONS

The Economic and Social Council at its fifteenth session had before it the report of the seventh session of the Statistical Commission (E/2365), held from 2 to 13 February 1953. This report covered important developments in the work of the Commission since May 1951 (there being no session in 1952) relating to: (1) principles of statistics of external trade; (2) development of national accounts; (3) concepts and definitions of capital formation; (4) construction of price and quantity indexes in national accounting; (5) definitions in basic industrial statistics; (6) principles for vital statistics; (7) recommendations for migration statistics; and (8) the fifth session of the Sub-Commission on Statistical Sampling.

The Council discussed the Commission's report at the 126th and 129th meetings of its Economic Committee, on 7 and 17 April, and at its 702nd plenary meeting on 27 April 1953. In resolution 469 A (XV), adopted by 16 votes to none, with 2 abstentions, the Council noted with satisfaction the report of the Commission. It also adopted four resolutions suggested by the Commission concerning the use of transaction value in external trade statistics, definitions in basic industrial statistics,

⁵⁷ U.N.P., Sales No.:1951.XVI.3.

⁵⁸ U.N.P., Sales No.:1952.XVI.3; see Y.U.N., 1952, pp. 412 and 413.

⁵⁹ U.N.P., Sales No.: 1952.XVI.1.

⁶⁰ U.N.P., Sales No.: 1952.XVI.2.

⁶¹ See Y.U.N., 1951, p. 445.

⁶² U.N.P., Sales No.: 1951.XVII.5; 1952.XVII.1.

principles for vital statistics and recommendations for migration statistics. The action taken on the various items is given below.

1. Improvement of National Statistics

A comprehensive summary (E/CN.3/148) was presented to the Commission containing a general description of the current position, recent developments and outstanding problems in international and national statistics. Emphasis was also laid on the need for continued efforts to improve the quality of statistics both at national and international levels.

The Commission commented favourably on the fact that, in the last four years, more than 30 countries had produced for the first time centrally prepared current statistical bulletins which were, in themselves, the Commission stressed, a method of effecting closer co-ordination in statistics within a country and of contributing to the wider usefulness of national statistics.

The Commission noted with satisfaction the increase in the number of statistical series currently available throughout the world and the marked improvement in their quality and comparability. This would appear to indicate, the Commission considered, that its efforts to promote the improvement of national statistics were having effective results.

Nevertheless, the Commission emphasized, prime responsibility for the progress of statistical development in any country must be borne mainly by the national organs. The carrying out of this responsibility depends in large measure on the continued improvement in the professional status of statisticians, and the Commission stressed the importance of international assistance in improving basic statistical training. It recommended that such assistance could best be given by manuals, national and regional training centres, additional facilities for education and training abroad.

Technical manuals on statistical methods and procedures for use by national technicians were being compiled by the Statistical Office in the fields of population censuses, statistical organization, national income (including capital formation), price statistics, trade statistics and vital statistics. During the year a manual entitled *Industrial Census and Related Enquiries*⁶³ was published.

Training centres were established in widely scattered areas. During March 1953 the first seminar in the five-year training programme, organized by the Inter-American Centre for Bio-statistics,

opened in Santiago, Chile. The training provides for a six-month series of lectures and three months of practical training in governmental statistical demonstration centres. Thirty-three full-time students and five part-time students from sixteen Latin American countries participated in 1953.

In Cairo, the International Training Centre for National Income Statistics opened in January 1953. The Centre is jointly conducted by the Government of Egypt, the Technical Assistance Administration (TAA) and the Statistical Office. In addition to its courses on national income, certain basic courses in general economics and economic statistics are also held.

In January, the Inter-American Seminar on National Income was conducted jointly by the Government of Chile, the Pan American Union, the Inter-American Statistical Institute and the Statistical Office, with the co-operation of the Economic Commission for Latin America (ECLA). Eighty representatives and observers from nineteen countries, members of the Organization of American States and representatives of international organizations participated in the conference.

Facilities for education and study abroad were provided by the award of 22 fellowships in the field of statistics during 1953 under the technical assistance programme. Under the same programme, statistical experts were provided to a number of countries to assist them either in specific fields of statistics or for the improvement of their statistical services. During the year, experts were assigned to Afghanistan, Burma, Chile, Colombia, Cuba, Ecuador, Egypt, Greece, Haiti, Indonesia, Jamaica (British West Indies), Libya, Nicaragua, North Borneo, Panama, Paraguay, Peru, Thailand and Turkey. A total of more than twenty man years of assistance was given in 1953 by 34 statistical experts.

To enable senior government officials to discuss common problems in particular fields of statistics, the Economic Commission for Europe (ECE) and the Statistical Office sponsored the Third Regional Conference of European Statisticians at Geneva in June 1953. The First Conference of National Committees on Vital and Health Statistics took place at London in October 1953 under the auspices of the World Health Organization (WHO) in close collaboration with the United Nations; 66 representatives from 28 countries attended.

⁶³ U.N.P., Sales No.: 1953.XVII.11, see below under Definitions of Basic Industrial Statistics.

2. International Trade Statistics

As a further advance towards achieving comparability in external trade statistics, attention was given to the uniformity of classification of commodities within the items of the Standard International Trade Classification (SITC). For this purpose the Statistical Office published the Commodity Indexes for the Standard International Trade Classification.⁶⁴ These Indexes list approximately 20,000 commodities showing for each the item of the SITC under which it is classified. These commodities are arranged in item order as well as alphabetically, and therefore provide not only a guide to the placing of individual commodities within the SITC but also show the content and definition of each of the 570 items themselves. It is believed that comprehensive use of the Indexes by countries reporting their trade under the SITC format will lead to increasing comparability of classification. The Indexes furthermore have considerably reduced the questions addressed to the Statistical Office from countries which were doubtful whether they had rearranged into the items of the SITC correctly the items appearing in their national classifications. Work was started in 1953 on a French edition of the Commodity Indexes while the Statistical Office co-operated with the Inter-American Statistical Institute in the compilation of a Spanish edition.

A further development in connexion with the SITC was the decision of the Committee on Economic Co-operation in Central America not only to adopt the SITC as the national classification for the five Central American countries but to use it also as a basis of their tariff nomenclatures. A group of experts from the five countries, supported by advisors from the Statistical Office, ECLA and the Inter-American Statistical Institute, adopted the SITC in the preparation of the "Uniform Central American Customs Nomenclature" (E/CN.12/AC.17/25).

A further advance was made on standard definitions and concepts concerning coverage, valuation and analysis of trade-by-country. The Commission endorsed the principal conclusions in the report (E/CN.3/142) of a group of experts which met in 1952 to study these definitions and concepts. Countries were consulted as to their ability progressively to adapt their external trade statistics to the methods and concepts which received the Commission's approval.

The Commission recommended for adoption by the Council a draft resolution (E/2365 B) on the question of the value to be assigned for statistical purposes to goods imported and exported.

The draft resolution was adopted, without change, by the Economic Committee (E/2406 B), at its 129th meeting on 17 April, by 12 votes to none, with 2 abstentions, and by the Council at its 702nd plenary meeting on 27 April, by 15 votes to none, with 3 abstentions, as resolution 469 B (XV). It read:

"The Economic and Social Council,

"Taking note of the work done by the Statistical Commission at its fifth, sixth and seventh sessions, and the comments received from governments and specialized agencies, on the subject of definitions and methods for external trade statistics,

"Taking note that the use of the principle of the "transaction value", as defined in the report of the Statistical Commission (seventh session), would substantially improve the accuracy, usefulness and comparability of external trade statistics for international purposes,

"Recommends that the governments of Member States, wherever possible, follow this principle:

"(a) By using "transaction values" in the compilation of their national statistics of external trade; or,

"(b) Where national practices are based on f.o.b. valuations of imports or other valuations, by endeavouring to provide supplementary statistical data based on this principle."

3. National Income Statistics

a. SYSTEM OF NATIONAL ACCOUNTS

The Commission considered a report, A System of National Accounts and Supporting Tables,⁶⁵ setting out a standard national accounting system for reporting national income statistics. The Commission directed that the report, prepared by an expert committee, should be circulated in order to assist countries who wished to adopt a system of national accounts along the same lines. The Secretary-General was asked to collect comments and information on the experience gained by countries applying the concepts and classifications proposed in the report in order to provide a basis for further recommendations relating to international standards in this field.

Work was continued on the Manual on Methods of Estimating National Income which will include a study of methods assessing the accuracy of the estimates of various components.

b. CONCEPTS AND DEFINITIONS OF CAPITAL FORMATION

The Commission approved concepts, definitions and classifications contained in Concepts and Definitions of Capital Formation⁶⁶ for use by

⁶⁴ U.N.P., Sales No.: 1952.XVII.9.

⁶⁵ U.N.P., Sales No.: 1952.XVII.4.

⁶⁶ U.N.P., Sales No.: 1953.XVII.6.

countries in the compilation of statistics of capital formation. Information was requested on the experience of countries in applying the concepts and classifications. The Commission asked that a study on the methods of estimating capital formation should be completed and that estimates received from countries, including the estimates of real income and other statistics relating to economic growth, should be examined.

The Commission recommended that a study on methods of estimating national product and expenditure in constant prices should continue. Accordingly, a paper was prepared, discussing various national estimates in constant prices, theoretical aspects of the subject as well as methods of estimating such totals currently in use.

4. Definitions for Basic Industrial Statistics

The Statistical Commission completed work on the definitions of items of data, and these, together with earlier recommendations on coverage and the items of information to be obtained at specified intervals, were issued as International Standards in Basic Industrial Statistics.⁶⁷

The Commission recommended a draft resolution (E/2365 C), which was adopted, without change, by the Council's Economic Committee (E/2406 C), at its 129th meeting on 17 April, by 14 votes to 2, and by the Council at its 702nd plenary meeting on 27 April, by 16 votes to 2 as resolution 469 C (XV).

By this resolution, the Council recommended that governments at present collecting and publishing basic industrial statistics review their work in the light of the recommendations of the Commission, and also recommended that other governments undertake the collection and publication of such statistics in accordance with the Commission's recommendations, adapting the recommendations where necessary for national purposes.

In addition, basic industrial statistics were incorporated in a comprehensive manual covering all aspects of the planning and conducting of an industrial census. The manual (Industrial Censuses and Related Enquiries)⁶⁸ is in two volumes, one dealing primarily with methods and procedures and the other with summaries of country practices, examples of census questionnaires and recommended forms and tabulation schemes. The manual is regarded as provisional; countries are asked to make comments which will be taken into account when a revised edition is prepared.

5. Vital Statistics

The Council had before it a draft resolution recommended by the Commission (E/2365 D) concerning principles for a vital statistics system. A United Kingdom amendment (E/AC.6/L.54) to provide that the Secretary-General should draw the attention of the countries concerned to the priorities suggested by the Population and Statistical Commissions for the collection of vital statistics was adopted by the Economic Committee, at its 129th meeting on 17 April, by 15 votes to none, with 2 abstentions. The draft resolution, as a whole, as amended, was adopted by the Committee (E/2406 D) by 15 votes to none, with 2 abstentions, and by the Council, at its 702nd plenary meeting on 27 April, by 16 votes to none, with 2 abstentions.

By resolution 469 D (XV), the Council recommended that Governments should give attention to the importance of developing vital statistics to meet demographic, economic, public health and social needs. In the development of these statistics, it suggested that governments review and appraise their procedures for registering vital events and compiling vital statistics, taking into account the Principles for a Vital Statistical System⁶⁹ which the Statistical Commission had approved at its seventh session. The Council also suggested that governments introduce such changes as are feasible to improve national statistics and their international comparability in this field. It requested that the Secretary-General draw the attention of governments to the priorities suggested by the Population and Statistical Commissions for the collection of vital statistics, and emphasize that where a vital registration system was being introduced or extended a sound organization of the registration system should precede any attempt to obtain from it the full range of vital statistics.

6. Migration Statistics

Recommendations for the improvement of international migration statistics, which the Population and Statistical Commissions had developed with the advice of Governments, were approved by the Council in resolution 469 E (XV) and appeared in International Migration Statistics.⁷⁰

The resolution as recommended by the Commission (E/2365 E) and adopted by the Council,

⁶⁷ U.N.P., Sales No.: 1953.XVII.7.

⁶⁸ U.N.P., Sales No.: 1953.XVII.11.

⁶⁹ U.N.P., Sales No.: 1953.XVII.8.

⁷⁰ U.N.P., Sales No.: 1953.XVII.10.

by 15 votes to none, with 2 abstentions, at the 129th meeting of its Economic Committee (E/-2406 E), and by 16 votes to none, with 2 abstentions, at its 702nd plenary meeting, expressed the hope that governments might conclude mutual arrangements for the collection of migration statistics without introducing impediments to the movement of people.

7. Statistical Sampling

The Statistical Commission considered the report (E/CN.3/140) of the fifth and final session of the Sub-Commission on Statistical Sampling and came to the following broad conclusions:

(1) that periodic reports should continue to be made on sample surveys of current interest;

(2) that a report should be compiled bringing together the important recommendations made by the Sub-Commission during its five sessions; and

(3) that assistance should be given to countries wishing to undertake sampling projects, such assistance to include the issuing of technical reports and manuals.

The Commission agreed that there was a need for review and study of the use of sampling methods in promoting the improvement of the quantity and quality of basic statistics especially in the under-developed countries and that an ad hoc committee of experts should be convened for this purpose.

The Statistical Commission recommended that final decisions regarding the studies in statistical sampling to be undertaken by ad hoc groups of experts should be made by the Secretary-General, in consultation with the specialized agencies where necessary, and that in the studies of the subjects already suggested the special needs of under-developed countries and their available resources should be taken into consideration. A fifth report on the Sample Surveys of Current Interest⁷¹ appeared during the year under review.

J. ACTIVITIES OF THE REGIONAL ECONOMIC COMMISSIONS

1. Economic Commission for Europe (ECE)

The Economic Commission for Europe held its eighth session from 3 to 18 March 1953 at Geneva (E/2382, Parts III and IV). Representatives of 24 European countries, the United States and various specialized agencies and non-governmental organizations participated.

8. Collection and Dissemination of Statistical Data

During 1953, the Statistical Office continued the regular collection and publication of data in the fields of external trade, production and prices, transport, national income, population and vital statistics, as well as such other special fields as were required. The data published were obtained from official government sources.

The Statistical Yearbook 1953,⁷² containing principal economic and social series, and the Demographic Yearbook 1953,⁷³ which includes major basic demographic series, were prepared during the year. The Yearbook of International Trade Statistics 1952,⁷⁴ issued in 1953, contains detailed statistics for 70 countries, covering about 97 per cent of world trade; for 25 of these countries (or about 65 per cent of world trade) analysis by commodity of imports and exports is made according to the Standard International Trade Classification (SITC).

The following monthly and quarterly publications containing current statistical information were issued during the year to supplement these yearbooks. The Monthly Bulletin of Statistics contains current statistical series for more than 70 countries; Commodity Trade Statistics (quarterly) gives value of imports and exports classified according to the SITC; Direction of International Trade (cumulative monthly issues with an annual summary), published jointly by the International Monetary Fund and the International Bank for Reconstruction and Development, contains monthly trade origin and destination figures for about 100 countries; Population and Vital Statistics Reports contains most recently available data of total births and deaths and population totals with mid-year estimates for more than 250 countries and territories; Statistics of National Income and Expenditure (semi-annual) contains current data concerning national income. In addition, Statistical Notes describe current events in international statistics.

Before the Commission were:

(1) Reports from the committees of the Commission on their activities since the closing date of their reports to the seventh session, and an additional Note to those reports by the Executive Secretary concerning

⁷¹ U.N.P., Sales No.: 1953.XVII.4.

⁷² U.N.P., Sales No.: 1953.XVII.9.

⁷³ U.N.P., Sales No.: 1953.XIII.9.

⁷⁴ U.N.P., Sales No.: 1953-XVII.3.

the Committees on the Development of Trade, Industry and Materials, and Manpower (E/ECE/153);

(2) a Note by the Executive Secretary on other activities of the Commission and its secretariat, dealing principally with ECE co-operation with the Economic Commission for Asia and the Far East (ECAFE) and the Economic Commission for Latin America (ECLA), the Technical Assistance Administration (TAA), specialized agencies and intergovernmental organizations (E/ECE/154);

(3) a Note by the Executive Secretary on decisions of the Economic and Social Council and the General Assembly bearing on ECE (E/ECE/155);

(4) the Commission's programme of work for 1953/54; and

(5) the Economic Survey of Europe since the War (E/ECE/157).

The Commission discussed separately the reports of each committee on its past and planned activities and unanimously adopted resolutions concerning the work of the Committee on Agricultural Problems and of the Coal Committee and on the convening of a Consultation of Trade Experts.

In the first resolution, the Commission stated that certain adjustments in the policies of European countries with regard to agricultural production and trade in agricultural products might materially contribute to the improvement of the economy of Europe and to the welfare of its farmers. It invited the Executive Secretary, in co-operation with the Food and Agriculture Organization of the United Nations (FAO), to prepare a statement of the problems involved, together with proposals for possible action, for submission to governments for their consideration with a view to ascertaining whether the convening of the Committee on Agricultural Problems before the next session of the Commission would serve a useful purpose.

The second resolution called upon the Coal Committee to give special attention during 1953 to the formulation of practical recommendations with a view to restoring European self-sufficiency in solid fuel and putting an end to dependence on extra-European sources of supply.

The third resolution was adopted following a discussion concerning the Committee on the Development of Trade. All representatives who took part in this discussion reiterated their concern for, and interest in, the development of mutually fruitful commercial relations between countries of Eastern and Western Europe. The resolution approved the proposals (E/ECE/153-H Rev.1) made by the Executive Secretary regarding the Consultation of Trade Experts and invited him to convene it on 13 April 1953.

In connexion with its consideration of the Note by the Executive Secretary on decisions of the Economic and Social Council and the General Assembly bearing on the work of ECE, and in the light of certain findings of the Survey, the Commission adopted a resolution stating that the economic development of the less developed countries in Europe, particularly in Southern Europe, could not only promote the welfare of the peoples living in those countries but could also contribute to a general improvement in European economic conditions. It invited the Executive Secretary: (1) to prepare a study of the current possibilities of expanding and accelerating the economic development of the less developed countries in Southern Europe; and (2) to consult with interested governments concerning the possibilities of further action.

a. WORK OF THE SUBSIDIARY BODIES OF THE COMMISSION

(1) Committee on Agricultural Problems

In the absence of an agreed programme of work, the Committee on Agricultural Problems was not convened during 1953 (E/ECE/153-A & E/ECE/177-A).

The Fourth Session of the Working Party on Standardization of Perishable Foodstuffs was held at Geneva in September. Unanimous agreement was reached on proposals for the establishment of European standards regarding seed and ware potatoes, peaches, apricots and plums. Reviewing the work on fruit and vegetables achieved so far, the Working Party came to the conclusion that it was now opportune to ask governments formally to accept, as a common basis for their national regulations and controls, the recommendations included in the "General Provisions" to be applied in Europe for the commercial standardization and quality control of fresh fruit and vegetables moving in international traffic, as adopted the previous year by the Working Party for use on a trial basis. The Working Party further agreed that the "General Provisions" should be incorporated in a draft, which was subsequently prepared. The conditions under which the work of standardization was to be continued and the European standards to be revised periodically were defined. The Working Party also stressed the desirability of enlisting the co-operation of countries which had not previously participated actively in the preparation of standards.

Two papers entitled "Output and Expenses of Agriculture in Some European Countries" (AGRI/42) and "Prices of Agricultural Products

and Fertilizers 1952/53" (AGRI/43) were issued by the secretariat for general distribution.

(2) Coal Committee

The Coal Committee held its 27th to 30th sessions in February, May, August and December (E/ECE/153-B & E/ECE/177-B). The work of the Committee was directed towards ensuring that European coal needs are satisfied as economically as possible, that solid fuel should be used rationally and that the coal market should be rendered as stable as possible. In order to follow the market more closely, the Committee instituted half-yearly reviews to ascertain what measures should be taken to reduce the effect of short-term fluctuations. At the same time, the long-term problems of coal in relation to other forms of energy, consumption trends in particular sectors of the economy, and the classification of coal and lignite were also studied, as well as the possibility of improving coal statistics.

In addition to a decline in demand for coal in Western Europe during 1953, competition from other sources of energy such as dark oils, natural gas and hydro-electric power increased. This question was taken up by the Coal Committee and a study was initiated on post-war developments in the relationship of coal and black oils. Similar studies in the fields of hydro-electricity and natural gas, it was decided, would be undertaken at a later stage.

The Coal Committee considered that part of the falling demand was due to the lack of adequate stock-building by consumers for the winter months, and stressed the importance of proper stocking policies and the necessity of improving statistics of distributed stocks. The Committee therefore suggested that Governments should:

(1) recommend targets for coal stocks in the various sectors of consumption, based on what they considered would be the normal requirements;

(2) exert influence on consumers by publicity or other suitable means in order to ensure that these targets were attained; and

(3) compare the actual figures of stocks in hand at the commencement of the winter with the targets set.

The demand situation led to a sharp fall in the imports of coal from the United States, a decrease from 20.6 million tons in 1952 to 7.0 million tons in 1953. This drop might have been even greater had it not been that, as a result of the lowering of trans-Atlantic freight rates, United States coal became competitive in Europe in the latter part of the year. Most of these imports were of coking qualities which remained in short supply in Europe, and the Coal Committee continued to

direct its attention to solid fuel quality problems in both the technical and economic aspects.

The Committee also studied consumption trends in the main sectors of the coal market, a start being made on the domestic sector.

At its May session, the Coal Trade Sub-Committee decided to hold only one session quarterly. Owing to the easing of the market, the Sub-Committee was able to adjust in nearly all cases discrepancies between export availabilities and import requirements, and agreement was reached without proceeding to a formal allocation.

The Classification Working Party met in April and November; it drew up and agreed on a proposal for a classification of hard coals by rank for commercial purposes. This commercial classification is an adaptation, in a simplified form, of the earlier agreed scientific system for hard coal classification. The proposal is to be fully considered by the participating governments and given a trial over a period of two years, i.e., up to the end of 1955.

Work was started on the classification of hard coals by size as well as on the classification of brown coal and lignites, and a second exchange of brown coal samples was arranged.

The Utilization Working Party met in May and November. An ad hoc working group was set up to examine the advisability and feasibility of creating an International Centre for Documentation and Research on the efficient use of solid fuels.

A consolidated report was issued on fuel advisory services and facilities for education and training of boilerhouse staff. Work was continued on the proper use of measuring instruments to improve results from existing plants.

The problem of the rational utilization of coking coal and the widening of the range of coals used for carbonization was considered and the preparation of a plan of future work was begun.

The Working Party on Coal Statistics, set up by the Coal Committee at the end of 1952, held its first session in January and two subsequent sessions in April and November. Work proceeded on the examination of the definitions used by participating countries, on the improvement of the comparability of statistics and on the inclusion of new statistics in the Quarterly Bulletin of Coal Statistics for Europe. By the end of 1953, considerable progress had been made, especially in the case of productivity, where comparable statistics are now available for the first time. Work was continued on statistics in the field of consumption, prices, wages, and other forms of energy.

During the year, the Quarterly Bulletin of Coal Statistics for Europe, the Monthly Coal Statistical Summary and the Monthly Coal News continued to be issued.

(3) Committee on Electric Power

The Committee on Electric Power held its tenth session on 9 and 10 June (E/ECE 153-C & E/ECE/177-C). A programme of work was drawn up which provided for detailed consideration of specific problems by ad hoc groups of experts and also for studies and negotiations to be undertaken under the auspices of the secretariat.

Six groups of experts met during the year, and the Working Party for the Study of Rural Electrification, which was set up by the Committee on Electric Power to make a periodic review of problems in that field, held its first session. This Working Party was an outcome of the recommendations of a technical study group convened in 1952 in conjunction with TAA and FAO. A comprehensive programme of work was drawn up, designed to make the experience of national experts in a wide range of special problems available for the general improvement of rural electrification practice.

Following the conclusions, adopted by the Committee, of a previous secretariat study on "Transfers of Electric Power Across European Frontiers" (E/ECE/151), a group of experts was appointed to investigate the possibilities of exporting electric power from Yugoslavia to neighbouring countries, and an intergovernmental body known as "Yougel-export", comprising experts representing Austria, Italy, the Western Zone of Germany and Yugoslavia, was set up to carry out the work. This body operates through four committees dealing respectively with technical, economic, financial and legal aspects of the problem.

Inquiries and negotiations concerning general legal questions — both those which hamper international trade in electricity and those involved in the development of rivers and lakes which constitute or cross common frontiers — was continued.

Studies completed by the secretariat during the year included a survey of "Hydro-electric Potential in Europe and its Gross, Technical and Economic Limits" (E/ECE/EP/131). This established on a uniform basis the hydro-electric resources of most European countries and set out methods of comparing development possibilities according to successive levels of theoretical, technical and economic feasibility.

The second of an annual series of surveys of the main factors governing the electric power situ-

ation in Europe was published under the title "The Electric Power Situation in Europe: 1952-53 in the Setting of Post-War Developments" (E/ECE/EP/142). This study includes a more comprehensive analysis of developments in the years following the Second World War.

Among a number of other studies on which the secretariat worked to provide documentation for governments was one dealing with the methods employed in different countries to estimate consumption of electric power in future years.

The Committee on Electric Power continued to act as a forum for the consideration of fundamental problems underlying the development of Europe's electric power resources. Such problems arise largely from the fact that the natural sources of power production, which are both highly diversified and widely distributed, are also very unevenly developed in the different countries. Thus it has often been necessary to supplement by intergovernmental action the efforts made by individual countries to meet a constantly increasing demand under the most favourable conditions. There has, moreover, been a gradual increase in the interconnexion of national transmission systems in order to support a limited but economically important international trade in electric power which has also helped to create a broad degree of interdependence over an ever-widening area of Europe.

In considering these problems, the Committee maintained close contact with other international bodies, initiated studies in special fields, and promoted general studies to bring together authoritative information on questions of current importance. It also continued to provide a medium for the conduct of negotiations between interested governments on any specific issues which arose and its secretariat was continuously available as a channel for this purpose.

(4) Industries and Materials Committee

The Industry and Materials Committee did not meet in 1953 (E/ECE/153-D & E/ECE/177-D). The activities of its subsidiary organs in the fields of engineering and materials continued to be governed by a programme of work drawn up towards the end of 1950 (E/ECE/IM/155).

The Ad hoc Working Party on Contract Practices in Engineering met in February and in June. In February, it finalized the text of "General Conditions for the Supply of Plant and Machinery for Export" (ME/188/53) for use on a permanent basis by interested parties. A "Commentary on the General Conditions for the Supply of Plant

and Machinery for Export" (E/ECE/169) was approved during the June meeting. This meeting also decided to prepare similar model contract clauses dealing with the erection of equipment, a matter of particular interest to under-developed countries. It set out the main subjects to be considered and draft clauses were prepared for submission to a session to be held in February 1954.

Work continued on a "pilot" machine-tool glossary, with the preparation of definitions and drawings of 1,000 selected concepts approaching a semi-final stage.

HOUSING SUB-COMMITTEE

The Housing Sub-Committee, which met in October 1953 (E/ECE/153-D & E/ECE/177-D), continued to develop its work on housing and building in response to the wishes of the governments and also aimed at implementing, in Europe, the programme on housing and town and country planning recommended by the Social Commission and approved by the Economic and Social Council.

Several countries devoted greater attention to measures to reduce the high cost of building. Lower costs were achieved through a variety of measures, such as a rationalization of the building industry in Belgium, the better preparation of projects in Denmark and France, the use of simpler housing plans in the Netherlands, Norway and the United Kingdom, and increased mechanization and prefabrication in the USSR.

An important problem for many countries remained that of relating various aspects of the housing question to a comprehensive housing policy oriented towards a continually rising level of dwelling construction and capable of substantially reducing the remaining backlog of unfulfilled needs. Action in this direction would also encourage and facilitate technological progress leading to the development of a forward-looking and modern building industry.

Arrangements for organizing international co-operation in Europe in building research and documentation on the general lines recommended at the sixth session of the Housing Sub-Committee were completed. A General Assembly of interested parties was held under ECE auspices in June 1953, at which the International Council for Building Research, Studies and Documentation (CIB) was formally established as a non-governmental organization to encourage, facilitate and develop international co-operation in building research, studies and the application of research, and documentation concerning not only the technical but also the economic and social aspects of housing, building and town and country planning.

The Sub-Committee examined the first "Annual Survey of European Housing Progress and Policies" (IM/HOU/60 & Add. 1-7) and discussed some of the more important issues arising, including questions of credits and subsidies and measures governments were taking to reduce costs and promote a higher level of construction. The Sub-Committee expressed the wish that, in future, the survey analyse in greater detail the social and economic trends related to housing.

In the field of economic studies, the Sub-Committee also examined the completed report on "European Rent Policies" (E/ECE/170 & 172) and arrived at a number of general conclusions on points of principle. It was emphasized that rent policy should be regarded as an integral part of housing policy, closely related to credit and subsidy policy, to measures intended to reduce the real cost of construction and to the level of wages. It was also considered desirable to equalize, as far as possible, the rents of houses of substantially similar characteristics and amenities; where such equalization led to increases in the rents of old houses, it was deemed essential to adopt social measures to enable all categories of the population to pay increased rents. It was agreed that, as long as a general housing shortage persisted in some countries, the abolition of rent control and of subsidies could not be contemplated. Finally, it was emphasized that housing could not be regarded as a purely technical and economic problem but as one which had important social aspects of concern to governments.

The first Quarterly Bulletin of Housing and Building Statistics for Europe was published in August 1953. At its second meeting, in November, the Working Party on Housing and Building Statistics recommended methods for computing an index of building activity and a building cost index and began an examination of comparability of data relating to occupation of dwellings. As part of its future work in this field, the Working Party agreed to consider methods of calculating housing needs and overcrowding and methods of computing an index of building cost proper.

The Sub-Committee continued to consider what further steps it could take to reduce the cost of building and to increase the productivity of the industry. Arising out of the general study on "The Cost of House Construction" (E/ECE/165), a number of specialized studies were undertaken concerning: development of model building codes and regulations; methods of awarding building contracts and the placing of orders; trends in mechanization of house building; housing needs of a family; cost of various types of construction.

In addition, the Sub-Committee invited interested governments to examine the import requirements and export availabilities of their countries in building materials and components and to inform the secretariat of any trade possibilities which they considered worth exploring within the framework of ECE. The Sub-Committee further decided to initiate an examination of methods and techniques of developing and expediting the housing programmes of less-industrialized countries in Europe.

(5) Inland Transport Committee

The Committee continued to devote much of its time to problems bearing on general transport policy. As the work advanced, the extent to which problems of co-ordination of transport are bound up with the work on costs and tariffs became increasingly evident. The Committee further defined its aim with respect to the current studies in the field of co-ordination of transport and reached agreement on a number of principles concerning the social and economic burdens imposed on transport undertakings and the advantages and benefits granted to them.

The conclusions drawn by the Working Party on Transport Costs and Accountancy and the methods of calculation it adopted have provided a means of ascertaining the cost of the undertaking for rail, road and inland water transport and a way of facing most rate-fixing problems.

With railway tariffs now largely standardized as to form, attention is being given to achieving greater uniformity in tariff structure in order to simplify the task of those engaged in trade and thus facilitate commercial exchanges.

It was agreed that discrimination in railway tariffs should first be considered from the national standpoint, i.e. with the interest of the railways and of the countries' own economy in view, and then only from the European angle. A list of types of rail tariff discrimination was studied, type by type, at a session of the appropriate subsidiary body of the Committee, the various delegations indicating whether or not they regarded them as justifiable. The possibility of eliminating unjustified discrimination is to be dealt with at a later stage. Representatives from Eastern countries supplied full information on a uniform transit tariff applied by these countries for traffic between them and also for traffic between Western and Eastern countries when one of the latter is an exporter or importer of the goods transported. The possibility of extending the application of such tariffs was being studied. Questions relating to the establish-

ment of international tariffs for road and inland water transport were also being studied.

The Committee, during 1953, prepared a General Agreement embodying economic regulations for international road transport, with an accompanying set of rules with which carriers engaged in international traffic should comply. The provisions relating to the transport undertaking itself, to mobile equipment, to conditions of employment, to the insurance to be carried, etc., are designed to improve the standard of international road services.

Governments were recommended to carry out a census of road traffic on the main international traffic arteries and, beginning in 1955, to take national road traffic censuses and censuses on main international traffic arteries during the same period in order to:

- (1) ascertain whether there is a need for new roads or for improving existing ones;
- (2) find out the extent to which roads are utilized by the various categories of users; and
- (3) obtain information for use in the prevention of accidents.

Progress was made in the study of standardized packaging and of matters relating to the equipment of road vehicles for the transport of perishable foodstuffs. The Committee's objective is to draw up one or more international agreements on packaging and on the quality and conditions of transport of perishable foodstuffs.

Regulations were drafted, to enter into force in 1954, for the temporary duty-free admission of reusable containers (e.g., for household goods, food and liquids) into foreign countries and on the technical conditions which containers must fulfil to be accepted in international traffic under Customs seal. These regulations, when applied, will allow a more extensive use of containers in international traffic.

The Committee agreed that the most important aspect of its work on the prevention of road traffic accidents was the co-ordination of the activities of governments and international organizations in keeping the public informed as to the different ways of preventing accidents. A catalogue of research activities on road safety in progress in the various countries was prepared for publication by the secretariat, as well as an international road safety manual for all road users. Progress was made in laying down the standards to be required of motor vehicle drivers and in studies of technical problems, such as the lighting of vehicles, safety glass and the general internal design of motor vehicles. The object of these particular studies is

to reduce the risk of death or serious injury when accidents occur.

An inquiry was begun to ascertain the possibilities of putting into effect from 1 June 1954 a proposal that the duration of tax exemption for foreign tourist vehicles be extended to coincide with that of the temporary importation papers.

Many European countries during the year began applying the international insurance card system, instituted on the Committee's recommendation, and enabling drivers who are holders of the card to cross frontiers with a minimum of formalities, especially in countries where third-party insurance is compulsory.

The Committee, among other things, also considered problems of the temporary duty-free admission of small pleasure boats, the transport of dangerous goods, various customs questions and rational routing of rail traffic.

(6) Committee on Manpower

No meetings of the Committee were held during 1953, its programme having been taken over, on the decisions of the governments, by ILO in April 1948.

(7) Steel Committee

The Committee held its tenth and eleventh sessions in January and September 1953. During the year, its attention was directed mainly towards the problem of stimulating demand, the shortages of raw materials which had characterized the industry in previous years having been virtually overcome.

Despite some slackening in demand, the overall European steel production of 75 million tons of crude steel in 1953 remained virtually the same as in 1952.

The secretariat published the revised version of two studies, presented in preliminary form to the Committee in 1952, entitled *The European Steel Industry and the Wide-Strip Mill: A Study of Production and Consumption Trends in Flat Products*⁷⁵ and *European Steel Exports and Steel Demand in Non-European Countries* (E/ECE/-163). It also prepared and presented to the Committee the preliminary version of a study on competition between steel and aluminium. This latter study is divided into two main parts, the first covering the characteristics and growth of the aluminium industry and the second reviewing the present and probable future competitive position of aluminium in a number of specific industries, particularly the railway, motor-vehicle, ship-building, packaging and mobile container, and

building and civil engineering industries. In addition to this major study, the secretariat prepared and presented a paper on methods of calculating the availability of capital scrap, and issued a report entitled *"Some Important Developments during 1953 in Iron and Steel Technology"* (E/ECE/-171).

During the year, collaboration between the secretariats of ECE and of ECAFE and ECLA continued to develop.

The Quarterly Bulletin of Steel Statistics for Europe was published regularly throughout the year and incorporated a number of improvements over earlier issues.

(8) Timber Committee

The joint FAO/ECE Working Party on European Timber Trends and Prospects met at Geneva in June; the Timber Committee met at FAO Headquarters at Rome in October 1953, when, as in the previous year, it participated in a joint session with the European Forestry Commission of FAO.

The Committee, reviewing its provisional estimates of the volume of European trade in sawn softwood in 1953, noted that the volume was likely to exceed the Committee's earlier expectations by about 10 per cent.

Production costs in some of the exporting countries have risen more rapidly in recent years than have corresponding export prices, and cost rigidities present an obstacle to any substantial downward revision of prices. The Committee agreed that technical improvements both in the production and utilization of wood should in time contribute to resolving this apparent dilemma.

For 1954, no marked change in total demand for sawn softwood was envisaged, and, after taking into account an expected increase in supplies from Eastern Europe, European import requirements from other continents were probably within the range of estimated availabilities in Canada, the United States and Brazil.

A comparison of pitprop import requirements and export availabilities for 1953 and 1954 showed that supplies in the importing countries appeared secure for these two years. For pulpwood, however, though import requirements in 1953 were below the level of actual imports in 1951 and 1952, export availabilities also declined markedly as compared with the two preceding years; there thus appeared to be a prospective deficit in pulpwood for both 1953 and 1954.

⁷⁵ U.N.P., Sales No.: 1953.II.E.6.

The FAO/ECE Working Party on European Timber Trends and Prospects, at its meeting in Geneva from 25 June to 1 July, considered the implications of the joint FAO/ECE study *European Timber Trends and Prospects*,⁷⁶ published in April, together with *European Timber Statistics 1913-1950*.⁷⁷ Its report was considered at the Joint Meeting of the ECE Timber Committee and FAO European Forestry Commission held at Rome in October 1953.

The Joint Meeting reached the following conclusions: Europe's consumption of industrial timber would tend to rise, affecting primarily pulpwood, only small increases being expected for saw logs and pitprops. In most European importing countries the rise in prices assumed in the study appeared to have taken place. Since 1951, upward revisions in felling estimates have been made in Sweden, Western Germany, and some other European countries with the result that the expected output of industrial wood in Europe (outside the USSR), estimated in the study at 155 million cubic metres, could now be estimated at 163 million cubic metres; this figure, however, remained substantially below the amount of industrial wood Europe might be expected to consume 10 to 20 years hence.

To ensure that Europe's future requirements of industrial wood would be met, the Joint Meeting agreed on a number of recommendations designed to raise Europe's supplies by both short and long-term measures. These included short-term measures to raise forest output by reducing waste in the forest and achieving a fuller use of the by-products of the wood-using industries. The Meeting also considered it desirable to increase the volume of imports of sawn softwood from the Soviet Union and other regions. Among the long-term measures recommended, particular importance was attached to the need for improved forest management, intensified silviculture, improved roadways and transport facilities, and a more ambitious programme of afforestation and reforestation. The need for a long-term programme designed to achieve a progressive improvement in statistical information was stressed.

The Joint Meeting recommended that high priority be accorded to the technical projects figuring in the Committee's programme of work, and requested ECE and FAO to convene joint working parties, as needed, in pursuance of its recommendations in the technical field.

(9) Committee on the Development of Trade

No meeting of the Committee itself was held during the period under review, but work on trade was continued on the basis of resolutions

adopted at the seventh and eighth sessions of the Commission. The Executive Secretary convened an East-West Trade Consultation on 13 April 1953, which was attended by experts nominated by the governments of 24 countries participating in the work of ECE, as well as experts from the Eastern and Western Zones of Germany. In conformity with the plan for the Consultation, no summary records were issued, the Executive Secretary acted as Chairman, and the report to governments on the Consultation's proceedings was submitted by the Executive Secretary on his own responsibility.

This report, among other things, summarized the principal results of the Consultation as follows:

"At the conclusion of the Consultation, it was the general consensus of the experts and of the Executive Secretary:

"(a) That the Consultation had been of value and had helped prepare the way for an increase in East-West trade during the next twelve months;

"(b) That the work done at the Consultation would be followed up in early negotiations;

"(c) That a further Consultation of the same kind would be useful in April 1954;

"(d) That the experts would inform the Executive Secretary (if possible by 1 July 1953 and again by 1 September 1953) of the results of negotiations subsequent to the Consultation.

"(e) That the Executive Secretary would remain in contact with governments on this question and might determine whether it would be to the general advantage to convene a Consultation even before April 1954."

In December 1953, the Executive Secretary, in a communication to all participating governments, convened the next Consultation for 20 April 1954 at Geneva.

A detailed article, "Developments in Trade between Eastern and Western Europe from 1951 to 1952" was published by the secretariat in Volume 5, No. 2, of the *Quarterly Economic Bulletin for Europe*.

The secretariat was instrumental in bringing together, and arranging for bilateral trade negotiations (with the consent of the governments concerned) between the representatives of the Greek and Hungarian Chambers of Commerce. These talks took place in connexion with the East-West Trade Consultation of April 1953. On 1 June 1953, a one-year trade agreement was signed for the exchange of goods totalling about \$4.5 million in value.

b. ECONOMIC SURVEY OF EUROPE SINCE THE WAR

The Economic Survey of Europe Since the War⁷⁸ published in February 1953, was the sixth

⁷⁶ U.N.P., Sales No. 1953.II.E.3.

⁷⁷ U.N.P., Sales No. 1953.II.E.5.

⁷⁸ U.N.P., Sales No. 1953.II.E.4.

annual survey prepared by the secretariat of the Commission. It was based on official statistics and statistical estimates made by the secretariat, and sought to draw on the experience of the whole post-war period and to analyse its significance for the future.

According to the Survey, the adverse effects of the major shifts in the world economy during and after the war were concentrated on Western Europe. The political split of Europe intensified Western Europe's balance-of-payments difficulties, and the dependence of Western European countries on the dollar area as a source of supply grew. At the same time, it became far more difficult than before to earn from other countries the means to cover the deficit.

Following five post-war years of continuous expansion of production, the economy of Western Europe stagnated for a year and a half—despite a continuous increase in armament expenditure and a sustained boom in the United States. The progress, goals and development plans of Western European countries appeared very modest in comparison with those of the Soviet Union and the United States. The problem, the Survey indicated, was to find the means to further economic progress without relapsing into inflation.

Despite difficulties in particular industries at various times in Eastern Europe, countries there made rapid progress in industrialization, particularly in heavy industry. As long as their agricultural plans remained relatively modest, the chance of a rapid and general increase in standards of living remained rather slight. The reported rise in the increase in industrial output in the Soviet Union slowed down in recent years but further industrialization was continuing at a rate surpassing that in any Western country, the Survey stated.

The gap between rural pauperism in Southern Europe and industrial progress and higher living standards in Western and North-Western Europe continued to widen in recent years. While the goal of highly industrialized countries should be further mechanization, both in agriculture and in industry, the goal of over-populated countries in Southern and Eastern Europe, it was indicated, should be an expansion of industry hand-in-hand with an increase in total food production. Since large-scale international migration was neither likely nor desirable, agricultural production needed to be expanded where the surplus manpower exists.

The Survey stressed that the development of industrially retarded countries was in the long-term interest of Europe as a whole. There has been for four decades a persistent trend towards international disintegration in Europe's economy. From

1913 to 1951 total commodity output in Europe (not counting the USSR) increased 70 per cent, but intra-European trade increased only 2 per cent. The trend has been accentuated by government intervention in the economy. When labour and capital movements are restrained and capital is scarce, the obstacles to reaching a higher degree of international integration solely by the automatism of free commodity trade are immense, the Survey pointed out.

Economic stagnation would be fatal to even the most humble efforts to break the historical trend towards national economic autarky in Western Europe, it said, pointing out that a general climate of expanding economy was required to avoid a setback in intra-European trade and thereby in production. Private business had to be given firm confidence that governments take responsibility for maintaining total demand at a high level.

Governments needed to lay the foundation for a new equilibrium in international trade and payments and for a more regular and normal functioning of the world market before removal of controls on trade and payments and the achievement of currency convertibility were possible without serious threats to European production and trade. The situation required adequate action by the European countries themselves, with co-operative efforts on a wider scale to promote steady economic progress in Europe and the world, the Survey declared.

c. CO-OPERATION WITH SPECIALIZED AGENCIES AND OTHER ORGANIZATIONS

Co-operation of the Commission's technical bodies and the secretariat with specialized agencies continued. Co-operation with FAO was maintained mainly through the Joint ECE/FAO Agriculture and Timber Divisions servicing the ECE Committee on agricultural problems and the Timber Committee respectively. FAO collaborated in the preparation of a "Statement on Agricultural Production and Trade in Agricultural Products". An ECE/FAO Working Party met to examine the joint "Study of European Timber Trends", and its recommendations were submitted to a joint session of the ECE Timber Committee and the FAO European Forestry Commission (see above). Collaboration with the United Nations Educational, Scientific and Cultural Organization (UNESCO) continued on the compilation of a pilot machine tool glossary. Co-operation with the World Meteorological Organization (WMO) was initiated in regard to the hydrological aspects of the work of the Electric Power Committee and the influence of the weather on coal consumption. Co-operation

in various fields was maintained with ILO, the World Health Organization (WHO), the International Bank for Reconstruction and Development, the International Monetary Fund, the International Civil Aviation Organization (ICAO) and the Interim Committee of the International Trade Organization (ICITO).

The secretariat maintained informal contacts on a technical level with the staff of the Office of European Economic Co-operation (OEEC), the secretariat of the Council of Europe, and the High Authority of the European Coal and Steel Community. Collaboration with non-governmental organizations was maintained, particularly in the fields of coal, electric power, housing, industry and materials, and inland transport.

d. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS SIXTEENTH SESSION

The Council considered the fifth annual report of ECE (E/2382) at its 716th and 717th plenary meetings on 8 July. It also had before it the Economic Survey of Europe Since the War.

In introducing the annual report, the Executive Secretary of the Commission stressed that the past twelve months had seen two encouraging developments. The first was that experts from Eastern and Western European countries had met in the ECE Trade Consultation to discuss specific trade possibilities, and had thus created means of forging new links between certain countries which had ceased commercial relations, and of enlarging the volume of East-West trade. The second encouraging development had been indications of an increasing willingness on the part of Eastern European Governments to take part in the Commission's technical work. The Executive Secretary explained various ways in which ECE, during the period under review, had devoted greater attention to the problem of economic development. Just as ECE was endeavouring to prevent the fractionalization of Europe, he said, so it was working, in conjunction with ECLA and ECAFE, towards a fuller integration of the various regions of the world into a co-ordinated whole, in conformity with the aims of the United Nations Charter.

During the discussion of the ECE report, a number of representatives commended the practical work done by ECE in various fields. Economic and technical studies of the secretariat were also highly praised, especially the Economic Survey of Europe Since the War, and the Quarterly Economic Bulletins, as well as basic studies on timber, steel and inter-regional trade, certain of which had been

prepared in co-operation with FAO, ECAFE and ECLA.

Non-European members of the Council, including the representatives of Argentina, Australia, the Philippines and Venezuela, joined European members, including the representatives of France, Sweden and Turkey, in expressing appreciation of ECE efforts to relate developments in the European economy to the world situation, and in stressing the importance of past and future inter-regional collaboration. Various representatives, including those of Argentina, France, Turkey, the United States and Yugoslavia, also emphasized the importance of new work by ECE on behalf of less-developed countries in Southern Europe, which was in line with the emphasis placed by the Council on economic development.

The majority expressed hope and optimism concerning greater participation by Eastern European countries in the future work of ECE technical committees and congratulated the Executive Secretary on his efforts to foster East-West trade. The Polish and USSR representatives underlined their view that ECE should concentrate first and foremost on developing trade among all the countries of Europe.

The Council at its 717th plenary meeting on 8 July unanimously adopted, as resolution 484 (XVI), the draft resolution proposed by the Commission (E/2382), taking note of the annual report of ECE and of the views expressed during its eighth session.

2. Economic Commission for Asia and the Far East (ECAFE)

The Economic Commission for Asia and the Far East (ECAFE) held its ninth session at Bandung, Indonesia, from 6 to 14 February 1953. In its report (E/2374) to the fifteenth session of the Economic and Social Council, held in March and April 1953, the Commission drew attention to the rapid growth of regional economic consciousness, the increasing recognition of sharing experiences, and the development of the Commission as an effective and favoured instrument for economic advance of the countries of the region.

The action taken by the Commission at its ninth session, the Council's consideration of the Commission's report and the Commission's activities covering the period up to 31 December 1953 are described below.⁷⁹

⁷⁹ For question of membership in the Commission, see pp. 33-34. For amendments to its rules of procedure, see p. 33.

a. PROBLEMS OF INDUSTRY AND TRADE

At its ninth session, the Commission approved (E/CN.11/361/Rev.2) the report of its Committee on Industry and Trade (E/CN.11/357) which had met for its fifth session in Bandung, Indonesia from 26 January to 2 February 1953. ECAFE noted especially the effective manner in which much of the Committee's work is carried out through sub-committees, expert working parties, and special conferences.

In adopting the report of the Committee, the Commission approved, among other things, recommendations concerning economic and financial aspects of rural electrification; technical and economic aspects of extraction and utilization of lignite and other mineral resources; the visit of a group of experts to Japan to study small-scale industries and handicrafts marketing in 1954; the organization (in co-operation with the Government of India, the Technical Assistance Administration (TAA), the Food and Agriculture Organization of the United Nations (FAO), the International Labour Organisation (ILO), the World Health Organization (WHO) and the United Nations Department of Social Affairs) of a seminar on housing and building materials in 1954; a seminar (with TAA and the International Institute for Administrative Science) on organization and administration of public enterprises in the industrial field in 1954; the continued analysis of trade development and prospects of the region, especially work on a joint ECAFE/ECE/FAO Report on Trade Between Asia and Europe; trade promotion activities, including the convening of a second ECAFE conference on trade promotion and supply of capital goods, in March 1953; a seminar (with FAO and TAA) on agricultural development financing in 1954; and a working party of financial aspects of economic development programmes.

(1) Industrial Development

Electric Power: The Sub-Committee on Electric Power, at its third session at Bangkok, Thailand, from 5 to 9 October 1953, considered reports on co-ordinated development of hydro and thermal power and integrated power development; rural electrification (tariffs and finance); supply of plant and machinery for export; the utilization of lignite in thermal power plants (E/CN.11/EP/22, 23, 26, 27); and the first issue of ECAFE's Electric Power Bulletin for Asia and the Far East.

Advisory services were rendered to Burma on rural electrification and to the Government of East Pakistan on electricity tariffs.

Iron and Steel: The Sub-Committee on Iron and Steel at its fifth session at Bangkok, from 31 August to 3 September 1953, considered the report of the ECAFE/TAA study group of iron and steel experts on Japanese production techniques (ST/TAA/SER.C/5) and reports on the applicability of Japanese techniques to countries of Asia and the Far East and on the development and expansion of the iron and steel industry and allied industries in the countries of the region (E/CN.11/I&S/41 & 42). In view of the usefulness of the group visit to Japan, it was decided to seek TAA and other assistance for a study trip to Europe and North America in 1955. Advisory services on steel projects were rendered to Burma.

Mineral Resources: A regional conference on mineral resources development, the first of its kind, was held in Tokyo from 20 to 30 April 1953. It considered various phases of mineral resources development in the region, possibilities of increasing production, and ways and means of speeding up geological surveying. The report and essential documents of the conference were published in Development of Mineral Resources in Asia and the Far East.⁸⁰ Following the conference, delegates toured areas in Japan of geological and mining interest.

A study group visit for Asian lignite experts to Australia in October and November 1953 was jointly sponsored by ECAFE and TAA. In a preliminary report (ECAFE/I&T/14), concrete recommendations were made for consideration by the countries of the region concerning the organization and administration of lignite mining concerns, lignite prospecting, analysis, mining, processing, and the utilization of lignite.

Advisory services were provided to Thailand and arrangements were made for the testing in Japan of coals from Burma, lignite from Thailand and Malaya, and kaolin and peat from Ceylon.

Among reports issued were those on "Mining Development in Asia and the Far East 1952-53" and on "Clays in Relation to Ceramics and Building Materials Industries" (E/CN.11/I&T/87 & 94).

Cottage and Small-Scale Industries: At its third meeting in Bangkok, from 21 to 26 September 1953, the working party on small-scale industries and handicraft marketing considered reports on economic aspects of cottage industries and on domestic and export marketing of handicrafts of countries in Asia and the Far East. It also considered various reports describing government aid

⁸⁰ U.N.P., Sales No.: 1953.IIF.5.

to handicraft marketing and finance, as well as the results of research and experiments concerning handloom production, common facilities services, handmade paper, pottery production, and spinning with bast⁸¹ fibres. An exhibition of bamboo woodwork, including lacquerware, was arranged in Bangkok.

Trained Personnel: The third meeting of the ECAFE/ILO/UNESCO Inter-Secretariat Working Party on Trained Personnel for Economic Development was held in Bangkok from 7 to 14 September 1953. It considered, among other things, the question of the establishment of an International Institute of Management, but concluded that the stage had not yet been reached for such a project.

Housing and Building Materials: The Inter-secretariat Working Party on Housing and Building Materials, at its first meeting from 17 to 21 November 1952, recommended that regional research and demonstration centres for construction methods and designs (one for arid and another for humid climates) be established in co-operation with TAA. A report on "Housing and Building Materials in Asia and the Far East" (ECAFE/I&T/HBWP.2/1) was prepared.

(2) Trade and Finance

Trade Analysis: The Study of Trade Between Asia and Europe⁸², jointly undertaken by the secretariats of ECAFE, ECE and FAO, was completed and published in November 1953.

Trade promotion: The second ECAFE Conference on Trade Promotion was held in Manila from 23 February to 4 March 1953. The Conference suggested (E/CN.11/I&T/84) that the governments should keep under constant review the possibilities of simplifying exchange, customs, import and export regulations. It emphasized the need for the development of arbitration facilities and the promotion of marketing research, which might concern itself with the production and marketing of commodities, the search for new products for export, new uses of existing products, and utilization of by-products. It also dealt with various other aspects of trade promotion and recommended, *inter alia*, that full use be made of the existing trade associations in the region and that the governments increasingly utilize the advice of business groups in the formulation of trade policies.

The Trade Promotion News, previously issued monthly, continued to be issued once every two months. A preliminary draft of a Glossary of Commodity Terms was revised and publication was expected in 1954.

Financial aspects of economic development: At the third session of the working party of experts on financing of economic development in Asia and the Far East, which was held at Bangkok from 7 to 12 September 1953, reports on recent developments in mobilization of domestic capital, taxation as an instrument of development policy, development expenditure and variability in tax yields (ECAFE/I&T/FED.3-5) and a large number of other papers were considered. The report of the working party (E/CN.11/I&T/89) contained recommendations relating to taxation, including taxation in relation to individual development projects.

b. INLAND TRANSPORT

At its ninth session, the Commission approved (E/CN.11/365) the report of the second session of the Inland Transport Committee (E/CN.11/350), held at Bandung from 19 to 21 January 1953. It agreed to enlarge the terms of reference of the Inland Waterways Sub-Committee to cover coastal shipping.

Railways: The Railway Sub-Committee held its second session in Paris from 5 to 10 October 1953—the first session of a subsidiary body of ECAFE to be held outside Asia. It considered reports on the Regional Railway Training Centre for Operating and Signalling Officials, improved methods of track construction and maintenance, the prevention and speedy disposal of claims and the best types of diesel locomotives and railcars (E/CN.11/TRANS/Sub.1/26-30, 32-34). The Sub-Committee reviewed in detail the progress made in establishing the ECAFE/TAA Regional Training Centre for Railway Operating and Signalling Officials at Lahore, Pakistan. The Centre was scheduled to begin operation on 5 April 1954. The session of the Sub-Committee was followed by a group inspection tour of important rail installations in France, the United Kingdom, the Netherlands, West Germany and Switzerland.

Highways: The Highway Sub-Committee at its second session, at Bangkok from 14 to 19 September 1953, considered and approved: standard forms for highway bridge register and recording data on cement concrete pavements and highway project schemes (their preparation and presentation) and recommended these for adoption by governments. Other documents considered dealt with the economics of highway engineering, vehicle maintenance and repair, the training of mechanics and highway safety (E/CN.11/TRANS/Sub.2/14-16, 18, 19).

⁸¹ The inner fibre of certain trees.

⁸² U.N.P., Sales No.: 1953-II.F.3.

Waterways: The Inland Waterways Sub-Committee at its first session at Bandung, Indonesia, from 14 to 17 January 1953, considered the revised draft report of the expert working group on inland water transport from Asia and the Far East (E/CN.11/TRANS/R.1). This report was finalized (ST/TAA/SER.C/9) later in the year and was to be published by TAA. The Sub-Committee recommended the establishment of a regional training centre for inland water transport personnel, especially diesel marine mechanics, and the preparation of a draft convention for uniform methods of craft measurement (E/CN.11/TRANS/87).

In line with the recommendations of the expert working group on inland water transport for Asia and the Far East, trials were held by the Joint Steamer Company in East Pakistan to establish the relative efficiencies of the various towing methods and craft design. Details of these operations and an analysis of their results were given in a special report (ECAFE/TRANS/Sub.3/11).

c. FLOOD CONTROL AND WATER RESOURCES DEVELOPMENT

At its ninth session, the Commission approved (E/CN.11/366) the report of the Bureau of Flood Control (E/CN.11/352). This report recommended, among other things, the convening of a regional technical conference on water resources development in 1954. The Commission approved the suggestion to redesignate the Bureau as "Bureau of Flood Control and Water Resources Development".

Multiple-purpose river basin development: The Bureau of Flood Control and Water Resources Development completed work on the preparation of a manual on methods of economic analysis and planning of multiple-purpose river basin development and country-by-country surveys of water resources development for Burma, Ceylon, China (Taiwan), India, Japan, the Philippines and Thailand. Surveys for Cambodia, Laos, Vietnam, Indonesia and Pakistan were in preparation. The manual and the country surveys begun in 1951 together form a comprehensive study of water resources development in the region.

Flood control and water resources development of international rivers: The Bureau drew up a schedule to investigate the Mekong River along the Thai-Laotian border to study possibilities of irrigation, water power development and navigation. A preliminary study was also made of the possibility of diverting the Mekong River to provide irrigation for the north-eastern part of Thailand.

Studies on the problems of sediment (silt), river bank protection and river training were completed by the Bureau. Hydraulic experiments of silting and scouring of canals and rivers with heavy silt-laden flow, undertaken in co-operation with organizations in India and Thailand, were continued.

Technical advice was given to China (Taiwan), India and Thailand concerning multiple-purpose development of water resources.

The publication of the Flood Control Journal (ST/ECAFE/SER.C/13-17) was continued, and the fourth and fifth volumes of the Flood Control Series ("River Training and River Bank Protection" and "The Sediment Problem" (ST/ECAFE/SER.F/4 & 5)) were published. The Bureau also distributed various publications and reports to national technical organizations at their request.

d. RESEARCH AND STATISTICS

The ninth session of the Commission opened with a discussion on the economic situation in the region, with the annual Economic Survey of Asia and the Far East for 1951 and 1952⁸³ serving as a background document. At the conclusion of the debate, the Commission adopted a resolution (E/CN.11/356) drawing attention to:

(1) the urgent need for measures designed to assure stability of prices, particularly of the primary export products from countries of the region;

(2) the need to bring about general conditions of trade in which the prices of capital goods and other manufactured articles bear an adequate, just and equitable relation to prices of primary commodities; and

(3) the continued need for foreign capital and assistance on mutually agreed terms for the development of the region's agricultural and industrial resources.

Preparations for the 1953 Survey were also completed by the end of the year. It was decided that the Survey, for the first time, should include, besides an analysis of regional economic developments, separate country-by-country reviews. A special article on "Economic Developments in Mainland China, 1949-1953" was published in the November issue of the quarterly Economic Bulletin for Asia and the Far East. Other articles published in the May and November issues of the Bulletin dealt with "Aspects of Urbanization in ECAFE countries"; "Diversification of Production and Trade in ECAFE Countries"; and "Taxation and Economic Development in ECAFE Countries".

Statistical compilation and services: The building up of files of basic statistical series on such

⁸³ U.N.P., Sales No.: 1952.II.F.2.

items as production, transport, trade, finance and prices was continued in collaboration with the statistical offices and departments of governments, the Statistical Office of the United Nations, and the specialized agencies including, in particular, FAO, ILO and the International Monetary Fund. Work on the index of economic statistics on the collection of details relating to statistical series was regularly published in the quarterly Economic Bulletin.

Statistical conference: At its ninth session, the Commission approved (E/CN.11/364) the recommendations of the Second Regional Conference of Statisticians, held at Bangkok from 1 to 13 September 1952, concerning statistics of agricultural and industrial production and wholesale prices. Preparations were being made for the third Regional Conference of Statisticians, to be held in New Delhi, India, in March 1954. This conference would consider the application and promotion of international standards for the estimation of national income in ECAFE countries.

e. AGRICULTURE

The Agriculture Division, jointly set up by ECAFE and FAO and located at ECAFE headquarters, started its work on projects agreed upon by the two organizations. It undertook, for FAO and ECAFE, a continuing review of developments in the field of food and agriculture in the countries of the region. This review was used by FAO in the preparation of the State of Food and Agriculture and by ECAFE in the preparation of the half-yearly and the annual economic surveys.

f. RELATIONS WITH TAA

At its ninth session, the Commission, noting with satisfaction the close co-operation with TAA, requested (E/CN.11/369) the latter to intensify its activities in the region so as to accelerate the pace of economic development. The ECAFE secretariat continued to bring to the notice of TAA many regional needs for technical assistance, and TAA continued to seek the secretariat's advice in preparing its own operational programmes and in dealing with the requests of individual countries. The secretariat also continued to comment on fellowship and scholarship applications and on requests by governments to TAA for technical assistance.

During 1953, TAA co-operated with ECAFE in a number of regional projects, especially on:

(1) the preparations for a regional training centre for railway operating and signalling officials at Lahore, Pakistan, to be opened on 5 April 1954;

(2) a group study tour of lignite experts to Australia in October and November 1953;

(3) arrangements for a study tour of cottage industry experts to Japan in April-May 1954;

(4) a seminar on the organization and administration of public enterprises in the industrial field at Rangoon, Burma in March 1954; and

(5) a seminar on housing and community improvement, at New Delhi in January and February 1954.

TAA also made experts available for the ECAFE conference on mineral resources development, held in Tokyo in April 1953, and the ECAFE working party on cottage and small-scale industries and handicraft marketing held at Bangkok in September 1953.

g. RELATIONS WITH SPECIALIZED AGENCIES AND OTHER ORGANIZATIONS

Close and extensive co-operation with specialized agencies was maintained. Informal meetings were held periodically with representatives of FAO, WHO, UNESCO, ICAO, as well as UNICEF, stationed in Bangkok. The establishment of a joint ECAFE/FAO Agricultural Division at ECAFE's headquarters resulted in still closer co-operation between the two organizations. Co-operation was further developed between the Commission's secretariat and the Consultative Committee for Co-operative Economic Development in South-East Asia (known as the Colombo Plan). Consultations continued with a number of non-governmental organizations.

h. TEMPORARY HEADQUARTERS OF THE COMMISSION

At its ninth session, the Commission considered the question of the location of its working site. After an invitation from the Government of the Philippines had again been put before the Commission, the Commission endorsed (E/CN.11/368) a statement by the Assistant Secretary-General, in agreement with the governments concerned, that the Secretary-General should be asked to explore conditions and facilities at the various sites offered, including Bangkok, to ascertain the most suitable working site. The Secretary-General was requested, following these explorations and keeping in touch with the Chairman of the Commission, to use his administrative discretion and to take appropriate action.

The Commission unanimously recommended to the Council acceptance of an invitation from the Government of Ceylon to hold its tenth session and the meetings immediately preceding it in Ceylon.

i. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS FIFTEENTH SESSION

The Economic and Social Council, at its fifteenth session, considered the annual report of ECAFE (E/2374), at its 699th to 701st plenary meetings on 24 and 27 April. Most representatives felt that the Commission had achieved good results in all branches of its work, that it had rendered useful service to the countries of its region, and that it had become an effective instrument for the promotion of economic development in Asia and the Far East.

The representatives of Poland and the USSR, however, argued that the work of the Commission was practically paralysed because the People's Republic of China, the most important country of Asia and the Far East, was not represented there.

Several representatives, including those of Australia, China, France and the United States, stressed the usefulness of the work of the technical committees and working parties of the Commission in the fields of industry and trade and of inland transport. They praised the efforts made by the Commission in promoting trade between Asia and the Far East and the other countries of the world, including the organization of trade promotion conferences. The work of the Commission's Bureau of Flood Control and Water Resources Development was also commended. The representative of the Philippines, in particular, expressed the view that as an integrated and balanced economic development was of paramount importance, ECAFE should make positive recommendations in this respect and should promote the diversification of production, the fuller use of non-agricultural resources, industrialization and the development of trade.

The representatives of Australia, China and the United States, among others, considered that the co-operation of ECAFE with TAA and the specialized agencies had proved fruitful and profitable for the countries in the region. The establishment of a joint ECAFE/FAO Agriculture Division, said the representative of Australia, was also satisfactory for in the past insufficient attention had perhaps been paid to agriculture.

As regards its working site, the Commission was in favour of the suggestion that the Secretary-General be requested to explore conditions and facilities at the various sites offered, including Bangkok itself, and ascertain what would be the most suitable working site from the points of view both of operating costs and of other relevant factors.

The Council, at its 700th plenary meeting on 24 April, adopted by 16 votes to none, with 2 abstentions, two resolutions (464 A & B (XV)) recommended by ECAFE. In resolution 464 A (XV), the Council took note of the Commission's annual report and the programme of work and priorities contained therein.

In resolution 464 B (XV), the Council, noting the Commission's recommendation regarding the future location of its working site, requested the Secretary-General to take appropriate action.

3. Economic Commission for Latin America (ECLA)

The Economic Commission for Latin America held its fifth session at Rio de Janeiro, Brazil, from 9 to 25 April 1953. In general, the representatives expressed satisfaction with the studies and reports that had been prepared by ECLA's secretariat. The principal issues dealt with by the Commission concerned the need for greater industrialization and the promotion of intra-regional as well as international trade. The Commission called for intensification of studies of iron and steel (including transforming industries), paper and pulp, and chemical and other industries. It decided, *inter alia*, to investigate the possibilities of establishing processing industries utilizing local raw materials. The Commission's activities in Central America were endorsed, and satisfaction was expressed with the progress achieved under the United Nations Expanded Programme of technical assistance.

The Commission's report (E/2405) covering its fifth session was considered by the Economic and Social Council at its sixteenth session. A progress report by the Executive Secretary (E/CN.12/AC.24/2), covering the period from the end of the fifth session to 31 December 1953, was also issued in preparation for the meeting of the Committee of the Whole on 8 February 1954. The following is an account of some of the activities of the Commission and of the Council's consideration of ECLA's report.⁸⁴

a. ANNUAL ECONOMIC SURVEY

The Commission at its fifth session took note with satisfaction of the Economic Survey of Latin America, 1951-52⁸⁵ submitted by the secretariat. It requested the secretariat in the future to broaden the treatment of subjects not sufficiently covered, and recommended that governments provide the

⁸⁴ For amendments to the Commission's rules of procedure, see p. 33.

⁸⁵ U.N.P., Sales No.: 1953.II.G.3.

necessary information. The secretariat was also asked to take into account the observations made in the course of the debate, and to include in future editions of the Survey an explanation of the statistical concepts and methods employed.

The Executive Secretary reported (E/CN.12/AC.24/2) that, while the main part of the Economic Survey of Latin America, 1953 had been completed by the end of the year, it was to be published early in 1954. The 1953 Survey contained sections on income, investment and consumption; foreign trade and the effects of the world economic situation on Latin American trade and balance of payments; monetary problems; agricultural production; and industrial and mining production. The Survey showed that 1953 was marked by changes in the world economic situation which had important repercussions on the economy of Latin America. Attention was drawn to the falling off in world demand, especially demanded by the United States, and the drop in prices of most of Latin America's traditional exports of raw materials. On the other hand, the resurgence of the European industrial producers, with the consequent competition for foreign markets, had favoured Latin America to some extent. A reduction of United States capital flow to Latin America, both government and private, was noted.

For Latin America as a whole, the 1953 Survey showed that the balance of payments in 1953 was maintained in equilibrium, but only as a result of drastic reductions in imports. It was recognized, however, that this was a temporary measure which, if continued too long, would inevitably have an adverse effect on economic activity and the rate of progress.

In addition to the external factors of supply and price relations, the economies of some Latin American countries were weakened by inflation. Moreover, agricultural exports, particularly of foodstuffs, were faced with increased competition from outside the area.

Mining production dropped sharply, due principally to the contraction in world demand for strategic metals. Special studies were made in the Survey of some of the problems arising from inflation and of monetary policies aimed at checking inflation in selected countries.

b. ECONOMIC DEVELOPMENT AND TECHNIQUE OF PROGRAMMING

The Commission at its fifth session requested the secretariat of ECLA to continue its work on general problems of economic development and the technique of programming. Emphasizing the

need for studying the role of monetary and fiscal policies in promoting economic growth, it asked the secretariat to undertake studies in these fields.

The Commission specifically requested that the type of analysis contained in the "Preliminary Study of the Technique of Programming Economic Development", which was presented to ECLA's fifth session (E/CN.12/292), should be perfected, and that the refined method of analysis should be applied in the preparation of studies of development in individual countries.

ECLA's secretariat worked on the revision of the preliminary programming study, for which purpose comments were invited, and an expert visited Santiago, Chile, for a period of three months to make an appraisal of the study. It was planned to complete the revision of the study by the middle of 1954.

ECLA's secretariat also undertook a number of studies on economic development in individual countries, the purpose of which was to collect and analyse data with a view to measuring the rate of economic growth in the recent past and to prepare projects for the different sectors of the economy. It was hoped that such studies would aid governments in formulating integrated economic development programmes. Work undertaken in 1953, which would continue into 1954, included the following:

- (1) a study on the economic development of Brazil, undertaken in collaboration with the Brazilian Development Bank;
- (2) studies on the economic development of Argentina and Colombia; and
- (3) studies of the monetary policies of Chile and Peru and their effects on the economic development of these countries.

c. ECLA/TAA ECONOMIC DEVELOPMENT TRAINING PROGRAMME

The Commission at its fifth session recommended that this joint Programme of ECLA and the United Nations Technical Assistance Administration be maintained and expanded as far as possible.

The scope of the training programme for 1953 was increased and covered the period from April to December inclusive. Twelve trainees from the following nine Latin American countries participated: Argentina (2), Bolivia (1), Brazil (2), Chile (2), Costa Rica (1), Ecuador (1), Guatemala (1), Mexico (1) and Nicaragua (1).

The first month of the Programme was spent in studying statistical tools, including social accounting, input-output, wealth accounting, sources and uses of funds, and resource inventories. The

second month was spent in examining the experience in development of a number of Latin American countries, as well as the United States, the USSR and Japan. The next two months were devoted to studying programming techniques, this subject being the principal aim of the Training Programme, Special attention was given to development policies in the different countries.

In addition to following the general course, the participants worked on special studies dealing with the particular problems of their individual countries. These studies, which were undertaken in collaboration with economists on the staff of ECLA, included reviews of the world situation and markets, balance of payments and projections of foreign exchange receipts, evaluation of the effects of government fiscal policy on the rate of economic development, factors determining the rate of investment, and consideration of priority criteria for investment projects.

d. TECHNICAL MEETING ON BUDGETARY MANAGEMENT

A technical meeting on budgetary management was held in Mexico City in September 1953, under the auspices of ECLA, TAA and the Fiscal Division of the United Nations Secretariat. It was attended by experts from Costa Rica, Cuba, the Dominican Republic, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama and the United States.

The main purpose of the meeting was to examine the problems of classification, presentation and analysis of accounts in the public sector, as well as the outlines drawn up by the United Nations for the preliminary draft of a Classification Manual.

e. INDUSTRIES STUDIES

(1) Iron and Steel Transforming Industries

The Commission at its fifth session recommended that the ECLA secretariat continue work relating to the iron and steel industry and investigate, in particular, the development of the iron and steel and related transforming industries in Latin America.

Work on a general study of the iron and steel transforming industries in Latin America was accordingly initiated immediately after the session. This study, to be continued into 1954, is to present a general description of the iron and steel transforming industries in selected Latin American countries, in terms of the origin and use of raw materials, technological knowledge, skilled labour, existing equipment and the means and possibilities

of acquiring or improving it, relation of investment and production costs to production processes, output and the size of the market.

A market study was undertaken of the different types of steel and the economic feasibility of establishing plants for their manufacture. The effects which these industries, and the mechanical industries which would use their output, might have on the balance of payments and on the general economy of the countries concerned was also being considered. One of the aims of this study is to indicate what types of capital goods as well as consumer goods could be produced in the area.

The first phase of the general study of the iron and steel transforming industries in Latin America consisted of a study conducted in Chile. This was done in order to determine the method of investigation best suited for carrying out the general study. A preliminary report on the Chilean study was prepared in December 1953. At the end of the year, field work was under way for a study on Brazil, and studies on Colombia, Mexico and eventually Argentina were to follow.

(2) Pulp and Paper Industry

A preliminary study of the possibilities for the development of the pulp and paper industry in Latin America (E/CN.12/294), carried out with the collaboration of the Food and Agriculture Organization of the United Nations (FAO), was presented to the Commission's fifth session and subsequently published.⁸⁶ In accordance with a recommendation of the Commission, the ECLA secretariat, in conjunction with FAO and TAA and in collaboration with other specialized agencies, continued the research begun in the preliminary study.

These further studies were designed to provide the documentation for a meeting of experts on all aspects of the question, to be held in Buenos Aires, Argentina, in September 1954. This project is sponsored by ECLA, TAA and FAO, with the collaboration of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and other specialized agencies and the secretariat of the Economic Commission for Europe. The collaboration has been obtained of leading pulp and paper technicians and institutions in a number of countries in Western Europe, Canada, the United States, and Latin America. A preliminary work programme for this meeting was drawn up in Santiago immediately after the fifth session. The following tentative agenda was prepared:

(a) present and prospective demand for pulp and paper in Latin America;

⁸⁶ U.N.P., Sales No.: 1953.II.G.2.

(b) availability of Latin American raw materials for the manufacture of pulp and paper;

(c) comparison of the economics of pulp and paper manufacture from conifers, with pulp and paper manufacture from (i) Latin American tropical and sub-tropical hardwoods, (ii) Latin American plantation woods, and (iii) sugar-cane bagasse;

(d) essential steps in planning new pulp and paper industries;

(e) review of development prospects for pulp and paper industries;

(f) prospects in pulp and paper trade; and

(g) financing of Latin American pulp and paper development.

Due to a lack of industrial experience in the utilization of tropical hardwoods in the manufacture of pulp and paper, special studies are to be made in two regions which may be considered as possible sites for the industry, namely, the Yucatán Peninsula in Mexico and the Território Amapá in Brazil. These studies were to consist of preliminary forest inventories, pulping tests with the native woods, the design of wood extraction and transportation systems, and the preliminary design of pulp and paper mills.

(3) Chemical Industries

In response to a recommendation of the Commission at its fifth session, the ECLA secretariat continued its studies of the technical and economic aspects of the chemical industries, including an analysis of imports of chemical products in regard to selected countries in Latin America. Special consideration was being given to the relation between consumption of heavy chemicals and national income. Data was also collected on the consumption of nitrogen for industrial uses.

(4) Energy Studies

As a result of the Commission's recommendation at its fifth session, the ECLA secretariat began work on a study concerning the production and consumption of energy, including an examination of existing and potential energy resources, and research in the consumption of energy by different sectors of industry.

f. INTERNATIONAL AND INTER-LATIN AMERICAN TRADE

The Commission at its fifth session unanimously adopted a resolution which, *inter alia*, requested the ECLA secretariat to continue studies of the effects of changes in the terms of trade on the rate of development in the Latin American countries. The ECLA secretariat undertook the preparation of a paper on the "Theory of International Trade and Terms of Trade" from the point of view of the Latin American periphery. In addition

to the foreign trade section of the 1953 Survey, which deals principally with trade between Latin America and Europe and the United States, work was continued, in accordance with a resolution of the Commission's fifth session, on the study of the possibilities of expanding the markets for Latin American goods by means of greater trade within the region. One part of this study, to be continued into 1955, would include:

(1) an analysis of the flow of trade between Colombia, Ecuador, Venezuela and Panama, and between Mexico, Central America and the Antilles;

(2) a study of recent developments in trade between the seven southern countries of South America;

(3) a study on inter-Latin American trade in specific raw materials and manufactured products;

(4) a study of the effects on inter-Latin American trade of the General Agreement on Tariffs and Trade; and

(5) a study of trade problems in their relation to maritime shipping.

g. CENTRAL AMERICAN ECONOMIC INTEGRATION PROGRAMME

ECLA, in conjunction with TAA, FAO and UNESCO, has been engaged in a project designed to co-ordinate economic activities suitable to the individual countries in the area in such a way that they will mutually benefit the other countries in the region. This has involved questions concerning technical training, transport facilities, energy resources, development of specific industries, etc.

The Committee on Economic Co-operation in Central America held its second meeting at San Jose, Costa Rica, in October 1953, to review the work done since its previous meeting and to obtain the approval of member Governments for the continuation of the work programme. In addition to the reports of the Executive Secretary of ECLA and of the Resident Representative of the Technical Assistance Board and a paper on "Problems of Financing Economic Development and Integration in Central America" (E/CN.12/AC.17/27, 28 & 30 respectively), reports on other technical meetings were received.

The Committee approved a report of the Subcommittee on the Unification of Central American Tariff Nomenclature (E/CN.12/AC.17/25) which had met at Tegucigalpa, Honduras, from October 1952 to March 1953, and had recommended the adoption of a standard tariff nomenclature for Central America. The Committee noted that the project had been studied by the five governments concerned and that definite steps had been taken for its implementation. The governments were recommended to take measures to

standardize tariff nomenclature covering export products, to unify customs regulations and procedures and to study means for overcoming differences in duties and other taxes on imported products which might give rise to illicit trading. The Committee constituted a new sub-committee to carry out this work.

The Committee expressed its appreciation of the work accomplished by the seminar on transportation in Central America, which was held in San Jose, Costa Rica, from 9 to 20 June 1953. The seminar, which was conducted under the auspices of ECLA, TAA and the Government of Costa Rica, published its final report under the title "Transportation in Central America" (E/CN.12/356). The report, the first complete study made of transportation problems affecting Central America, covered all methods of transport and was divided into three parts. The first part described the existing transport situation regarding each country; the second examined the regional problems affecting the different methods of transportation and made recommendations for their solution; and the third dealt with international transport problems common to the six countries, with recommendations. The Committee requested the ECLA secretariat to submit preliminary plans for implementing the recommendations of the seminar which are to be examined by meetings of Central American experts.

The Committee approved a proposal for the creation of an Advanced School of Public Administration (E/CN.12/AC.17/31). The school, scheduled to be inaugurated early in 1954, would provide theoretical and practical instruction for an initial group of 25 fellows from the Central American republics. TAA has agreed to contribute two thirds of the cost of the school and the Central American governments, jointly, are to contribute the remainder. The offer of Costa Rica to establish the institute in San Jose was accepted.

Field work was also being undertaken by groups of experts on an Institute of Industrial Technological Research; electric energy; forestry products, pulp and paper; cattle and dairy products; and technical and administrative training.

b. CO-OPERATION WITH SPECIALIZED AGENCIES AND OTHER ORGANIZATIONS

ECLA maintained co-operation with several specialized agencies. Collaboration with FAO centred on the project for economic integration in Central America and the preparation for a meeting of experts on pulp and paper to be held in 1954. Other specialized agencies participating

in the project for economic integration in Central America were the International Labour Organisation (ILO), UNESCO and the International Civil Aviation Organization (ICAO). The International Bank for Reconstruction and Development was also consulted on this project. The International Monetary Fund co-operated with ECLA in the preparation of studies for a forthcoming meeting of experts on monetary and fiscal policies in relation to economic development. Collaboration with the Inter-American Economic and Social Council continued, and there has also been co-operation with a number of non-governmental organizations.

i. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS SIXTEENTH SESSION

The report of the fifth session of ECLA (E/2405) was considered by the Economic and Social Council during its sixteenth session, at its 718th, 719th and 721st plenary meetings, held on 9 and 10 July. In addition to ECLA's report, the Council had before it a statement of financial implications (E/2405/Add.1) submitted by the Secretary-General, which said that the \$15,000 estimated additional costs for 1953 could be absorbed within the 1953 budget appropriation and that for 1954 an increase of \$63,360 would be required.

In presenting ECLA's report, the Executive Secretary, at the Council's 718th meeting, stressed that, notwithstanding the significant increases in per capita income in Latin America in recent years, an acceleration of the rate of economic growth with corresponding structural changes in production and trade and, in many countries, an expansion of industrial capacity would be required if the gap between living standards in Latin American countries and in the industrially advanced countries were to be narrowed within a reasonable space of time. However, he said, the participation of Latin America in international trade could be expected to grow with the rise in per capita income.

The Council members expressed satisfaction with the work of ECLA and there was general agreement that The Economic Survey of Latin America, 1951-52 had made an important contribution to the understanding of the problems of the region. Certain representatives, including those of Argentina and Venezuela, commented favourably on the practical direction which had been given to the activities of ECLA, as exemplified in its studies on intra-regional trade (E/CN.12/304),⁸⁷

⁸⁷ Subsequently published as U.N.P., Sales No.: 1953. II.G.4.

the economic integration of the Central American States (E/CN.12/296) and the possibilities for developing the iron and steel and the pulp and paper industries in Latin America (E/CN.12/293 & E/CN.12/294).⁸⁸

The attention given by ECLA to the development of agriculture was commended. The representative of Cuba stated that, in practice, the Latin American countries were prevented from expanding their agricultural production by various difficulties such as, for example, the total lack of fuel or electric power, which made it impossible to export certain agricultural products in substantial quantities. It was for this reason, among others, that Latin American countries were seeking a balanced development of their agricultural and industrial resources. On the other hand, the representative of France, in particular, argued that it was necessary for Latin American countries to raise considerably the output of agricultural products so as to provide an adequate basis for industrial development.

The representative of Belgium expressed reservations concerning references in ECLA's report to the need for replacing imports of industrial goods by domestic products, which he considered appeared to imply a trend towards autarky. The statement of the Executive Secretary, he said, made it clear, however, that there would be scope for an expansion of inter-regional trade and co-operation as the incomes of Latin American countries rose.

The representative of the United States welcomed the growing diversification of the Latin American economy which, in the absence of excessive protectionism, would provide a basis for enlarged trade between Latin America and the rest of the world. In this connexion, the representative of Belgium suggested that Latin Amer-

ican countries might be interested in adhering to a trade and payments system along the lines of the European Payments Union.

Two amendments to the draft resolution proposed by ECLA (E/2405, p. 36) were submitted. One by Argentina, Cuba, Venezuela and Uruguay (E/L.528/Rev.1—originally submitted as a substitute draft resolution (E/L.528)) would add a paragraph recognizing the importance of the work being done by ECLA and would amend the first operative paragraph to have the Council note with appreciation the Commission's report. An amendment by France, India and the United States (E/L.529) proposed to add to the first paragraph a reference to the views expressed during the discussions at the Commission's fifth session and to delete the remaining paragraphs of the resolution. These paragraphs would have the Council: consider the Commission's work programme of primary importance to the economic development of Latin America; endorse the priorities allocated by the Commission to individual work projects; recommend that the necessary funds should be made available; and take note of the Commission's decision to hold its sixth session in Bogota.

The Council, at its 721st plenary meeting on 10 July, unanimously adopted a compromise draft resolution (E/L.530) submitted jointly by Argentina, Cuba, France, India, the United States, Uruguay and Venezuela. In the resolution adopted (485(XVI)), the Council, after recognizing the importance of ECLA's work, took note of its annual report and the views expressed at the Commission's fifth session, endorsed the priorities allocated by the Commission to the individual work projects and took note of the arrangements made by the Commission to hold its sixth session in Bogota, Colombia.

K. HUMAN RIGHTS

1. Draft International Covenants on Human Rights and Measures of Implementation

a. CONSIDERATION BY THE COMMISSION ON HUMAN RIGHTS

In accordance with Council resolution 440 A (XIV),⁸⁹ the Commission on Human Rights proceeded at its ninth session, held from 7 April to 30 May 1953, to consider the draft International Covenants on Human Rights and measures of implementation in the light of the instructions

contained in previous resolutions of the General Assembly and of the Economic and Social Council⁹⁰ and on the basis of the report of its eighth session (E/2256). The major part of the session was devoted to this work.

The Commission drafted (E/2447) a number of articles dealing with additional rights for in-

⁸⁸ Subsequently published as U.N.P., Sales No.: 1953. II.G.2.

⁸⁹ See Y.U.N., 1952, pp. 447-48.

⁹⁰ General Assembly resolutions 421 and 422(V) and 543 to 549(VI) and Council resolutions 349(XII), 384(XIII), 415(S-1) and 440(XIV).

elusion in the draft Covenant on Civil and Political Rights, based on proposals submitted at previous sessions and on a draft resolution adopted by the Commission on the Status of Women concerning the inclusion in the draft Covenant on Civil and Political Rights of the text of article 16 of the Universal Declaration of Human Rights relating to marriage and family rights.⁹¹ It adopted seven new articles:

- (1) on the rights to vote, to be elected and to hold public office;
- (2) on the treatment of persons deprived of liberty and on the penitentiary system;
- (3) on the rights of minorities;
- (4) on equal rights of men and women;
- (5) on the protection of the privacy, home, correspondence, honour and reputation of the individual;
- (6) on condemnation of incitement to hatred and violence; and
- (7) on the right to marry and to found a family.

It was not able, however, to discuss certain draft additional articles, such as that concerning the right of property, for inclusion in the draft Covenant on Economic, Social and Cultural Rights.

With regard to measures of implementation of the draft Covenant on Civil and Political Rights, the Commission revised the text of most of these articles, but made no far-reaching changes. It rejected a proposal to reduce the membership of the Human Rights Committee from nine to seven, as well as a proposal that the members should be elected by the Assembly instead of by the International Court of Justice. It also rejected proposals:

- (1) to grant the Committee the right to receive and consider communications from non-governmental organizations, groups of individuals and individuals concerning the non-observance of any provision by States parties;
- (2) to allow the Committee to take the initiative in cases where it considered that non-observance of any provision of the Covenant was sufficiently serious;
- (3) to permit the Committee to accept, for information, petitions from persons who complained that they were victims of violations of the Covenant; and
- (4) to exclude from the Committee's competence the power to deal with communications regarding the right of self-determination.

The Commission drafted two new articles on implementation. The first of these would grant to a State party complained of or lodging a complaint the right to bring the case to the International Court of Justice in the event of the failure of the Committee to reach a solution. The other article related to the implementation of the right of peoples to self-determination. The Commission did not consider measures of implementation of the draft Covenant on Economic, Social and Cultural Rights.

In the time available, the Commission was unable to carry out the other instructions of the General Assembly and the Council, and in particular to consider the federal State clause, the final clauses, the question of reservations, the question of applying the provisions relating to a Human Rights Committee to the Covenant on Economic, Social and Cultural Rights, and the examination of the provisions relating to the system of periodic reports and its application to the two Covenants.

A proposal by the USSR to request the Council to suggest to the General Assembly that it review its decision concerning the drafting of two covenants instead of one was rejected.

Reference was made by the Chairman of the Commission to the fact that the text of the article on the territorial application of the Covenant, prepared by the General Assembly, was included in the annex of the Commission's report relating to both Covenants; it followed that that article was considered as being applicable to both draft Covenants.

In annex I of the Commission's report (E/2447), section A contained the provisions of the draft Covenant on Economic, Social and Cultural Rights drafted at the eighth session of the Commission; section B contained the provisions of the draft Covenant on Civil and Political Rights, as prepared at the eighth and ninth sessions, including provisions on implementation through the establishment of a human rights committee; section C contained the article on the territorial application clause adopted by the General Assembly in resolution 422(V); and sections D and E contained respectively the draft articles on a system of periodic reports drafted at the seventh session, and the final clauses drafted at the sixth session. Annex II included proposals for an additional article on the right of property to be included in the Covenant on Economic, Social and Cultural Rights, for a federal State article, for the final clauses and for the establishment of an office of a United Nations High Commissioner (Attorney-General) for Human Rights.

b. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS SIXTEENTH SESSION

The Council decided, at the 236th meeting of its Social Committee on 8 July, not to deal with the substance of the Commission's report (E/2447) relating to the draft Covenants, but to confine its discussion to the procedural question of whether to refer the matter to the General Assembly or back to the Commission. Varying opinions were expressed on this subject at the 256th to 240th meetings of the Social Committee, from 8 to 10 July 1953.

The representatives of Chile, India, the Philippines, Uruguay, the USSR and Yugoslavia pre-

⁹¹ See also p. 425.

ferred to send the report of the Commission on Human Rights (E/2447) to the General Assembly rather than to refer the draft Covenants back to the Commission. Among their reasons were that: the Commission had completed its assignment; the issues outstanding were political and could only be solved by the Assembly; the Assembly should be asked, at least, for guidance on outstanding issues; and it would be helpful to ascertain the views of governments not represented on the Commission.

On the other hand, the representatives of Australia, Belgium, France, Turkey, the United Kingdom and Venezuela held that the draft Covenants should be returned to the Commission. They pointed out, *inter alia*, that: the Covenants were far from complete and that the Commission should, as far as possible, produce a final version before sending the two texts to the Assembly; effective agreement in the Assembly was more likely once the Commission had formed its own conclusions on outstanding questions; a small technical group was best able to do the work; and it would imply lack of faith in the Commission to send the report directly to the Assembly.

As a compromise, the representative of Egypt proposed a draft resolution (E/AC.7/L.149) which:

(1) would request the Commission to complete the preparation of the Covenants, concentrating exclusively on those parts not touched upon at its ninth session; and

(2) would, at the same time, request the Assembly to provide directives on certain specific questions to simplify the Commission's task.

The representative of Chile⁹² proposed (E/AC.7/L.150) alternatively that the Council should request the Secretary-General to transmit the report to Member States for comments by 1 January 1954 so that the Commission might consider them at its tenth session.

India, the Philippines and Uruguay presented an amendment (E/AC.7/L.151) to the Egyptian draft resolution which would have the effect of transmitting the work of the Commission directly to the Assembly instead of asking the Commission to complete its work.

The Committee at its 238th meeting on 9 July set up a working party consisting of the representatives of Argentina, Egypt, India, the Philippines, Sweden, the United Kingdom and Uruguay and of the observer for the Government of Chile to draft a single text. The working party submitted a text (E/AC.7/L.153) at the following meeting, which was subsequently adopted with minor amendment.

The Committee rejected, by 9 votes to 5, with 4 abstentions, a proposal⁹³ that the Secretary-General be requested to place the report on the Assembly's agenda as a separate item, and adopted, by 10 votes to 2, with 6 abstentions, a United States amendment (E/AC.7/L.154), to specify that the comments requested should be submitted not later than 1 January 1954 so that the Commission might have them available at its next session.

The draft resolution, as amended, was adopted by the Social Committee (E/2482 A), at its 240th meeting on 10 July, in paragraph-by-paragraph votes, ranging from a unanimous vote to 12 votes to none, with 6 abstentions, and as a whole, by 16 votes to none, with 2 abstentions. The Council adopted the Committee's draft resolution, at its 746th plenary meeting on 3 August, by 14 votes to none, with 2 abstentions, as resolution 501 B (XVI).

By this resolution, the Council noted the progress made by the Commission in the drafting of the Covenants, requested the Commission to complete the drafting of the Covenants during its tenth session, and transmitted the report of the ninth session of the Commission to the General Assembly at its eighth session. The resolution also requested the Secretary-General to communicate the report of the ninth session of the Commission to Member States, the specialized agencies and the non-governmental organizations concerned for their observations, to be submitted not later than 1 January 1954.

c. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS EIGHTH SESSION

The General Assembly discussed aspects of the Covenants during the general debate of the Third Committee, at its 503rd to 511th meetings, on 22 and 26 to 30 October and 2 and 3 November, on Chapters IV (Social Questions) and V (Human Rights) of the report of the Economic and Social Council (A/2430) and, specifically, at

⁹² Chile took part in the discussions under rule 76 of the Council's rules of procedure, which provides that a Member of the United Nations may be invited to participate, without vote, in discussions of particular concern to that Member.

⁹³ This proposal was made in the form of an oral amendment by the Chinese representative in order to facilitate the procedure. A United States amendment (E/AC.7/L.154), to the effect that the Secretary-General would not be expected to include the report as a separate item in the Assembly's agenda, had previously been withdrawn on the basis of a statement by the representative of the Secretary-General that, in the light of the discussion, he did not think the resolution would be interpreted to mean that the report should be included in the agenda as a separate item.

the Committee's 518th to 521st, 523rd and 524th meetings, from 11 to 16 November 1953.

The question was raised of the need for directives from the Assembly to the Commission on Human Rights on the federal State clause, reservations, and the right of petition. The arguments for and against this procedure were similar to those raised in the Council. Among those favouring directives from the Assembly were the representatives of China, Costa Rica, Egypt, India and the Philippines. Those opposed included the representatives of Belgium, Canada, France, Turkey, the Ukrainian SSR and the USSR. Some representatives, including those of Afghanistan, the Byelorussian SSR and Poland, thought that the question of a single covenant should be reopened. The representative of Saudi Arabia preferred a single covenant, but stated that he would not press the point.

With regard to reservations, the representative of India thought it advisable to allow reservations to the Covenant on Economic, Social and Cultural Rights, but not to the Covenant on Civil and Political Rights. The representative of Syria also thought that reservations should be permitted, but limited as to articles and the time during which they would apply. The representatives of Egypt, France and the Philippines also pointed out that to allow too many reservations would weaken the force of the Covenants and expressed the view that certain articles should not be open to reservation.

The Committee, at its 518th to 521st meetings on 11, 12 and 13 November, had before it two draft resolutions relating to a federal State clause.

A draft resolution by Egypt (A/C.3/L.366) proposed, *inter alia*, that the General Assembly should request the Commission on Human Rights not to include provisions relating to federal States in the draft International Covenants on Human Rights.

A draft resolution by Australia proposed (A/C.3/L.374) that the General Assembly should request the Council:

(1) to draw the attention of the Commission on Human Rights to Assembly resolution 421(V) calling for a study of the question of a federal State clause; and

(2) to invite Member States and the specialized agencies and non-governmental organizations concerned to review the Assembly's discussion of the federal State article at its fifth and eighth sessions and, with this discussion in mind, to include their views on the question in their observations submitted to the Secretary-General under Council resolution 501 B (XVI). The available time for submission of these comments would be extended to 1 February 1954.

A number of representatives expressed themselves against the inclusion of a federal State clause. The representatives of the Dominican Republic, Egypt, Iraq and Mexico, among others, held that such a clause was out of place in covenants on human rights, the universality of which should be ensured. The representatives of Guatemala, Syria and Yugoslavia were of the opinion that to include a federal State article would discriminate in favour of federal States and might, on that account, discourage non-federal States from signing the Covenants. The representatives of Egypt and Yugoslavia also expressed the view that a federal State article might be applied by Metropolitan Powers to their dependent territories and that its adoption would be tantamount to an outright repeal of the article on the territorial application of the Covenants which the Assembly had adopted (resolution 422(V)) and which was now incorporated in the draft Covenants.

The representatives of Denmark, Egypt and Saudi Arabia suggested that the constitutional difficulties of federal States might be overcome by the use of reservations at the time of signature. The Pakistan representative agreed, but thought it necessary for federal States themselves to decide whether or not a federal State clause should be included. The representatives of Egypt and Yugoslavia also suggested that federal governments could secure the agreement of all their constituent units before signing the Covenants.

Other representatives, including those of Australia, Canada and the United States, held that to omit the federal State clause would constitute an insuperable barrier to ratification of the Covenants by federal States. The representatives of India and the United States stressed that a majority of unitary States should not attempt to force the hand of federal States which had particular constitutional difficulties. The representative of New Zealand also pointed out that to decide at this time against the inclusion of a federal State clause would prejudice the question of reservations.

A number of representatives, including those of Brazil, Cuba and France, were of the opinion that a decision on this important question would be premature without further study. The representatives of Afghanistan, Bolivia and Chile thought that the Commission on Human Rights, as a body of experts, was the most appropriate organ to study the matter first. The representative of Afghanistan therefore proposed (A/C.3/L.387) that the Egyptian proposal be amended to invite the Commission on Human Rights to

decide, in the light of the Assembly's discussion at its eighth session, whether or not it was necessary to include a federal State clause in the Covenants.

The representative of Guatemala thought that the International Court of Justice should be consulted, and proposed an amendment (A/C.3/L.388) to the Egyptian draft resolution by which the Assembly would, instead, request the Court for an opinion on the desirability or undesirability of including a federal State clause in the Covenants, having regard to the universal application of those rights and the constitutional problems of some federal States. The amendment would also have the Assembly request the Commission on Human Rights not to consider the matter before the Court had delivered its opinion.

The representative of Egypt made a proposal, which was formally submitted by the representative of Saudi Arabia. The draft resolution (A/C.3/L.389) proposed that the Assembly transmit to the Commission on Human Rights the draft resolutions and amendments submitted to the Committee, together with the records of its debate, and request the Secretary-General to take the necessary steps to ensure that the members of the Commission would receive the documents not less than two weeks before the opening of its tenth session. In view of this proposal, the representative of Afghanistan withdrew his amendment to the Egyptian draft resolution.

Some representatives, among them those of Peru, the USSR and Uruguay, thought that it was unnecessary to adopt a formal resolution, since the Saudi Arabian proposal seemed to appear to have the general agreement of the Committee. However, the majority thought that a clear indication of the Committee's wishes should be expressed by a formal resolution, and the proposal was adopted (A/2573 V A) by 40 votes to none, with 8 abstentions, at the Committee's 521st meeting on 13 November.

It was adopted by the General Assembly, without discussion, at its 460th plenary meeting on 28 November 1953, by 50 votes to 5, with 2 abstentions, as resolution 737 A (VIII). It read:

"The General Assembly,

"Recalling its resolution 421 (V), section C, of 4 December 1950,

"Having discussed the draft resolutions contained in documents A/C.3/L.366 and A/C.3/L.374 and the amendment contained in document A/C.3/L.388,

"1. Decides to transmit these draft resolutions and the amendment to the Commission on Human Rights, together with the records of the meetings of the Third Committee relating to the federal clause;

"2. Requests the Secretary-General to take the necessary steps to ensure that the members of the Commission on Human Rights receive the above-mentioned documents not less than two weeks before the opening of the tenth session of the Commission."

The Third Committee discussed, at its 523rd and 524th meetings on 16 November, a proposal by Ecuador, Egypt, Guatemala, the Philippines and Uruguay (A/C.3/L.372) concerning the right of petition. The draft resolution, which was revised (A/C.3/L.372/Rev.1) to take account of drafting amendments by Afghanistan (A/C.3/L.390), would request the Commission on Human Rights to draft provisions recognizing the right of petition of every natural person, every duly constituted group of individuals and every recognized non-governmental organization, for inclusion in the draft Covenants, in accordance with the decision of the Assembly contained in resolution 421 F (V) and in the light of discussions at its present session.

Among the arguments advanced in support of this proposal by, among others, the representatives of Denmark, India, Iraq, Israel, Mexico and Syria, were the following:

(1) that, without the inclusion of provisions extending the right of petition to individuals, groups and non-governmental organizations, the whole value of the Covenants would be in question;

(2) that General Assembly resolution 421 F (V) was the equivalent of an instruction to the Commission on Human Rights to include the right of petition in the Covenants;

(3) that individuals and non-governmental organizations had, in most countries, the right to petition their national governments, and that, since the Covenants attempted to place human rights under international protection, the individual should be accorded the right of international petition;

(4) that to restrict the right of petition to States would lead to an increase in international friction; and

(5) that States were free to ratify or not to ratify the Covenants and could not therefore claim that to grant the right of petition to individuals and organizations would constitute an infringement of domestic jurisdiction.

Others, including the representatives of the Byelorussian SSR, Brazil, Cuba, Ethiopia, France, Honduras, New Zealand and Yugoslavia, argued:

(1) that to extend the right of petition to individuals and organizations would lead to intervention in the domestic affairs of States and would violate Article 2, paragraph 7, of the Charter;

(2) that the principle of the sovereign equality of Member States might also be infringed, since States which had not signed the Covenants would be in a position to invite individuals or non-governmental organizations to submit complaints against States which were parties to the Covenants;

(3) that the position of individuals in international law had not yet been established and that it would not be wise to attempt to achieve too much at one time; and

(4) that international relations were not yet so far developed that the right of petition could be granted in such general terms.

The representatives of Chile, China and Yugoslavia also thought that the question was one that the Commission on Human Rights should decide. The representatives of China and Saudi Arabia thought that it would be wiser for the Committee to take a decision similar to that adopted in the case of the federal State clause and the representative of China presented a formal proposal (A/C.3/L.391) to that effect.

It was adopted by the Committee (A/2573 V B), at its 524th meeting on 16 November, by 34 votes to 3, with 10 abstentions, and by the General Assembly at its 460th plenary meeting on 28 November 1953, by 45 votes to 5, with 4 abstentions, as resolution 737 B (VIII). It read:

"The General Assembly,

"Recalling its resolutions 421(V), section F, of 4 December 1950 and 547(VI) of 5 February 1952,

"Having discussed the draft resolution contained in document A/C.3/L.372/Rev.1 on the right of petition,

"Decides to transmit the draft resolution to the Commission on Human Rights, at its tenth session, together with the records of the discussion thereon in the Third Committee."

2. Development of the Work of the United Nations for Wider Observance of, and Respect for, Human Rights and Fundamental Freedoms

The Commission on Human Rights, at its ninth session, considered together two items on its agenda relating, respectively, to the development of the work of the United Nations for wider observance of, and respect for, human rights and fundamental freedoms throughout the world, and annual reports on human rights. It had before it the memorandum by the Secretary-General (E/1900) on the development of a Twenty-Year Programme for achieving peace through the United Nations. It also had before it two notes by the Secretary-General (E/CN.4/535 & Add.1), containing background information on the subject and certain suggestions for future activities in the field of human rights, and a memorandum (E/CN.4/567) relating to annual reports.

Four draft resolutions were submitted. The first (E/CN.4/L.266/Rev.2) envisaged a programme for annual reports on developments in the field of human rights by Member Governments and their review by the Commission. The second (E/CN.4/L.268)⁹⁴ proposed the initiation by the Commission of a series of studies on specific aspects of human rights on a world-wide basis

with the assistance of expert advisers to be appointed by the Secretary-General. The third (E/CN.4/L.267/Rev.1) proposed the establishment of advisory services in the field of human rights on lines somewhat similar to the existing advisory social welfare services. The fourth draft (E/CN.4/L.286) proposed changes in the procedure for handling communications whereby allegations of violations of human rights might be brought to the attention of the governments concerned and of the Council.

The Commission resolved (E/2447) not to take any decision on the proposal, submitted by Egypt, India, the Philippines and Uruguay, on communications. It was unable to complete consideration of the other three proposals, submitted by the United States, and it transmitted them, together with the amendments submitted thereto and the records of the discussion thereon, to the Economic and Social Council, with a recommendation (E/2447 I) that the Council decide to transmit the documents concerned to Member States and specialized agencies with a request that they submit their comments to the Secretary-General by 1 October 1953.

During the discussion at the Council's sixteenth session, at the 240th meeting of its Social Committee on 10 July 1953, the representative of the United Kingdom expressed the view that governments could not be expected to reply by 1 October 1953 and that 1 January 1954 would be a more appropriate date and would still enable the Commission to consider the replies at its tenth session. The representatives of Sweden and Yugoslavia doubted whether the Commission should be specifically requested to consider the replies of governments at its tenth session, when it would be occupied with the drafting of the Covenants.

The representatives of China, Egypt and the United States, however, considered it desirable that comments of governments and specialized agencies should be received before the forthcoming session of the General Assembly in order to provide additional guidance should a comprehensive debate develop in the Assembly. The Committee, by 16 votes to none, with 2 abstentions, adopted an oral United States amendment to request the comments by 1 October "in so far as possible". The draft resolution, as thus amended, was adopted by the Committee by 16 votes to 2 (E/2882 & Corr.1 B), and by the Council, at its 746th plenary meeting on 3 August 1953, by 15 votes to 2.

⁹⁴ Amendments were submitted to this proposal by France (E/CN.4/L.304/Rev.1); Yugoslavia (E/CN.4/L.305/Rev.1, 306 and 307); Egypt and India (E/CN.4/L.308); and Chile (E/CN.4/L.309/Rev.1).

By this resolution (501 C (XVI)), the Council transmitted the draft resolutions submitted to the Commission and the amendments thereto (see above) to Member States and to the specialized agencies and requested them to submit their comments on the proposals to the Secretary-General in so far as possible by 1 October 1953.

At the General Assembly's eighth session during the Third Committee's general debate, at its 503rd to 511th meetings, on 22 and 26 to 30 October and 2 and 3 November, concerning Chapters IV (Social Questions) and V (Human Rights) of the report of the Economic and Social Council (A/2430), the representative of Egypt submitted a draft resolution (A/C.3/L.367 & Add.1) on this question. This draft, of which the representative of the Philippines subsequently became a co-sponsor (A/C.3/L.367/Add.2), was considered specifically at the Committee's 527th to 529th meetings, from 18 to 20 November, and at the Assembly's 460th plenary meeting on 28 November 1953.

The draft resolution, noting that the Commission on Human Rights had considered three draft resolutions (E/CN.4/L.266/Rev.2, E/CN.4/L.267/Rev.1 & E/CN.4/L.268) concerning development of the work of the United Nations for wider observance of, and respect for, human rights and fundamental freedoms throughout the world, and that the Economic and Social Council had requested Member States and specialized agencies to submit their comments on them and the amendments thereto to the Secretary-General in so far as possible by 1 October 1953, would request the Council to ask the Commission:

(1) to consider at its tenth session the three draft resolutions and to prepare recommendations thereon, in order that these recommendations might be considered by the Council at its eighteenth session; and

(2) to take account of the comments made by Member States and specialized agencies and of the views expressed at the General Assembly's eighth session.

Syria proposed an amendment (A/C.3/L.370) to the draft resolution which, as orally corrected by the Syrian representative, would ask the Commission:

(1) to consider the three draft resolutions at its tenth session "after completing the drafting of the two Covenants on Human Rights and its consideration of the other important matters pending"; and

(2) to prepare recommendations "if possible".

He accepted an oral Afghanistan amendment to rephrase the second amendment to state "if possible, to supplement the provisions of the Covenants on Human Rights . . .".

The debate in the Committee centred principally on the possible significance in relation to

the drafting of the Covenants on Human Rights of the three draft resolutions submitted to the Commission on Human Rights. The majority of representatives agreed that the principal task of the Commission on Human Rights should be to complete the preparation of the draft Covenants.

The representatives of Czechoslovakia and Poland felt that, in the light of the recent statement that the United States Government did not intend to sign any conventions on human rights, the United States proposals contained in the three draft resolutions were intended to constitute an alternative method of protecting human rights and that to approve them would be to abandon the work on the Covenants. The United States representative, on the other hand, stated that her Government would continue to co-operate in drafting the Covenants and was not trying to sidetrack them. The United States view, she said, was that covenants were not the only means of ensuring respect for human rights and she pointed out that in certain matters, such as the status of women, the protection of minorities, freedom of information, forced labour and war prisoners, the United Nations was continuing its efforts by other means. The representative of France also considered that the two methods were not mutually exclusive. The sponsors of the draft resolution stated that it was in no way the purpose of their text that the three draft resolutions should hinder the completion of the work on the draft Covenants; the programme envisaged was intended to supplement the Covenants.

The representatives of Chile and Cuba thought that the proposals would span the transitional period until the Covenants were adopted. The Yugoslav representative suggested that the proposals could at the most be regarded as a trial for the measures of implementation in the Covenants until such time as the Covenants came into force. The representative of Afghanistan, while considering the proposals of value, thought it premature to consider them at the present stage.

The representatives of Argentina, Iraq, Peru, Venezuela and the Union of South Africa supported the draft resolution on the understanding that it was purely procedural and did not commit delegations as to the substance of the three proposals. A number of other representatives, including those of Afghanistan, New Zealand and Saudi Arabia, also reserved their Governments' position on the substance of the proposals.

The Canadian representative stated that she would abstain on the Syrian amendments since it was neither advisable nor necessary to give such directions on priority to the Commission on Human Rights.

The representatives of France and the United Kingdom expressed the view that the second part of the first Syrian amendment, referring to "other important matters pending", would have the effect, if strictly interpreted, of indefinitely postponing consideration of the three proposals. On the proposal of the Greek representative, the Committee decided by 25 votes to 10, with 7 abstentions, to vote on the first Syrian amendment in two parts, the first part referring only to the drafting of the Covenants. The representative of Syria stated that, should the first part of the amendment be adopted and the second rejected, some delegations might claim that the three United States proposals should be considered immediately after the completion of the draft Covenants to the detriment of priority for the recently adopted resolution on the right of peoples and nations to self-determination. He therefore withdrew the whole of his first amendment.

The second Syrian amendment was adopted by 27 votes to 3, with 15 abstentions.

The joint draft resolution, as a whole, as amended, was adopted by the Third Committee (A/2573(VII)), at its 529th meeting on 20 November, by a roll-call vote of 36 to 5, with 7 abstentions.

It was adopted by the General Assembly at its 460th plenary meeting on 28 November, without discussion, by 47 votes to 5, with 6 abstentions, as resolution 739(VIII). It read:

"The General Assembly,

"Considering that, under Articles 55 and 56 of the Charter, the Members of the United Nations have pledged themselves to take joint and separate action to promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

"Desiring to advance as rapidly as possible respect for, and observance of, human rights and fundamental freedoms and to stimulate Member States to press forward toward attaining the goals set forth in the Universal Declaration of Human Rights,

"Noting that the Commission on Human Rights, at its ninth session, considered three draft resolutions concerning the development of the work of the United Nations for wider observance of, and respect for, human rights and fundamental freedoms throughout the world,

"Noting that the Economic and Social Council, in resolution 501 C (XVI) of 3 August 1953, requested Member States and specialized agencies to submit their comments on the draft resolutions and the amendments thereto to the Secretary-General in so far as possible by 1 October 1953,

"Requests the Economic and Social Council to ask the Commission on Human Rights:

"(a) To consider, at its tenth session, the three draft resolutions concerning the development of the work of the United Nations for wider observance of, and respect for, human rights and fundamental freedoms throughout

the world, and to prepare, if possible, to supplement the provisions of the Covenants on Human Rights, recommendations thereon, in order that these recommendations may be considered by the Economic and Social Council at its eighteenth session;

"(b) To take account, at its tenth session, of the comments made by Member States and specialized agencies and of the views expressed on this subject at the eighth session of the General Assembly."

3. Communications Concerning Human Rights

In accordance with resolution 75(V) of the Economic and Social Council, as amended by resolution 275 B (X),⁹⁵ the Secretary-General prepared two lists of communications for the ninth session of the Commission on Human Rights:

(1) A non-confidential list of communications (E/CN.4/CR.22 and Add.1) dealing with the principles involved in the promotion of respect for human rights. This list contained summaries of or references to 352 communications received during the period 28 April 1952 to 31 March 1953.

(2) A confidential list of other communications, i.e., complaints and alleged violations of human rights (H.R. Communications List No. 3 & List No. 3/Add.1). This list, which was presented to the Commission in a private meeting, contained summaries of or references to 2,118 communications received during the period 7 May 1952 to 7 March 1953. Of these communications 1,562 alleged persecution on political grounds, the majority of them (1,352) relating to one country. Other communications alleged discrimination and violations of the rights of minorities (96), denial of the right of fair trial (56), infringements of trade union rights (42), denial of the right to freedom of movement (30), violations of freedom of religion (29), denial of the right of self-determination (22) and inhuman use of germ warfare (92). The remaining communications related to a variety of subjects, such as genocide, status of women, cruel and inhuman punishment, freedom of information and of the press, freedom of assembly, right of asylum, old age rights, refugees, right to a nationality and statelessness.

Also distributed at the private meeting were fifteen observations from governments (H.R. Communications Nos. 26-39, E/2371).

The Commission noted the distribution of the lists of communications, and decided to make public the record of the meeting.

⁹⁵ See Y.U.N., 1950, p. 534.

Similar lists of communications relating to the status of women were presented to the seventh session of the Commission on the Status of Women.

At its ninth session, the Commission on Human Rights also discussed the question of communications during its consideration of the question of the development of the work of the United Nations for wider observance of, and respect for, human rights and fundamental freedoms throughout the world. The Commission had before it a draft resolution submitted by Egypt, India, the Philippines and Uruguay (E/CN.4/L.286) according to which the Economic and Social Council would request:

(1) that the Commission forward to governments for their comments communications which it considered to contain alleged violations sufficiently serious to justify such action;

(2) that the Commission transmit to the Council communications—and any replies from governments thereto—which it considered should be drawn to the Council's attention and, also, that the Commission make any appropriate recommendations thereon; and

(3) that the Secretary-General submit a report to the Commission suggesting appropriate changes in the procedure for handling communications in the light of the present resolution.

The Commission, however, voted not to take any decision on the draft resolution.

At the 521st and 522nd meetings of the Third Committee on 13 November, the Assembly discussed an Egyptian proposal (A/C.3/L.368), which had been presented during the Committee's general debate on Chapter V (Human Rights) of the report of the Economic and Social Council (A/2430).

The draft resolution proposed that the Assembly decide that, pending the entry into force of the Covenants on Human Rights, the Commission on Human Rights would:

(1) transmit to governments, for their comments, communications received by the United Nations containing allegations of violations of human rights which it regarded as serious enough to justify reference to the governments concerned; and

(2) transmit to the Council such communications, together with the replies or comments by governments, as the Commission considered should be brought to the Council's attention.

At the suggestion of the representative of China during the discussion, the representative of Egypt amended the first operative paragraph of his proposal to read: "Request the Secretary-General to transmit to governments . . .".

The representative of Egypt stated that the current procedure for dealing with communica-

tions as laid down in Council resolutions 75(V), 192 A (VIII) and 275 B (X) was very unsatisfactory and damaged the prestige of the United Nations and of the Commission on Human Rights. The Commission's terms of reference, he argued, authorized it to submit proposals, recommendations and reports on "any other matter concerning human rights" and that this entitled it to make recommendations on its own initiative in the matter. It would be preferable, he thought, to discontinue the practice of bringing communications to the attention of the Commission on Human Rights if the Commission were not given an opportunity of taking some further action on them than was possible under the current procedure.

Speaking in support of the proposal, the representative of Ecuador said that, while the draft resolution before the Committee might not be very far reaching, it might, through moral pressure, restrain governments from violating human rights.

The representatives of Belgium, France and Peru, in opposing the draft resolution, argued that it would confer on the Commission on Human Rights quasi-judicial functions which that Commission was not competent to fulfil. Until the Covenants were completed, there was no legal definition of human rights on which the Commission could base its judgment with regard to alleged violations. The representatives of Afghanistan, France and the United Kingdom also expressed the opinion that it would be very difficult to establish criteria to decide when a violation was "serious enough" to justify reference to the governments concerned. The representatives of Greece and the United States pointed out that adoption of the proposal would cause such an increase in the number of communications received that the Commission on Human Rights would be unable to deal with them, and that false hopes would be raised on the part of the authors of communications, which would be damaging to the prestige of the United Nations. The Peruvian representative considered also that the transmission to governments of such confidential communications would create international tension. The representatives of France and the United Kingdom also stated that the Charter did not provide the right of individual petition except on Trusteeship matters.

The Committee, at its 522nd meeting on 13 November, rejected the first paragraph of the operative part of the draft resolution by a roll-call vote of 26 to 11, with 12 abstentions, and the second by a roll-call vote of 26 to 9, with 13 abstentions. The Chairman observed that, since

the operative part of the draft resolution had been rejected, it followed that the resolution had been rejected as a whole.

4. Prevention of Discrimination and Protection of Minorities

The Commission on Human Rights, at its ninth session, from 7 April to 30 May 1953, considered the reports of the fourth and fifth sessions of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/641 & Corr.1 & E/CN.4/670 & Corr.1), which had been held from 1 to 16 October 1951, and from 22 September to 10 October 1952, respectively.

The reports of these sessions were discussed under four main headings: recommendations relating to prevention of discrimination; recommendations relating to protection of minorities; general recommendations; and recommendations on the programme of work of the Sub-Commission. The Commission took note (E/2447) of the reports of the two sessions of the Sub-Commission and made recommendations for consideration by the Economic and Social Council.

The Council at its sixteenth session considered the Commission's report, at the 250th to 256th meetings of its Social Committee from 24 to 31 July, and at its 746th plenary meeting on 3 August 1953. The questions of the acceleration of the ratification of the Convention on Prevention and Punishment of the Crime of Genocide⁹⁶ and of technical assistance in the fields of prevention of discrimination and protection of minorities were subsequently considered by the General Assembly at its eighth session. The action taken under the headings mentioned above is given below.

The Commission on Human Rights also elected⁹⁷ members of the Sub-Commission to take office on 1 January 1954 and invited the Council to provide that the Sub-Commission should meet at least once a year in a session lasting three weeks and to convene the next session in January 1954 in order that the Sub-Commission's report might be discussed by the Commission at its tenth session.

The Council, at its sixteenth session, at the 253rd meeting of the Social Committee on 27 July, by 16 votes to none, with 2 abstentions, and at the 746th plenary meeting on 3 August, by the same vote, adopted a resolution (502 A (XVI)), in which, noting its previous decision⁹⁸ that the Sub-Commission in principle be convened as early as possible in 1954 so that its report

could be discussed at the tenth session of the Commission and having considered the Commission's resolution, it decided that the Sub-Commission should meet at least once a year and that each session should last three weeks.

a. PREVENTION OF DISCRIMINATION

In the field of prevention of discrimination, the Commission on Human Rights considered recommendations on the collection of anti-discrimination provisions, the abolition of discriminatory measures, the preparation of studies on erroneous views concerning religion, the co-operation of non-governmental organizations, the position of persons born out of wedlock and the acceleration of ratification of the Genocide Convention.

The Commission rejected the recommendation relating to the preparation of studies on erroneous views concerning religion. It considered that such studies should be undertaken only by theologians and philosophers and expressed the fear that discussion of such matters in United Nations organs might increase rather than lessen misunderstanding. However, it approved the Sub-Commission's recommendation on the collection of anti-discrimination provisions and requested the Secretary-General "to arrange for anti-discrimination provisions, in particular those formulated under the League of Nations system or by organs of, or under the auspices of, the United Nations, to be collected, made available, and kept up to date, to serve as a body of suitable precedents for use when constitutional or statutory provisions are to be elaborated".

(1) Abolition of Discriminatory Measures

The Commission on Human Rights endorsed the Sub-Commission's recommendation on the abolition of discriminatory measures and added a reference to resolution 644(VII)⁹⁹ of the General Assembly relating to racial discrimination in Non-Self-Governing Territories. It proposed (E/2447 B) that the Economic and Social Council:

(1) note resolutions 323(IV) and 644(VII) of the General Assembly and 127(VI) of the Trusteeship Council;

(2) consider that the prevention of discrimination in Metropolitan territories is as important as prevention of discrimination in Trust and other Non-Self-Governing Territories;

⁹⁶ For discussion of this item, see pp. 687-89.

⁹⁷ See p. 32.

⁹⁸ Adopted at its 707th plenary meeting on 1 July during the discussion of the calendar of conferences.

⁹⁹ See Y.U.N., 1952, pp. 575-76.

(3) consider further that in certain countries or territories minorities might exist which require protection otherwise than by implementation of the principle of non-discrimination; and

(4) recommend to Member Governments that they review their national legislation and administrative practices with a view to abolishing all measures of discrimination that might exist in countries and territories under their jurisdiction and with a view to taking effective measures for the protection of minorities, if any, in those countries and territories.

The Economic and Social Council discussed the question at the 251st and 253rd to 256th meetings of its Social Committee, on 24, 27, 30 and 31 July, and at its 746th plenary meeting on 3 August 1953.

During the debate, the representative of Yugoslavia pointed out that certain minority groups would not be covered unless the recommendation referred to all States, and proposed an amendment (E/AC.7/L.174) to that effect. The representative of Belgium also proposed (E/AC.7/L.179) that the resolution should refer to independent States rather than Metropolitan territories and that the idea of progressive action should be embodied in the resolution to make it more acceptable to all governments.

The representatives of Argentina, Uruguay and Venezuela, among others, were of the opinion that the persistence of discriminatory measures should be regarded as an international problem likely to endanger peace. In Latin America, they stated, there were no minority problems that could engender international disputes, because the civic rights of all nationals of those countries were safeguarded by law. However, communities of immigrants should not be given privileged treatment provided they were not denied or obstructed in their exercise of certain common rights. The representatives of Argentina and Venezuela proposed an amendment (E/AC.7/L.178) to give effect to this point. The majority felt that the joint amendment, as presented, was not clear and a substitute draft resolution was submitted by Argentina, Belgium, Venezuela and Yugoslavia (E/AC.7/L.184) incorporating this idea in the joint amendment, as well as those expressed by Belgium and Yugoslavia.

The operative part of the new text would have the Council:

(1) recommend to all governments that they make every possible effort to abolish in any territories under their jurisdiction or administration any legal provisions and administrative or private practices which discriminate against certain sections of the population; and

(2) recommend, likewise, to the governments of those States in which minorities exist, that they make every possible effort to give such minorities the special

protection they need, besides implementing the principle of non-discrimination, it being understood that groups of aliens of the same origin which have entered or may enter a certain State as immigrants shall not be entitled to such special protection as a minority.

The Philippine representative suggested (E/AC.7/L.185) that reference to dependent territories should only be made specifically with respect to minorities since the Assembly had already made recommendations concerning the abolition of discriminatory practices in such territories. The representative of Uruguay, as a further qualification of the word immigrants, suggested (E/AC.7/L.186) a reference to displaced persons.

The representative of India, however, thought that a much clearer definition of the word immigrants was necessary if certain groups of aliens were not to be unjustly deprived of protection. The joint draft resolution, he said, would have the effect of singling out a group or class of persons as one not entitled to protection. Moreover, it might lead to vast numbers of people being denied minority rights if governments chose to call them aliens. The representatives of Poland and the USSR shared this concern. The representatives of France and Sweden thought that the main problem was the lack of any clear definition of a minority group.

In an attempt to reach a compromise, a working group was established, consisting of the representatives of Belgium, Egypt, India, the Philippines, Sweden, the United Kingdom, Uruguay, Venezuela, Yugoslavia and the Chairman of the Committee. The Chairman announced at the Committee's 255th meeting on 30 July that the group had been unable to draft a text capable of commanding general support. It had accordingly approved a substitute text (E/AC.7/L.187) for the Commission's draft resolution which omitted all reference to minorities. At the same time, it had approved a new draft resolution (E/AC.7/L.188), by which the subject of protection of minorities would be referred back to the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities for further study.

The substitute draft resolution (E/AC.7/L.187) was adopted (E/2499 B I), at the Committee's 256th meeting on 31 July, by 16 votes to none, with 2 abstentions.

The Committee unanimously agreed to accept an oral Chinese amendment to the second draft resolution (E/AC.7/L.188) to request that recommendations be submitted to the Council at its eighteenth session rather than "at an early date".

The amended draft resolution was adopted (E/2499 B II) at the same meeting by 16 votes to none, with 2 abstentions.

The representatives of Poland and the USSR explained that they had abstained in both instances because they had preferred the original proposal of the Commission on Human Rights.

The draft resolutions, as proposed by the Social Committee, were adopted by the Council at its 746th plenary meeting on 3 August by a unanimous vote and by 16 votes to none, with 2 abstentions, respectively, as resolution 502 B I & II (XVI).

In resolution 502 B I, the Council, considering that the prevention of discrimination in independent States was as important as prevention of discrimination in Trust and other Non-Self-Governing Territories, recommended to all States that they make every possible effort to abolish any legal provisions and administrative or private practices which discriminated against certain sections of the population.

In resolution 502 B II, the Council noted the recommendations to governments contained in the Commission's draft resolution concerning the application of special measures for the protection of minorities. It considered that before adopting recommendations to that effect it was necessary to undertake a more thorough study of the whole question, including the definition of the term "minority". It requested the Commission and the Sub-Commission to continue their work on the protection of minorities with that consideration in mind and to submit revised recommendations to the eighteenth session of the Council. The Council also drew the attention of both organs to its discussion of the subject.

(2) Co-operation of Non-Governmental Organizations

The Commission on Human Rights adopted a draft resolution (E/2447 C) for consideration by the Economic and Social Council, based on the recommendation of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, concerning the co-operation of non-governmental organizations.

At the Council's sixteenth session, a United States amendment (E/AC.7/L.177) to provide for consultations concerning the advisability of calling "a conference" of non-governmental organizations to discuss the subject rather than "one or more conferences" was adopted by 9 votes to 5, with 4 abstentions, and the draft resolution as thus amended was adopted unanimously by the Council's Social Committee (E/2499 C), at its 255th

meeting on 30 July, and by the Council at its 746th plenary meeting on 3 August

By this resolution (502 C (XVI)), the Council noted that a number of non-governmental organizations, including organizations in consultative status, were actively engaged in activities designed to eradicate prejudice and discrimination. It considered, however, that uncoordinated action in this field was conducive to duplication, and that certain important aspects of the work might be overlooked, and, further, that some organizations having as their objective the promotion of social progress generally might well be encouraged to devote particular attention to the vital problem of eradicating prejudice and discrimination. It appealed to non-governmental organizations active in the field of eradicating prejudice and discrimination, or having as their objective the promotion of social progress generally, to co-ordinate their endeavours in this work.

The Council requested the Secretary-General, in collaboration with competent specialized agencies, to consult the non-governmental organizations in consultative relationship with it or the specialized agency concerned, in order to determine if it would be advisable to convene the interested non-governmental organizations in a conference in order that they might: exchange views concerning the most effective means of combating discrimination; co-ordinate their endeavours in this work if they found it desirable and feasible; and consider the possibility of establishing common objectives and programmes. The Secretary-General was further requested, after consultation with the non-governmental organizations and the specialized agencies concerned, to report to the Council on the advisability of convening such a conference in accordance with resolution 479 (V)¹⁰⁰ of the General Assembly.

(3) Position of Persons Born Out of Wedlock

The Commission submitted to the Economic and Social Council a draft resolution (E/2447 D), based substantially upon the draft resolution of the Sub-Commission, by which the Council would draw the attention of the Social Commission, other inter-governmental organs and interested non-governmental organizations to

(1) the discriminations which may be practised against persons born out of wedlock and

(2) the desirability of preparing recommendations with a view to eliminating any such discrimination, and in particular with a view to eliminating the disclosure of illegitimacy in extracts from official documents delivered to third parties.

¹⁰⁰ This resolution provides rules for the calling of non-governmental conferences by the Council.

At the Council's sixteenth session, the representative of Belgium criticized the draft resolution as being too categorical; by doing away with all discrimination in respect of all persons born out of wedlock, she said, the draft resolution, if adopted, would introduce changes indirectly fatal to the family as an institution. She therefore proposed two amendments (E/AC.7/L.181). The first of these would insert a phrase to have the Council request the bodies mentioned to "study these problems and to examine the desirability" of preparing recommendations; it was rejected by 7 votes to 6, with 5 abstentions. The second amendment, to refer to "unjustifiable discrimination" rather than "any discrimination" was rejected by 16 votes to 1, with 1 abstention. The Council's Social Committee, however, by 13 votes to 3, with 2 abstentions, voted to delete the word "any".

Argentina presented an oral amendment by which the Council would call attention to the desirability of preparing recommendations with a view to eliminating, with due regard to the necessity of preserving the unity of the family, discrimination practised against persons born out of wedlock, rather than with due regard to the principles set forth in article 16 of the Universal Declaration of Human Rights. It was adopted by 6 votes to 2, with 8 abstentions.

The draft resolution, as amended, was adopted by the Social Committee (E/2499 D), at its 255th meeting on 30 July, by 16 votes to none, with 2 abstentions, and by the Council at its 746th plenary meeting on 3 August, by 17 votes to none, with 1 abstention. Resolution 502 D (XVI) read:

"The Economic and Social Council

"Draws the attention of the Social Commission, other inter-governmental organs and interested non-governmental organizations to:

"(a) The discrimination which may, in existing social conditions, be practised against persons born out of wedlock;

"(b) The desirability of preparing recommendations with a view to eliminating, with due regard to the necessity of preserving the unity of the family, discrimination which may, in existing social conditions, be practised against persons born out of wedlock, and in particular of preparing recommendations with a view to eliminating the disclosure of illegitimacy in extracts from official documents delivered to third parties."

b. PROTECTION OF MINORITIES

In the field of protection of minorities, the Commission on Human Rights, having studied the work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, noted its results with appreciation, without expressing any opinion on the proposed definition

of minorities. It requested (E/2447) the Sub-Commission to proceed with its work on the definition and protection of minorities, bearing in mind the discussions which had taken place in the Commission, and to make recommendations for the tenth session of the Commission.

The Commission also requested the Secretary-General, as recommended by the Sub-Commission,

"to arrange for as complete as possible a collection of provisions for the protection of minorities to be made available, and kept up to date, for use in the drafting of clauses to be included in international and national instruments which deal with the protection of minority rights, notably in cases when minority rights are to be safeguarded in newly-established States, but also in cases where minorities are to be protected following upon the establishment of new boundary lines between States."

The Commission endorsed the draft resolution of the Sub-Commission on the protection of newly-created minorities and recommended (E/2447 F) it to the Economic and Social Council. The Council unanimously adopted the draft resolution, at the 255th meeting of its Social Committee (E/2499 F) on 30 July, and at its 746th plenary meeting on 3 August.

By this resolution (502 F (XVI)), the Council recommended that, in the preparation of any international treaties, decisions of international organs, or other acts which establish new States or new boundary lines between States, special attention should be paid to the protection of any minority which might be created thereby.

c. GENERAL RECOMMENDATIONS

The Commission adopted (E/2447) articles 25 and 26 of the draft Covenant on Civil and Political Rights relating, respectively, to rights of minorities and incitement to hatred or violence, substantially on the basis of draft articles proposed by the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

It also considered recommendations of a general character proposed by the Sub-Commission relating to reports on the relevant work of UNESCO and to publications. It noted (E/2447) the statement of the representative of UNESCO that that organization would devote a special chapter of its annual report to the Economic and Social Council on its work in the field of prevention of discrimination and protection of minorities, copies of it being made available to the Sub-Commission. This statement was repeated by the representative of UNESCO in the Council's Social Committee.

In accordance with Council resolution 443 (XIV),¹⁰¹ UNESCO also submitted to the Coun-

¹⁰¹ See Y.U.N., 1952, p. 451.

cil for its information a report dealing with its educational campaign against prejudice and discriminatory attitudes and measures, with its research work and dissemination of scientific data on race questions and with the surveys it had undertaken into the position of the problem in different Member States.

The Commission noted the proposals of the Sub-Commission concerning publications and requested (E/2447) the Secretary-General to prepare a publication containing an account of the work of the United Nations and an analysis of the information from governments in the field of prevention of discrimination and protection of minorities.

d. TECHNICAL ASSISTANCE

The Commission on Human Rights endorsed and forwarded to the Economic and Social Council for action (E/2447 G) the proposal of the Sub-Commission that the Council should recommend organizations participating in the technical assistance programmes to give sympathetic consideration to requests for technical assistance in connexion with measures aimed at the eradication of prejudice or discrimination or at the protection of minorities. By the same draft resolution, the Council would recommend to the General Assembly that it adopt a resolution authorizing the Secretary-General to render technical assistance to Members in the eradication of prejudice or discrimination or in the protection of minorities. (For text of resolution as adopted, see below.)

(1) Consideration by the Economic and Social Council at its Sixteenth Session

During the discussions in the Social Committee of the Council, the representative of the United Kingdom expressed the opinion that it would be premature and undesirable for the Council to pronounce on technical assistance in the particular group of human rights in question at a time when the problem of technical assistance in the entire field of human rights was being referred to governments for their comments. He submitted a substitute text (E/AC.7/L.182), which would request the Commission on Human Rights to take the Sub-Commission's proposal into account when studying the question in detail.

A number of representatives, including those of Australia and France, agreed that it would be better to consider advisory services to combat prejudice or discrimination within the general framework. The representatives of France, Sweden and the United Kingdom considered that the services envisaged could be provided under existing technical assistance programmes.

The majority, however, supported the Commission's proposal, emphasizing that the United Kingdom draft resolution would only result in further delay, and the substitute text was rejected by the Committee by 13 votes to 4, with 1 abstention.

A United States amendment (E/AC.7/L.183), to specify that the organizations should consider requests for technical assistance "within their terms of reference", was adopted by 11 votes to 3, with 4 abstentions. The Committee voted separately on the provision that technical assistance services authorized by the General Assembly should "also extend to education programmes designed to combat prejudice and discrimination" and deleted this phrase by 8 votes to 7, with 3 abstentions.

The resolution, as amended, was adopted by the Committee (E/2499 G) by 14 votes to none, with 4 abstentions, and by the Council at its 746th plenary meeting on 3 August by 16 votes to none, with 2 abstentions, as resolution 502 G (XVI). It read:

"The Economic and Social Council

"1. Recommends to the organizations participating in the technical assistance and other programmes providing aid or advice at the request of Member States, that they give sympathetic consideration, within their terms of reference, to the requests which governments may submit for such technical assistance in connexion with measures aimed at the eradication of prejudice or discrimination or at the protection of minorities;

"2. Recommends to the General Assembly the adoption of a resolution authorizing the Secretary-General to render, at the request of Member States of the United Nations, expert technical advice and other services in order to assist these States in the eradication of prejudice or discrimination or in the protection of minorities; and that the services to be so authorized should include, but need not be restricted to, technical expert advice regarding the drafting of legislation and the establishment of administrative and judicial machinery."

(2) Consideration by the General Assembly at its Eighth Session

At its eighth session, the General Assembly considered the question at the 487th, 488th and 489th meetings of its Third Committee, from 28 to 30 September, and at its 453rd plenary meeting on 23 October 1953. It had before it the report of the Economic and Social Council (A/2430) and a note by the Secretary-General (A/2453) drawing attention to the second operative paragraph of Council resolution 502 G (XVI).

The discussion was mainly directed to a draft resolution (A/C.3/L.340) by Ecuador, Haiti, India, Lebanon, Liberia and the Philippines, which would extend the Secretary-General's authorization in the manner recommended in the Council's resolution.

The majority spoke in favour of the proposal. However, the representatives of Australia, Burma, the Netherlands and the United Kingdom, among others, either doubted its usefulness or considered it premature. The question of technical assistance in the whole field of human rights, they held, should be studied first. The representative of Saudi Arabia, moreover, considered the proposal dangerous and impracticable. It would encourage, he said, a tendency, which was becoming more and more marked, to turn to technical assistance in order to solve all current world problems. The representatives of Guatemala, the Netherlands, Saudi Arabia, Sweden and the United Kingdom also felt that the aims of the resolution were not defined in the text with sufficient precision.

Amendments to the joint draft resolution were submitted by Mexico (A/C.3/L.341/Rev.1), by Syria (A/C.3/L.342) and by Guatemala (A/C.3/L.343). Syria also submitted a sub-amendment to the Guatemalan amendment (A/C.3/L.344).

The Mexican amendment proposed to add a provision for services "in such matters of fundamental importance" as education, subject to arrangements within existing agreements with the competent specialized agencies.

The Syrian amendment proposed to specify that technical assistance should be granted at the request of Member States "directly interested" in order to assist these States, "each in so far as it is concerned". The reason for the amendment, the Syrian representative stated, was to avoid any interference in the internal affairs of States under the cover of technical assistance.

The Guatemalan amendment proposed a rewording of the first paragraph to authorize the Secretary-General at the request of Member States "in whose jurisdiction there are minorities" to render technical advice to assist these States "each in so far as it is concerned" in the eradication of prejudice or discrimination "against minorities and in the development of their economic and social potentialities".

The Syrian sub-amendment to the Guatemalan amendment covered the same points as the Syrian amendment to the joint draft resolution. It was subsequently withdrawn.

Following an informal meeting between the sponsors of the draft resolution and the authors of amendments, a new text (A/C.3/L.346) was submitted jointly by the sponsors of the six-Power draft resolution and Mexico at the Committee's 489th meeting. In introducing the text, the representative of Lebanon stated that it incorporated the substance of some of the amendments and took into account suggestions made during the debate. However, the representative of Lebanon stated, the Guatemalan amendment had not been accepted since the group had felt that it would tend to confine the purpose of the draft resolution to the protection of minorities, without stressing the need for the prevention of discrimination.

The Mexican and Syrian amendments were withdrawn. Guatemala maintained its amendment to the new text and it was rejected by 23 votes to 8, with 21 abstentions.

The first operative paragraph of the revised draft resolution (A/C.3/L.346) was adopted in two parts, the first part being adopted by a roll-call vote of 37 to none, with 18 abstentions, and the second part (referring to the protection of minorities) by 35 votes to none, with 18 abstentions. A Venezuelan oral amendment to add the words "or both" at the end of the paragraph was adopted by 17 votes to 4, with 30 abstentions.

The draft resolution, as a whole, as amended, was adopted (A/2495) by a roll-call vote of 36 to none, with 18 abstentions (see below for text) at the Committee's 489th meeting on 30 September.

The Secretary-General, in presenting a statement of the financial implications of the proposal, indicated (A/C.3/L.340/Add.1) that requests would be met as far as possible from existing budgetary provisions and that any additional expenses to meet urgent needs contemplated in the resolution could be financed from the Working Capital Fund as an unforeseen and extraordinary commitment requiring the Advisory Committee's prior concurrence. This was subsequently endorsed by the Advisory Committee (A/2511) and by the Fifth Committee (A/2525) at its 392nd meeting on 19 October.

The draft resolution proposed by the Third Committee (A/2495) was adopted by the General Assembly at its 453rd plenary meeting on 23 October, without discussion, by 41 votes to none, with 16 abstentions, as resolution 730(VIII). It read:

"The General Assembly,

"Having considered the recommendation contained in paragraph 2 of Economic and Social Council resolution 502 G (XVI) of 3 August 1953 on technical assistance in the fields of prevention of discrimination and protection of minorities,

"1. Authorizes the Secretary-General to render, at the request of any State Member of the United Nations, technical advice and other services which do not fall within the scope of existing technical assistance programmes, in order to assist the government of that State within its territory in the eradication of discrimination or in the protection of minorities or both;

"2. Decides that the services so authorized may include, but need not be restricted to, technical advice regarding the drafting of legislation and the establishment of administrative and judicial machinery and appropriate services in such matters of fundamental importance as education, subject to arrangements within existing agreements with the United Nations Educational, Scientific and Cultural Organization and other competent specialized agencies."

e. PROGRAMME OF WORK OF
THE SUB-COMMISSION

In its report, the Sub-Commission on Prevention of Discrimination and Protection of Minorities requested the Commission on Human Rights to approve a programme of work it had adopted at its fifth session in September and October 1952 (E/CN.4/670).¹⁰² The Sub-Commission proposed to undertake studies on discrimination in the fields of education, employment and occupation, political rights, religious rights and practices, residence and movement, immigration and travel, the right to choose a spouse and enjoyment of family rights. Measures for the cessation of any advocacy of national, racial or religious hostility that constituted an incitement to violence would also be studied. The Sub-Commission proposed to initiate immediately the study of discrimination in the field of education, and to appoint a special rapporteur who would be requested to submit a provisional plan of work, together with relevant information concerning discrimination in education. UNESCO and other appropriate specialized agencies, and national and international non-governmental organizations would be requested to co-operate. (On 10 October 1952 it chose Mr. M. R. Masani, a member of the Sub-Commission, as the Special Rapporteur.)

Furthermore, the Sub-Commission requested the Secretary-General, in collaboration with the International Labour Office, to prepare suggestions concerning the procedure for the study of discrimination in the field of employment and occupation.

In addition, the Sub-Commission requested the Secretary-General to compile and analyse information on legislation, judicial decisions and administrative practices relating to the protection of minorities. The Sub-Commission proposed (E/CN.4/670 F) that the Commission on Human Rights note the resolution on its work programme, approve the programme of work contained therein, and recommend that the Council arrange for the co-operation of UNESCO and other appropriate specialized agencies, and national and international non-governmental organizations, with the Special Rapporteur appointed in connexion with the study of discrimination in the field of education.

The Commission on Human Rights approved the work programme with certain amendments to the preambular clauses and an amendment to the operative part of the Sub-Commission's resolution to provide for the study of measures for the cessation of hostility constituting an incitement to "hatred and violence jointly or separately" rather than simply an incitement "to violence".

The Commission recommended (E/2447 H) that the Economic and Social Council:

- (1) note its resolution relating to the Sub-Commission's work programme;
- (2) request UNESCO and other appropriate specialized agencies, and national and international non-governmental organizations, to co-operate with the Special Rapporteur; and
- (3) note the financial implications of the programme.

During the discussion in the Council's Social Committee at the sixteenth session, the majority felt that the programme proposed by the Sub-Commission needed revision and clarification. The United States representative thought that there was much that could be done in the immediate future in the field of the protection of minorities, and it should therefore be dealt with as a matter of priority. As to discrimination, there was much uncertainty as to the best ways of tackling the problem. The Sub-Commission itself could not undertake all the necessary studies. The representative of the USSR stated that the programme lacked any specific reference to discrimination in social and economic matters. The representatives of Sweden and Venezuela suggested that the Sub-Commission would be more likely to achieve results by choosing one subject for study each year. The United Kingdom representative questioned whether the range of studies proposed would yield really effective results, since the remedies were already known, namely, education and publicity. He and the representative of the United States thought that the programme should be more modest and that the Commission on Human Rights should give the Sub-Commission guidance every year or two.

The representative of the Philippines considered that the Council should not interfere with the Sub-Commission, which was a body of experts and should be left free to organize its work as it saw fit.

A number of representatives, including those of Australia, France, Sweden, Turkey, the United Kingdom, the United States and Venezuela, expressed the opinion that studies which fell within the scope of the specialized agencies and other international institutions should be left to them and not carried out by the Sub-Commission. This did not mean, the French representative pointed out, that the Sub-Commission could not co-ordinate such studies at a later stage. The representatives of Poland and the USSR, however, stated that they could not agree that any matters falling clearly within the terms of reference of

¹⁰² See Y.U.N., 1952, pp. 451-52.

the Sub-Commission should be delegated to the specialized agencies.

The representatives of Sweden, the United States and Venezuela, among others, doubted the necessity for the appointment of a Special Rapporteur to study discrimination in the field of education and thought that UNESCO was best qualified to make such a specialized study. The representatives of France and the United Kingdom also objected to the appointment of a Special Rapporteur on the ground that it might create a precedent.

The representatives of India and Sweden jointly proposed a series of amendments (E/AC.7/L.180) to replace the second and third paragraphs of the draft resolution proposed by the Commission. These were adopted at the Social Committee's 256th meeting on 31 July in paragraph-by-paragraph votes, ranging from a unanimous vote to 14 votes to 2, with 2 abstentions.

The amended draft resolution was adopted, as a whole, by the Committee (E/2499 H) by 15 votes to none, with 3 abstentions, and by the Council, at its 746th plenary meeting on 3 August, by the same vote, as resolution 502 H (XVI). It read:

"The Economic and Social Council,

"Noting the resolution of the Commission on Human Rights relating to the programme of work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

"1. Commends the Sub-Commission for its intention to study in a systematic manner concrete aspects of the problem of discrimination and, as a matter of equal priority, to study at its sixth session the problem of minority rights;

"2. Notes the decision of the Sub-Commission immediately to initiate a study of discrimination in the field of education;

"3. Approves, in order not to cause any delay in this study, the appointment of a Rapporteur on discrimination in the field of education;

"4. Believes, however, that future studies which fall within the scope of specialized agencies or other bodies should normally be carried out by the specialized agencies or other bodies directly concerned;

"5. Invites the appropriate specialized agencies, particularly the United Nations Educational, Scientific and Cultural Organization, and interested non-governmental organizations to co-operate with the Rapporteur on discrimination in the field of education;

"6. Requests the Sub-Commission at its sixth session:

"(a) To undertake further consideration, in the light of the discussions in the Commission on Human Rights and in the Council, of the general work programme developed by the Sub-Commission at its fifth session and amended and approved by the Commission on Human Rights at its ninth session;

"(b) To consider, as regards proposed studies of discrimination, which of the studies should be undertaken

by specialized agencies or other bodies concerned and which directly by the Sub-Commission in collaboration with the Secretary-General;

"(c) To formulate specific proposals, including procedures to be followed, for the carrying out of studies on discrimination, indicating which studies should be undertaken immediately;

"(d) To continue its work regarding the protection of minority rights;

"(e) To report on the above matters to the tenth session of the Commission on Human Rights."

5. The Right of Peoples and Nations to Self-Determination

The General Assembly, in resolution 637 C (VII),¹⁰³ *inter alia*, requested the Economic and Social Council to ask the Commission on Human Rights to continue preparing recommendations concerning international respect for the right of peoples to self-determination, and particularly recommendations relating to the steps which might be taken by the various organs of the United Nations and by the specialized agencies, within the limits of their resources and competence, to develop international respect for the right of peoples to self-determination. It also requested the Commission to submit through the Council its recommendations to the General Assembly.

The Economic and Social Council, at its fifteenth session, at the 674th and 675th plenary meetings on 1 April, briefly discussed the item and agreed, generally, that the Council should merely transmit the Assembly's recommendations to the Commission without adding any comments of its own.

A draft resolution (E/L.478) to this effect was presented jointly by Argentina, Egypt and the Philippines and was adopted by 14 votes to none, with 4 abstentions, at the 675th plenary meeting. By this resolution (472(XV)), the Council transmitted Assembly resolution 637 C (VII) to the Commission for the contemplated action therein.

The Commission on Human Rights included the item in the agenda of its ninth session, which was held from 7 April to 30 May 1953, but reported (E/2447) that it had not had time to consider it.

The General Assembly at its eighth session discussed the question during the debate of its Third Committee on Chapter V (Human Rights) of the report of the Economic and Social Council (A/2430). The Third Committee, which held a general debate on this Chapter and on Chapter IV (Social Questions) at its 503rd to 511th meetings, on 22 and 26 to 30 October and on 2 and 3

¹⁰³ See Y.U.N., 1952. p. 447.

November, had before it two similar draft resolutions on the right of peoples and nations to self-determination. However, one of the draft resolutions submitted by Bolivia, Costa Rica, Guatemala, Mexico and Uruguay (A/C.3/L.369) was withdrawn by its sponsors in favour of the second, a draft resolution by Afghanistan, Burma, Cuba, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen (A/C.3/L.371); the former group of representatives subsequently joined with the sponsors of the second draft resolution in submitting one joint proposal (A/C.3/L.371/Rev.1).

The Committee discussed the joint draft resolution at its 525th to 527th meetings on 17 and 18 November.

The joint draft proposed that the Assembly request:

(1) the Commission on Human Rights to give due priority at its tenth session to the preparation of recommendations concerning the right of self-determination; and

(2) the Secretary-General to transmit to the Commission the summary records of the debate on this matter.

In the preamble to the draft resolution, reference was made to Assembly resolution 637 C (VII) and Council resolution 472(XV), to the fact that the Commission had not had time to prepare recommendations at its ninth session, and to the importance of the observance and respect for the right to self-determination in the promotion of world peace and friendly relations between peoples and nations.

Among others, the representatives of Afghanistan, Mexico, the Philippines and Uruguay emphasized that the exercise of the right of self-determination was a vital factor in preserving peace in the world and maintaining friendly relations between nations. The representatives of Afghanistan, Indonesia, Iraq, Peru, Syria and Yugoslavia stressed that this right was universal and should be enjoyed by all peoples and all nations, and that respect for the right of self-determination was a prerequisite for the enjoyment of all other human rights. The representatives of Afghanistan, Cuba and Uruguay also pointed out that the importance accorded to the question of the right of peoples and nations to self-determination was reflected in the fact that 20 delegations had joined in sponsoring the joint draft resolution.

The Burmese representative thought that some action should be taken pending the completion and coming into force of the Covenants on Human Rights by which States would explicitly bind themselves to ensure respect for human rights and fundamental freedoms. The Yugoslav representative suggested that certain transitional measures might be taken, such as participation of indigenous

populations in legislative and executive organs of government. The representatives of Iraq, the Philippines and Syria stressed the link between economic and social problems and the political aspects of the right to self-determination. The Indian representative expressed the view that the Assembly should leave the Commission sufficient latitude to consider the question but impress upon it that the matter was urgent. It was explained by the representative of the Philippines that, in asking the Commission to give "due priority" to the preparation of recommendations, it was intended that the Commission would first complete its work on the draft Covenants.

The representatives of Afghanistan, Egypt, Honduras, Guatemala, Liberia, the USSR and Yugoslavia referred, during the discussion, to General Assembly resolution 648(VII),¹⁰⁴ which laid down certain factors to be taken into account in deciding whether a Territory was or was not one whose peoples had attained a full measure of self-government, some of them suggesting that a reference to these factors be incorporated in the draft resolution.

Accordingly, the representative of Argentina proposed an amendment (A/C.3/L.393/Rev.1) to add a second paragraph to the preamble reading:

"Recalling also, with reference to the Non-Self-Governing Territories, resolution 648(VII) and the annexed list of factors which should be taken into account in deciding whether a Territory is or is not a Territory whose people have not yet attained a full measure of self-government."

However, the representatives of China, Chile and Cuba, among others, criticized the amendment on the grounds that it gave too much emphasis to self-government, which formed only one part of the whole question of the right of peoples to self-determination.

The representative of Argentina subsequently withdrew the amendment because the list of factors to which it referred could not yet be considered as final since the new list had been approved by the Fourth Committee and would be considered in plenary session.¹⁰⁵ He accepted the proposal of the representative of India that a second paragraph should be added to the preamble, to refer to Assembly resolution 648(VII). This second additional paragraph of the preamble to the draft resolution was adopted by 33 votes to 12, with 6 abstentions.

The draft resolution, as a whole, was adopted (E/2447 & Corr.1 (VI)) by a roll-call vote of

¹⁰⁴ See Y.U.N., 1952, pp. 563-65.

¹⁰⁵ See pp. 520-26.

39 to 8, with 6 abstentions, at the Third Committee's 527th meeting on 18 November.

In explaining their votes against this resolution, the representatives of Australia, Belgium, France, the Netherlands, New Zealand, Turkey and the United Kingdom stated, *inter alia*, that they were opposed to it because of its restrictive character, since it was directed principally to the Non-Self-Governing and Trust Territories, and they considered that the addition of the reference to resolution 648(VII) lent emphasis to the restrictive nature of the resolution. It was also pointed out by the Australian representative that the principle of self-determination was a political principle applicable to peoples but not a juridical right vested in individuals.

The draft resolution, as proposed by the Third Committee, was adopted by the General Assembly at its 460th plenary meeting on 28 November 1953 by 43 votes to 9, with 5 abstentions, as resolution 738(VIII). It read:

"The General Assembly,

"Recalling General Assembly resolution 637 C (VII) of 16 December 1952 and Economic and Social Council resolution 472(XV) of 1 April 1953 inviting the Commission on Human Rights to make recommendations concerning international respect for the right of peoples and nations to self-determination,

"Recalling also General Assembly resolution 648 (VII) of 10 December 1952,

"Considering that the Commission on Human Rights had been unable due to lack of time to prepare such recommendations at its ninth session,

"Considering the importance of the observance of and respect for the right of self-determination in the promotion of world peace and of friendly relations between peoples and nations,

"1. Requests the Commission on Human Rights to give due priority at its tenth session to the preparation of such recommendations;

"2. Requests the Secretary-General to transmit to the Commission on Human Rights the summary records of the debate on this matter."

6. Allegations Regarding Infringements of Trade Union Rights

a. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS FIFTEENTH SESSION

At its fifteenth session, the Council, at its 679th and 680th plenary meetings on 9 April, had before it a number of communications, submitted in accordance with Council resolution 277 (X),¹⁰⁶ alleging that trade union rights were being infringed in various countries (E/2333 & Add.1-37).

In order to facilitate the Council's consideration of the item, the Secretary-General submitted a memorandum (E/L.471 & Corr.1) dividing the communications into four categories, namely, those relating to States, members of both the United Nations and of the International Labour Organisation (ILO) (32); those relating to States, members of ILO but not Members of the United Nations (2); those relating to States, Members of the United Nations but not members of ILO (1); and those relating to States members neither of the United Nations nor of ILO (3).

The Secretary-General also informed the Council (E/2370) that, in implementation of Council resolution 444(XIV),¹⁰⁷ he had addressed letters to the Governments of Romania, Spain and the USSR, inviting them to reply to the requests previously addressed to them under resolution 351 XII¹⁰⁸ with respect to certain allegations relating to their countries, but that no replies had yet been received. Under Council resolution 444(XIV) the Secretary-General had also addressed letters to the Government of Spain, the competent authorities of the Saar and the Allied Military Government of the Free Territory of Trieste (British-United States Zone), inviting them to submit their observations with respect to certain allegations relating to their territories brought to the attention of the Council at its fourteenth session. The note further stated that only the Allied Military Government had replied (E/2335).

The Council, in addition, had before it a document (E/2371) containing certain observations of the Permanent Representative of Greece to the United Nations on one of the new communications (E/2333/Add.21) and two statements by the World Federation of Trade Unions (WFTU) (E/C.2/341) and the International Confederation of Free Trade Unions (ICFTU) (E/C.2/343), respectively.

The representatives of Sweden and the United Kingdom had also submitted a five-part draft resolution (E/L.484), which was subsequently adopted with minor amendments at the Council's 680th meeting on 9 April.

During the debate, several members, including the representatives of Egypt, Poland, the USSR, the United Kingdom, the United States and Uruguay, discussed specific allegations relating to their own or other countries.

The main issue, however, was whether the procedure under which the Secretary-General is

¹⁰⁶ See Y.U.N., 1950, pp. 539-40.

¹⁰⁷ See Y.U.N., 1952, pp. 454-55.

¹⁰⁸ See Y.U.N., 1951, pp. 499-500.

requested to bring allegations of the infringement of trade union rights to the attention of the Council should be changed, as proposed by Sweden and the United Kingdom (E/L.484(I)), to the effect that in the future allegations relating to States Members of ILO should be forwarded by the Secretary-General, acting on behalf of the Council, directly to the Governing Body of the International Labour Office. The representatives of Egypt, Poland and the USSR contended that the procedure established under resolution 277(X) already constituted an abdication of the Council's responsibility and thought that, if the Council were to agree to the proposed change, it would be divesting itself to a still larger extent of one of its important functions under the Charter. The representative of WFTU also spoke to this point, her organization having urged the Council in a written statement (E/C.2/341) to undertake at each session substantive discussions of complaints of violations of trade union rights. Other representatives, including those of Argentina, Australia, Belgium, the United Kingdom and the United States, pointed out that the ILO Fact-Finding and Conciliation Commission on Freedom of Association was the proper agency to handle allegations regarding infringement of trade union rights, and that the proposed change in procedure would only serve to expedite the forwarding of complaints.

An amendment by India (E/L.488), providing that a summary of the allegations be submitted to the Council for its information or discussion was rejected by 9 votes to 3, with 5 abstentions.

The sponsors of the draft resolution agreed to an oral Argentine proposal to delete the reference in the first paragraph to resolutions 351(XII) and 444(XIV) dealing with procedure.

Draft resolution I, as amended, was adopted by 13 votes to 3, with 1 abstention, as resolution 474 A (XV).

By this resolution, the Council decided to forward to the Governing Body of the International Labour Office for its consideration as to reference to the Fact-Finding and Conciliation Commission those allegations enumerated in document E/L.471 and those received subsequently relating to States Members of ILO, and requested the Secretary-General, acting on behalf of the Council, to forward to the Governing Body of the International Labour Office for similar action all such allegations in the future.

Another item briefly discussed by the Council was the absence of a reply from the Government of the USSR to several requests addressed to it

by the Secretary-General, acting on behalf of the Council, seeking its consent to permit an allegation relating to that country (E/1882) to be handled under the international machinery for safeguarding trade union rights and freedom of association, agreed upon between the United Nations and ILO. Additional material relating to the previous allegation had been submitted by ICFTU (E/2333/Add.6). In its written statement (E/C.2/343), ICFTU had suggested that the Council should establish a committee, similar to the Committee on Freedom of Association of the Governing Body of the International Labour Office, to handle complaints directed against States Members of the United Nations but not Members of ILO, which have not given their consent to let a complaint relating to them be referred to the Fact-Finding and Conciliation Commission of ILO. The tasks of this Committee would be

(1) to consider for recommendation to the Economic and Social Council whether cases are worthy of examination by the Council, and

(2) where so determined affirmatively, to recommend alternative action designed to safeguard the rights relating to freedom of association involved in the case.

In discussing the allegation, the representative of the USSR maintained that there could be no question of infringements of trade union rights in the USSR, because the country was ruled by the working class and the labour legislation was worked out with prior consent of the trade unions.

The Swedish representative thought that the procedure proposed by ICFTU would serve no useful purpose at this time and the United Kingdom representative expressed the hope that the USSR would reply in the near future. The United States representative, however, stated that the Council had waited two years for a reply and that it would be remiss, in his opinion, not to take some action. The Indian representative proposed that the Council should note, rather than note with concern, that the USSR had not yet replied and an amendment deleting the words "with concern" was adopted by 7 votes to 5, with 5 abstentions. Draft resolution II was adopted, as amended, by 13 votes to 2, with 2 abstentions, as resolution 474 B (XV).

By this resolution the Council, noting that the Government of the USSR had not yet replied to the invitations addressed to it by the Secretary-General under the terms of resolution 277(X) (sub-paragraph (c) of the second operative paragraph), requested the Secretary-General to forward to the Government of the USSR the further material relating to the allegation previously submitted by ICFTU, and to invite it to reconsider its attitude in the matter.

Concerning the question of replies from the Governments of Romania and Spain, the Argentine representative held that the United Nations could not confer obligations on a State without also giving it the rights of membership. He would, therefore, vote against the draft resolution concerning these Governments. Draft resolution III was adopted by 13 votes to 4, as resolution 474 C (XV).

By this resolution, the Council, noting that the Governments of Spain and Romania had not responded to invitations addressed to them, in accordance with resolutions 351(XII) and 444 (XIV), to submit their observations on certain allegations relating to them, and noting that further allegations relating to Spain (E/2333/Add.4 & 5) had been received, requested the Secretary-General to bring the latter allegations to the attention of the Government of Spain and to invite it to submit its observations on them, bringing to its attention the provisions of resolution 277(X). It further expressed the hope that the two Governments might find it possible to indicate their willingness to co-operate with the United Nations in its efforts to safeguard trade union rights by submitting their observations on the allegations already referred to them.

As to the observations of the Allied Military Government of the Free Territory of Trieste (E/2335) on the allegation contained in document E/2154/Add.20, some representatives, including those of Argentina and the Philippines, felt that it would be outside the competence of the Council to examine the case in substance. The Philippine representative therefore proposed (E/L.489) that draft resolution IV should be redrafted to read "Considers that the allegation is not within its [The Council's] competence to examine". This was rejected by 7 votes to 4, with 6 abstentions. An Egyptian proposal to delete draft resolution IV completely was rejected by 7 votes to 3, with 7 abstentions.

By resolution 474 D (XV), which was adopted by 10 votes to 3, with 4 abstentions, the Council took note of the observations of the Allied Military Government, observed that no question of trade union rights was involved, and dismissed the allegation as not meriting further examination.

With regard to draft resolution V, the French representative recalled that the case of the complaint previously addressed to the competent authorities of the Saar had been referred to the ILO Committee on Freedom of Association. A Commission of the Saar Diet was currently studying the matter and the ILO Committee would be informed of the outcome in the near future. He

therefore considered it inexpedient to bring the allegations once again to the attention of the Saar authorities, who were apparently acting in good faith.

The sponsors of the draft resolution therefore agreed to amend it accordingly. As amended, it was adopted by 14 votes to 2, with 1 abstention, as resolution 474 E (XV).

By this resolution the Council recalled the procedure established in its resolution 444(XIV), paragraph 4, concerning an allegation (E/2154/Add.43) relating to the Saar, noted that a further allegation relating to the Saar (E/2333/Add.19) had been received and requested the Secretary-General to bring the latter allegation to the attention of the competent authorities of the Saar, and to invite them to submit their observations, bringing to their attention the provisions of resolution 277(X).

b. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS SIXTEENTH SESSION

At its sixteenth session, the Council had before it, in accordance with its resolutions 277(X) and 474(XV), a communication (E/2434) alleging infringements of trade union rights in Spain. The Council also had before it a note by the Secretary-General (E/2464) in which it was stated that he had received no reply from the Governments of the USSR, Spain and Romania, and the competent authorities of the Saar to his note sent in pursuance of Council resolutions 474 B, C and E (XV).

During the discussion at the Council's 719th, 720th and 722nd plenary meetings, from 9 to 11 July, a representative of the International Labour Office, and representatives of WFTU, the International Federation of Christian Trade Unions (IFCTU) and ICFTU were heard. The representative of ILO reminded the Council of the statement of the Director-General of ILO during the discussion on the seventh report of ILO to the United Nations that the Governing Body of the International Labour Office was considering the possibility of improving the procedure regarding allegations and their consideration by the Fact-Finding and Conciliation Commission on Freedom of Association.

The WFTU representative criticized the procedure followed by ILO and urged the Council to reintroduce the procedure under resolution 277(X) and to maintain a closer supervision over the protection of trade union liberties. The representative of IFCTU urged the establishment of an

ad hoc committee by the Council to consider allegations against governments which were not members of ILO, in consultation with the free trade unions, with a view to making recommendations on action to be taken by the Council. The representative of ICFTU requested the Council to provide for some machinery whereby such allegations could be dealt with, and referred to ICFTU's suggestion on the matter at the fifteenth session.

The Council did not take up the substance of the matter. The majority agreed that it might be desirable for the Council to take up eventually the question of the machinery for dealing with such allegations but were willing to support, without prejudice to future action by the Council, the procedural proposal (E/L.532) presented by the Argentine representative that the allegations referred to in the documents before the Council be referred to the governments concerned.

The Council, at its 722nd plenary meeting on 11 July 1953, adopted the Argentine draft resolution by 16 votes to 2. By this resolution (503 (XVI)) the Secretary-General was requested to transmit to the governments concerned the allegations regarding infringements of trade union rights contained in documents E/2434 and E/2464.

7. Forced Labour

a. REPORT OF THE Ad hoc COMMITTEE ON FORCED LABOUR

The Ad hoc Committee on Forced Labour, appointed by the Secretary-General and the Director-General of the International Labour Office in accordance with resolution 350(XII)¹⁰⁹ of the Economic and Social Council, held its fourth and last session from 17 April to 27 May 1953 and unanimously adopted its final report (E/2431) for submission to the Economic and Social Council and to the Governing Body of the International Labour Office.

The fourth session was devoted to a final study of the documentation before the Committee relating to 24 countries (and/or territories under their administration) concerning which allegations of the existence of forced labour had been made either in the Council or subsequently by non-governmental organizations or individuals. The object of this study was to determine whether those allegations were relevant to the Committee's terms of reference and, if so, whether the documentation submitted to the Committee revealed the existence of a system of forced labour of either the "political" or "economic" or of both types

coming within the meaning of the Committee's terms of reference.

During the interval between the third and fourth sessions, on 2 March 1953, a letter of reminder, under the Chairman's signature, was sent to those of the 24 governments which had not replied by that time to the Committee's letter of 22 November 1952, by which an informal document summarizing the allegations and other material in the possession of the Committee had been communicated confidentially to each of the governments concerned for comment.

On 23 April 1953, another reminder was sent to these governments, by cable, indicating the Committee's intention to conclude its work by 22 May 1953 and requesting that their comments and observations be forwarded by 10 May.

By 20 May, the following Governments had transmitted their comments and observations:

Australia, Belgium, Bolivia, France, Peru, Portugal, Spain, Union of South Africa, United Kingdom, United States.

The following Governments had not replied:

Argentina, Brazil, Bulgaria, Chile,¹¹⁰ Colombia, Czechoslovakia, Ecuador, Germany (Democratic Republic of), Hungary, Paraguay, Poland, Romania, USSR, Venezuela.

The Committee, in its final report (E/2431), stated that its inquiry had revealed the existence in the world of two principal systems of forced labour, the first being employed as a means of political coercion or punishment for holding or expressing political views and the second being used for important economic purposes.

The Committee found that a system of forced labour as a means of political coercion had been established in certain countries, was probably in existence in several other countries, and possibilities for its establishment existed in others. Such a system was found to exist in its fullest form, and in the form which most endangered the fundamental rights of the human person as guaranteed by the Charter of the United Nations and proclaimed in the Universal Declaration of Human Rights, where it was expressly directed against people of a particular "class" (or social origin) and even against political "ideas" or attitudes in men's minds; where a person might be sentenced to forced labour for the offence of having expressed his ideological opposition to the established political order, or even because he was only suspected of such hostility; when he might be

¹⁰⁹ See Y.U.N., 1951, p. 502.

¹¹⁰ The reply of the Government of Chile, dated 19 May 1953, was received on 14 June 1953; therefore the comments and observations included therein were issued separately (E/2431/Add.1).

sentenced by procedures which did not afford him full rights of defence, often by a purely administrative order; and when, in addition, the penalty of forced labour was intended for his political "correction" or "re-education", i.e., to alter his political convictions to the satisfaction of the government in power.

The Committee stated that its inquiry had again shown the importance of the work of the United Nations for ensuring and safeguarding human rights and dignity. The Commission on Human Rights, it noted, was engaged in drafting articles for Covenants on Human Rights which had a direct bearing on many of the issues considered by the Committee and the problems raised by such issues. The Committee suggested that an earnest appeal be addressed to all governments concerned to re-examine their laws and administrative practices in the light of the current conditions and the increasing desire of the peoples of the world "to reaffirm faith in fundamental human rights [and] in the dignity and worth of the human person".

While less seriously jeopardizing the fundamental rights of the human person, systems of forced labour for economic purposes constituted, in the Committee's opinion, no less a violation of the Charter of the United Nations and the Universal Declaration of Human Rights. Although such systems may be found in different parts of the world, they differ in nature and scope. These systems—still found by the Committee to exist in some countries or territories where a large indigenous population lived side by side with a population of another origin—most often, it stated, resulted from a combination of various practices or institutions affecting only the indigenous population and involving direct or indirect compulsion to work. Examples of such practices were: compulsory labour properly so called, various coercive methods of recruiting, the infliction of heavy penalties for breaches of contracts of employment, the abusive use of vagrancy laws, and other similar measures.

Recalling that the International Labour Organisation (ILO) had been working for some 25 years to bring about the abolition of such practices by Conventions and other means, the Committee expressed the hope that it would continue and would intensify its efforts towards this goal.

The Committee further pointed out that, while the forms of forced labour contemplated in the ILO Conventions related almost entirely to "indigenous" inhabitants of dependent territories, the systems of forced labour for economic purposes found to affect the working population of some

fully self-governing countries (where there was no "indigenous" population) raised new problems, calling for action.

Such systems, the Committee stated, resulted from various general measures involving compulsion in the recruitment, mobilization or direction of labour. The Committee found that these, taken in conjunction with other similar restrictive measures, went beyond the "general obligation to work" embodied in several modern constitutions, as well as the "normal civic obligations" and "emergency" regulations contemplated in ILO Convention No. 29 concerning forced or compulsory labour. Such measures often deprived the individual of the free choice of employment and freedom of movement and were contrary to the principles of the Universal Declaration of Human Rights, it stated. However attractive might seem the idea of using such methods of compulsion to promote a country's economic progress, the result, the Committee concluded, was a system of forced labour which not only subjected a section of the population to conditions of serious hardship and indignity, but which must gradually lower the status and dignity of even the free workers in such countries.

The Committee, therefore, expressed the opinion that the problems of compulsory labour which ILO had thus far considered mainly in connexion with indigenous workers should now be examined also in connexion with workers in fully self-governing countries. It suggested that, where necessary, international action be taken, either by framing new Conventions or by amending existing Conventions, so that they might be applicable to forced labour conditions among these workers.

In addition to these general observations, the report contained the Committee's findings and conclusions concerning the allegations of forced labour of either political or economic type, or both, for each of the 24 countries (or territories) examined.

b. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS EIGHTH SESSION

The question of forced labour was not considered by the Economic and Social Council during 1953, since the relevant item was deferred by the Council to its seventeenth session.

At the request of the permanent representative of the United States, in a letter addressed to the Secretary-General on 14 August 1953 (A/2438 & Corr.1), the General Assembly, at its 435th plenary meeting on 17 September 1953, decided, without opposition, to include in the agenda of its eighth session the item "Evidence of Existence of

Forced Labour" and to refer it to its Third Committee for consideration and report.

The Third Committee considered the item at its 529th to 534th and 536th meetings, on 20, 23, 24, 25 and 27 November 1953.

Although the report of the Ad hoc Committee was not formally before the Third Committee, the discussion was largely concerned with that document. The discussion was marked by clear differences of view. Most speakers endorsed the findings and conclusions of the Ad hoc Committee, as evidence of the existence of systems of forced labour employed as a means of political coercion or for economic purposes in a number of countries, and emphasized the importance which they attached to the abolition of such systems.

The representative of the United States stated that the Ad hoc Committee had provided evidence that forced labour as a means of political coercion and as an essential part of the national economy went hand in hand with Soviet Communism and that the USSR was the central source of infection. He cited, as one example, the penal codes of the USSR and "its constituent republics" which, he said, explicitly provided for several types of forced labour. After examining the detailed evidence, he further stated, the Ad hoc Committee had had no choice but to conclude that Soviet penal legislation was the basis of a system of forced labour used as a means of political coercion or punishment for holding or expressing political views, that the legislation was in fact used in such a way, that the system played a part of some significance in the national economy and that Soviet legislation involving compulsion to work and placing restrictions on freedom of employment led to a system of forced or compulsory labour. The spotlight of public debate, he concluded, had to be thrown on the subject in the hope that the moral pressure of the United Nations would lead to remedial measures which only the countries concerned could take.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR regarded the Ad hoc Committee's report as a collection of false and slanderous accusations, based on unofficial information. They rejected its findings and conclusions and charged that it had disregarded the existence of forced labour in France, the United Kingdom, the United States, colonies in Africa and Asia and in most Latin American countries. They accused the United States Government of attempting to sow hatred and discord among nations and of keeping the cold war alive. The Ad hoc Committee, the representative of the USSR charged, had refused

to study real forced labour, in the form in which it appeared in capitalist countries and colonial territories, and had attempted to show that forced labour for economic and political purposes had its basis in legislation. Instead of taking into account the Constitution of the USSR, he continued, the agents of the United States reactionary circles were trying to distort the legislative provisions of the USSR; they gave fragmentary quotations, cited passages out of context, and referred to obsolete documents no longer in force. They distorted the penal code of the USSR and tried to cite it as the main evidence of the alleged forced labour system.

The representatives of Afghanistan, Ethiopia and India stressed that the question should be considered from a purely humanitarian point of view. The representative of India stated that any study of forced labour should include all forms of such labour and all circumstances involved. A preliminary study of the report showed that the investigation was too limited in scope in as much as it excluded some countries where forced labour might exist in practice. The Committee, he concluded, had placed undue emphasis on the word "systems" and had considered itself competent to deal with forced labour only if it was sanctioned by law or administrative measures, thus implying that, if illegal forced labour existed, it could not concern itself with the matter. Moreover, it had decided that forced labour sanctioned by law for economic reasons would not be regarded as forced labour unless it was being practised on such a wide scale as to constitute an important element in the country's economy. That, he said, led to the absurd conclusion that, if a few persons were subjected to forced labour for political purposes, forced labour existed, but if a few persons were thus subjected for economic purposes, no forced labour was involved. He considered that forced labour should be regarded as such, irrespective of whether it was practised for political or economic purposes or on a large or small scale, whether or not it was prescribed by law and whether or not it constituted an important element in the national economy. So long as the report excluded several categories of forced labour, it was valueless in assessing the real extent of the problem and his delegation would abstain from voting on the joint draft resolution (A/C.3/L.395) before the Committee (see below).

The representative of Cuba agreed that the Committee had adopted a rather narrow interpretation of its terms of reference, but, within the limits of that interpretation, he considered that it had produced a valuable and impartial report.

The representative of the Union of South Africa questioned whether the report in some instances did not constitute interference in the domestic affairs of the countries concerned.

The majority supported the draft resolution (A/C.3/L.395) submitted jointly by Australia, Brazil, Chile, Costa Rica, Cuba, Greece, Pakistan, the United Kingdom and the United States.

At the request of the representative of Iraq a separate vote was taken on each paragraph of the joint draft resolution, as well as on the words "on such a scale as" in the first operative paragraph. The latter phrase was adopted by 35 votes to 8, with 8 abstentions, and the separate paragraphs were adopted in votes varying from 35 to 5, with 10 abstentions, to 42 to 5, with 3 abstentions. The joint draft resolution was adopted, as a whole, by the Committee (A/2588), at its 536th meeting on 27 November, by a roll-call vote of 36 to 5, with 10 abstentions.

It was adopted by the General Assembly, at its 468th plenary meeting on 7 December 1953, by a roll-call vote of 39 to 5, with 12 abstentions, as resolution 740(VIII). The voting was as follows:

In favour: Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, Cuba, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, France, Greece, Guatemala, Haiti, Iceland, Israel, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Sweden, Thailand, Turkey, United Kingdom, United States, Uruguay, Venezuela, Yugoslavia.

Against: Byelorussian SSR, Czechoslovakia, Poland, Ukrainian SSR, USSR.

Abstaining: Afghanistan, Argentina, Burma, Egypt, India, Indonesia, Iran, Iraq, Saudi Arabia, Syria, Union of South Africa, Yemen.

Resolution 740(VIII) read:

"The General Assembly,

"Recalling the determination of the peoples of the United Nations under the Charter to reaffirm faith in fundamental human rights and in the dignity and worth of the human person,

"Regretting that the Economic and Social Council at its sixteenth session was unable to consider the conclusions contained in the report of the Ad hoc Committee on Forced Labour,

"Considering that systems of forced labour constitute a serious threat to fundamental human rights and jeopardize the freedom and status of workers in contravention of the obligations and provisions of the Charter of the United Nations,

"Observing that the report of the Ad hoc Committee on Forced Labour has now been placed on the agenda of the seventeenth session of the Economic and Social Council and of the 123rd session of the Governing Body of the International Labour Office,

"Considering that in view of this delay there is still time for certain governments which have not yet done

so to provide information in response to the Ad hoc Committee's request for comments and observations on the allegations concerning them,

"1. Affirms the importance which it attaches to the abolition of all systems of forced or "corrective" labour, whether employed as a means of political coercion or punishment for holding or expressing political views or on such a scale as to constitute an important element in the economy of a country;

"2. Invites the Economic and Social Council and the International Labour Organisation, as a matter of urgency, to give early consideration to the report of the Ad hoc Committee on Forced Labour at their next sessions with this aim in view;

"3. Requests the Secretary-General to consult with governments which have not yet found it possible to provide information in response to the Ad hoc Committee's request to the effect that they submit such information before the seventeenth session of the Economic and Social Council so that these replies may be brought to the attention of the Council;

"4. Requests the Economic and Social Council to report on forced labour to the General Assembly at its ninth session."

c. CONSIDERATION BY THE INTERNATIONAL LABOUR ORGANISATION

Meanwhile, the report of the Ad hoc Committee was studied by the Governing Body of the International Labour Office, at its 122nd and 123rd sessions, held in June and November 1953, respectively.

The Governing Body decided (E/2431/Add.2) to support the suggestion of the Ad hoc Committee that an appeal be addressed to all governments which in one form or another maintained or might maintain a system of forced labour of a political type, to the effect that they re-examine their laws and their administrative practices as suggested in the report.

It also decided (E/2431/Add.3)

(1) to address an appeal to governments which had not yet ratified the various International Labour Conventions of 1930, 1936, and 1939, inviting them to give prompt consideration to whether their ratification could be effected and, in the case of governments which had responsibilities for non-metropolitan territories, also to consider whether the Conventions could be applied without modifications to those territories;

(2) to authorize the Director-General to address an appeal to the governments which had ratified one or more of these Conventions to examine the possibilities of extending their application to any territories in which any or all of the provisions were not applied;

(3) to continue work on the five-year report on the working of the Forced Labour Convention of 1930, with a view to enabling the Governing Body to consider the possibility of the suppression of forced or compulsory labour in all its forms without a further transitional period;

(4) to affirm the willingness of ILO to continue and intensify its efforts towards the abolition of forced

labour practices of an economic character, including practices not envisaged when the existing instruments were adopted; and

(5) to request the Director-General to continue his consultations with the Secretary-General of the United Nations on those aspects of the matter not dealt with in these proposals and to keep the Governing Body informed.

8. Slavery

a. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS FIFTEENTH SESSION

At its fifteenth session, the Economic and Social Council had before it the report of the Secretary-General (E/2357) on slavery, the slave trade and other forms of servitude, submitted in accordance with Council resolution 388(XIII) by which the Secretary-General had been asked to collect information to supplement the material presented by the Ad hoc Committee on Slavery, to examine the Committee's report (E/1988) and to report to the Council with recommendations for appropriate United Nations action.¹¹¹

In compiling this report, the Secretary-General noted that the materials available included replies from 52 Member States and 22 non-member States and territories, ancillary memoranda prepared individually by members of the Ad hoc Committee on Slavery and a report by the International Labour Organisation (ILO) on indigenous workers in independent countries. He pointed out that certain countries and territories had not yet supplied full information in response to the Questionnaire on Slavery and Servitude and that certain available materials were unverified and in some cases contained contradictory statements. Therefore, the conclusions and suggestions put forward by him should not be considered at this stage as being either final or complete. Indeed, the question might be raised, he stated, whether the Council should take any definitive action before exhausting every possibility of completing the survey of slavery, the slave trade and other forms of servitude.

Chapter I of the Secretary-General's report recalled that the Ad hoc Committee had reached the unanimous conclusion that slavery, even in its crudest form, was still present in the world and that other forms of servitude existed in practically all regions. In some countries, these other forms of servitude were decreasing, but in others, the Committee had held, they were increasing in extent and the suffering caused by them was now greater than anything resulting from crude slavery. These forms of servitude, the report stated,

as well as slavery itself should, therefore, be equally a concern of the international community.

The recommendations put forward by the Ad hoc Committee had recognized that existing forms of servitude could not be abolished by legislation alone, but that positive measures of international assistance in eliminating the underlying economic and social causes of such practices were necessary.

The first of these recommendations proposed that (1) the definition contained in article 1¹¹² of the International Slavery Convention, 1926, should continue to be accepted as an accurate and adequate international definition of slavery and the slave trade, and (2) that the functions and powers of the League of Nations under that Convention should be transferred to the United Nations by means of a Protocol which the Committee had drafted.

The Ad hoc Committee had further recommended that the Council set up a drafting committee to prepare a new supplementary convention, based on certain principles set forth in its report, which would aim at the elimination of other forms of servitude as well as of slavery.

It had drafted recommendations which might be made to governments regarding legislative and administrative measures for the abolition of slavery and similar customs and had proposed that a standing body of experts of the United Nations should be established to study and report to the Council on measures taken to eliminate slavery. The Committee had further recommended the conclusion of regional agreements to combat slavery, the slave trade and other forms of servitude, and the adoption of appropriate measures by the specialized agencies, particularly by the International Labour Organisation.

The Secretary-General examined these recommendations and, in addition, in chapter II made supplementary suggestions relating to:

- (1) completion of the survey;
- (2) preparation of drafts of separate and additional conventions aimed at the elimination of such institutions or practices resembling slavery in their effects as were not already covered by the International Slavery Convention of 1926;
- (3) establishment of a reporting procedure on the subject of slavery, the slave trade and other forms of servitude on a continuing basis; and
- (4) assistance which the United Nations and the specialized agencies might furnish to States in order to enable them to eliminate slavery, the slave trade and other forms of servitude.

¹¹¹ See Y.U.N., 1951, pp. 502-505.

¹¹² For definition, see Y.U.N., 1951, p. 503, footnote 174.

In chapter III of the report, the Secretary-General recapitulated the main problems which appeared to him to arise from his examination of the report and recommendations of the Ad hoc Committee and from his supplementary suggestions, and made alternative suggestions for action which might be taken by the Council. The questions raised related, in particular, to:

- (1) the completion of the survey begun by the Ad hoc Committee;
- (2) the use of existing and proposed international instruments for combating slavery, the slave trade and other forms of servitude;
- (3) the possibility of establishing a reporting procedure and international supervisory machinery to deal with these problems;
- (4) the possibility of combating slavery, the slave trade and other forms of servitude by means of regional arrangements;
- (5) the possibility of addressing recommendations to governments on appropriate legislative and administrative measures aimed at combating those practices; and
- (6) the possibility that the United Nations and specialized agencies might furnish assistance to States to aid them in eliminating slavery, the slave trade and other forms of servitude.

During the debate in the Council's Social Committee, at its 228th to 233rd meetings from 7 to 20 April 1953, the majority commended the Secretary-General's report. There was unanimous agreement that slavery, in all its forms, should be abolished as quickly as possible and that it was the duty of the United Nations to bring this about. It was also generally agreed, as observed by the Secretary-General in his report, that more accurate and comprehensive information was needed to enable the Council to take further measures towards the total elimination of slavery, the slave trade and other forms of servitude. The Belgian representative, in this connexion, suggested that those governments which had not replied fully or at all to the Questionnaire should be requested to do so. With reference to a reporting procedure, most representatives also felt that the continuous collection of additional information should be left to the Commission on Human Rights or perhaps to a group such as the Ad hoc Committee on Forced Labour.

The United Kingdom representative stated that he recognized the duty of the United Nations to strive with all the means at its disposal to abolish slavery as soon as possible but he considered that the Council should act with circumspection in view of the vast scope of the problem and the inadequacy of the information available. He drew attention to the importance of securing the goodwill and co-operation of all governments and an awakened international public opinion.

He and the representative of Sweden pointed out the need for recognizing that certain traditions, which were part of the social, economic, or religious structure of an area, could not be abolished at once without upsetting the entire system. The importance of improving the poor economic and social conditions, which were the underlying causes of slavery, was also stressed by the representatives of Australia, China, India, the United States and Venezuela. The Australian and Chinese representatives thought that technical assistance, as suggested in the Secretary-General's report, might be requested, perhaps under the United Nations Advisory Social Welfare Programme, with a view to reducing or eliminating conditions conducive to slavery.

The majority also supported the transfer, by the adoption of a protocol, of the functions under the International Slavery Convention of 1926 to the United Nations. The representatives of China and Sweden thought that an Assembly or Council resolution might be sufficient to effect the transfer, but several representatives, including those of France and the United States, considered that this would create a dangerous precedent. Moreover, it was pointed out, some States which had signed the Convention were not United Nations Members.

The Council recognized that slavery, while still existing in a crude form in some areas, in general in the modern world took the form of servitude with results similar to slavery. The representatives of Australia, the United Kingdom and Yugoslavia nevertheless thought that the definition in article 1 of the 1926 Convention was adequate at present. The representatives of China and Sweden thought that it was clear that the definition would have to be interpreted in a very broad sense to allow its application to every possible form of slavery. The representatives of France, India, Sweden and the United Kingdom, among others, supported, at least in principle, the drafting of a supplementary convention covering both the institutions and practices covered by the 1926 Convention and certain other institutions and practices.

The representatives of Poland and the USSR stated that there was still no accurate and comprehensive report before the Committee and the Polish representative therefore proposed a draft resolution (E/AC.7/L.136), by which the Council would set up a committee composed of representatives of five States to prepare for the Council's seventeenth session recommendations for the earliest possible abolition of the slave trade and slavery in all its forms. The USSR representative, who supported the Polish proposal, stated that a return to the 1926 Convention and a supplement

were not sufficient. The 1926 Convention was not an effective instrument for the abolition of slavery.

Among others, the representatives of China, Egypt, France, the Philippines and Sweden opposed the Polish draft resolution, stating that they did not consider the establishment of a new organ of the United Nations was the best solution. It was pointed out that the Commission on Human Rights had already studied the problem, or that the necessary work might be entrusted to the Secretariat, for the time being.

The Polish draft resolution was rejected by 14 votes to 2, with 2 abstentions, at the Social Committee's 233rd meeting on 20 April.

A joint draft resolution (E/AC.7/L.143) was presented by Belgium, Egypt, France, Sweden, the United Kingdom, Uruguay and Yugoslavia, amalgamating the provisions of four separate draft resolutions: by the United Kingdom (E/AC.7/L.138); by Belgium (E/AC.7/L.139); jointly by France and Sweden (E/AC.7/L.140); and by Egypt (E/AC.7/L.141).

The USSR and United States representatives criticized the fourth paragraph of the preamble to the joint draft, which referred to measures for the "progressive" eradication of slavery. The United States representative suggested the deletion of the word "progressive" and the USSR representative proposed to refer to measures aimed "at the earliest eradication of slavery and the slave trade in all their forms". The representatives of China, Egypt and Venezuela considered that the second operative paragraph calling for the preparation of the Protocol should set a more definite time limit.

The sponsors agreed to meet these points, and the draft resolution, as amended, was adopted by the Social Committee (E/2407), at its 233rd meeting on 20 April, by 16 votes to none, with 2 abstentions, and at the Council's 702nd plenary meeting on 27 April, by the same vote, as resolution 475(XV). It read:

"The Economic and Social Council,

"Recalling its resolution 388(XIII), and taking note of the report of the Secretary-General concerning slavery, the slave trade and other forms of servitude,

"Mindful of the principle of the dignity and worth of the human person proclaimed in the Charter and in the Universal Declaration of Human Rights,

"Noting that vestiges of crude slavery still exist, and that other institutions and practices which give rise to conditions similar to slavery, whether in law or in fact, also exist and affect a much larger number of people,

"Bearing in mind the progress already made towards abolishing slavery, the slave trade and conditions similar to slavery, and considering that measures should be taken to promote their earliest possible eradication,

"Believing that, as stated in the above-mentioned report of the Secretary-General, more information should

be obtained in order that the Council may take further measures towards the total elimination of the institutions and practices referred to,

"1. Recommends that the General Assembly invite the States Parties, or which may become Parties, to the International Slavery Convention of 1926 to agree to the transfer to the United Nations of the functions undertaken by the League of Nations under the said Convention;

"2. Requests the Secretary-General to prepare a draft protocol to this end, to communicate it to the States Parties to the International Slavery Convention of 1926 for their observations, and to submit it to the General Assembly at its eighth session for appropriate action;

"3. Recommends to all States, both Members and non-members of the United Nations, which have not already done so, that they adhere as soon as possible to the International Slavery Convention of 1926 in respect of their territories and the Non-Self-Governing and Trust Territories for which they are responsible, in order that the said Convention may be given universal application;

"4. Requests the Secretary-General to consult the governments of all States, both Members and non-members of the United Nations, concerning the desirability of a supplementary convention and its possible contents, at the same time communicating to them the proposals of the Committee of Experts contained in its recommendation B, and to report to the Council, if possible at its first regular session in 1954;

"5. Invites the specialized agencies to submit to the Secretary-General their comments and suggestions;

"6. Requests the Secretary-General to urge those governments which have failed to supply information, or have supplied information which is incomplete, to reply accurately and fully to the questionnaire already transmitted to them;

"7. Invites the specialized agencies and the competent non-governmental organizations to collect and transmit to the Secretary-General all the material available to them relating to the problems under consideration, and asks the specialized agencies for their suggestions as to measures which might be taken in order to eliminate slavery and conditions similar to slavery;

"8. Requests the Secretary-General to submit to the Council, if possible at its first regular session in 1954, a supplementary report collating information supplied in response to the present resolution."

b. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS EIGHTH SESSION

In accordance with the resolution adopted by the Council, the Secretary-General prepared a draft Protocol, which he submitted to the eighth session of the General Assembly, together with a memorandum (A/2435) outlining the background to the question. Also annexed to the memorandum was a draft resolution for adoption by the Assembly. (For the text of the Protocol as adopted, with drafting amendments, see below.)

In his notes (A/2435/Add.1,2 & 3) the Secretary-General also transmitted to the General Assembly the observations he had received from governments on the draft Protocol, which he had

circulated to States parties to the Convention of 1926.

Observations had been received from the Governments of the Federal Republic of Germany, Greece, Haiti, Switzerland and the United Kingdom, stating that they would accept, or had no objection to the proposed Protocol. Certain drafting amendments were suggested by the United Kingdom. The Belgian Government, in its observation, stated that, while the 1926 Convention at the time it was concluded was a step forward, as a measure for curbing slavery proper, it was inadequate at the present time, particularly in the light of the Ad hoc Committee's statements concerning forms of servitude other than slavery. The problem also involved some States not Members of the United Nations. Belgium therefore suggested the convening of a diplomatic conference to discuss the interrelated problems of slavery. The proposed conference, it considered, should be open to all States whose co-operation was essential for combating the various forms of servitude.

The question was considered by the Assembly at the 369th and 370th meetings of its Sixth Committee, on 12 and 15 October, and at its 453rd plenary meeting on 23 October 1953.

The Committee had before it a draft resolution submitted by the United Kingdom (A/C.6/L.304) to which was annexed a slightly amended version of the draft Protocol submitted by the Secretary-General. Under the operative part of the United Kingdom draft resolution the General Assembly would:

- (1) approve the Protocol accompanying the draft resolution;
- (2) urge "all States parties to the Slavery Convention to sign or accept the Protocol"; and
- (3) recommend all other States to accede at their earliest opportunity to the Slavery Convention as amended by the Protocol.

In submitting the draft resolution the representative of the United Kingdom stressed the purely formal character of the accompanying Protocol. Its adoption, he considered, would cast no doubt whatever on the depositary functions exercised by the Secretary-General under Assembly resolution 24(I) of 1946, by which certain functions and activities of the League were transferred to the United Nations.

The United Kingdom draft provided in article II that States might become parties to the Protocol by (1) signature without reservation as to acceptance, (2) signature with reservation as to acceptance, or (3) acceptance, instead of by "accession" as stated in the Secretary-General's

draft, since this form was considered to be in accordance with the precedents and to give governments a choice of a variety of methods of adherence to the Protocol.

The United Kingdom representative did not press an amendment to article III of the Secretary-General's draft, which his Government had suggested in its comments (A/2435/Add.3), and which expressly stipulated that States not parties to the Convention might become parties thereto if they simultaneously signed or accepted the Protocol and acceded to the Convention. The United Kingdom representative accepted the assurance of the representative of the Secretary-General that the practice of the Secretary-General was to give States an opportunity to accede to a protocol as well as the corresponding convention. Under the terms of article III, after the Protocol had come into force by the adherence of 23 States, States subsequently acceding to the Convention would become parties to the Convention as amended by the Annex to the Protocol.

During the discussions in the Committee the question was raised, in connexion with the broader problem of the adaptation of League of Nations conventions to the United Nations, whether a protocol was necessary for the transfer to the Organization of the functions and powers exercised by the League under the Slavery Convention.

The representative of Israel drew the Committee's attention to General Assembly resolution 24(I) and the resolution of the League of Nations Assembly of 18 April 1946. In resolution 24(I) the General Assembly of the United Nations stated that the Organization was prepared to accept the custody of international instruments formerly entrusted to the League of Nations and to charge the Secretariat of the United Nations with the task of performing for the parties the functions pertaining to a Secretariat formerly entrusted to the League of Nations and set forth in part A of that resolution. The League, by its resolution, had accepted the offer made by the United Nations. Therefore, the representative of Israel argued, there was no need for a protocol for the transfer of such functions.

Furthermore, the representative of Israel continued, an analysis of the Slavery Convention showed that only article VII, which laid upon the parties the obligation to inform the Secretary-General of the League, inter alia, of the laws and regulations enacted by them for the purpose of applying the Convention, might perhaps require a protocol before it could be sanctioned. However, it was pointed out, even if that were the case some practical remedy for the deficiency

might easily be found. For example, the representative of Israel suggested, legal texts could be obtained in other ways. Presumably, also, the parties would be willing to furnish them to the Secretary-General irrespective of whether he was entitled to ask for them or not.

Turning to the question of the effectiveness of the Convention, the representative of Israel said that the substantive provisions of the Convention were meagre in content and its definitions had become obsolete. Its approach to forced labour, it was said, was "timid". He therefore suggested that instead of reactivating the Convention, efforts should be made to prepare a revised Convention in the light of the report of the Ad hoc Committee on Slavery.

The inadequacy of the 1926 Convention was also stressed by the representative of Belgium, who referred to the comments of his Government on the subject (see above). Technical amendments of the Convention such as those envisaged under the proposed Protocol would therefore, he considered, provide only a partial solution to the problem of slavery. The representative of Belgium pointed out that, under article III, the Protocol would enter into force only when two States had acceded to it, and the amendments to the Convention would take effect when 23 States had become parties to the Protocol. That, he said, meant that the amendments would not become binding on any of the 45 States parties to the Convention of 1926 which failed to accept the Protocol. Thus there might be two international conventions on the same subject concurrently in force, and resulting in inequality between signatory States. He suggested that the General Assembly should convene a diplomatic conference for a general review of the problem.

The representative of Yugoslavia said that though the principles of international law relating to slavery remained valid, there was at present no organ to deal with their application, and that this gap should be promptly and effectively filled. He said that he would vote for the United Kingdom proposal, on the understanding that it represented a temporary solution which would be followed by a broader and more effective Convention.

In reply to a question by the representative of Sweden, as to whether, in the view of the Secretariat, the draft Protocol was necessary, the representative of the Secretary-General replied that, in accordance with the terms of the General Assembly resolution 24 A (I), the functions conferred upon the Secretary-General were purely administrative and applied to all conventions concluded under the League. He had carried out these func-

tions with regard to conventions to which there had been no protocols, and no objection had been raised by any State. On the other hand, in some cases transfer of functions had been effected by special protocols approved by the Assembly. Since there were precedents for either course of action, the Secretary-General felt that whether or not there should be a protocol in the present case was a matter of policy to be decided by the Assembly.

The representative of the United States said that, from the legal point of view, it was preferable that the transfer of functions from the League to the United Nations should be effected by the original parties to the Convention rather than by a resolution of the General Assembly. His Government, he said, was prepared to request the United States Senate to accept the draft Protocol annexed to the United Kingdom draft resolution.

The representative of El Salvador, supported by the representative of Uruguay, considered that article 1 of the text proposed by the United Kingdom might give rise to conflicting interpretations, and moved an amendment in favour of the draft text similar to that proposed by the Secretary-General. The representative of the United Kingdom pointed out that the text of the article as proposed by him followed that of similar protocols adopted by the General Assembly in the past, and the motion by El Salvador was rejected by 13 votes to 7, with 24 abstentions.

The United Kingdom proposal (A/C.6/L.304), including a draft resolution, a draft Protocol and an Annex to the draft Protocol, was then adopted by 38 votes to none, with 9 abstentions, at the 370th meeting of the Sixth Committee on 15 October.

The General Assembly at its 453rd plenary meeting on 23 October 1953 adopted the draft resolution, as recommended by its Sixth Committee (A/2517) in paragraph-by-paragraph votes, ranging from 52 to none, with 6 abstentions, to 47 to none, with 6 abstentions. It was adopted, as a whole, by 50 votes to none, with 6 abstentions, as resolution 794(VIII). It read:

"The General Assembly,

"Considering Economic and Social Council resolution 475(XV), adopted on 27 April 1953, concerning the transfer to the United Nations of the functions exercised by the League of Nations under the Slavery Convention of 25 September 1926,

"Desirous of continuing international co-operation relating to the elimination of slavery,

"1. Approves the Protocol which accompanies the present resolution;

"2. Urges all States Parties to the Slavery Convention to sign or accept this Protocol;

"3. Recommends all other States to accede at their earliest opportunity to the Slavery Convention as amended by the present Protocol."

PROTOCOL AMENDING THE SLAVERY
CONVENTION SIGNED AT GENEVA
ON 25 SEPTEMBER 1926

The States Parties to the present Protocol,

Considering that under the Slavery Convention signed at Geneva on 25 September 1926 (hereinafter called "the Convention") the League of Nations was invested with certain duties and functions, and

Considering that it is expedient that these duties and functions should be continued by the United Nations, Have agreed as follows:

Article I

The States Parties to the present Protocol undertake that as between themselves they will, in accordance with the provisions of the Protocol, attribute full legal force and effect to and duly apply the amendments to the Convention set forth in the annex to the Protocol.

Article II

1. The present Protocol shall be open for signature or acceptance by any of the States Parties to the Convention to which the Secretary-General has communicated for this purpose a copy of the Protocol.

2. States may become Parties to the present Protocol by:

- (a) Signature without reservation as to acceptance;
- (b) Signature with reservation as to acceptance, followed by acceptance;
- (c) Acceptance.

3. Acceptance shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations.

Article III

1. The present Protocol shall come into force on the date on which two States shall have become Parties thereto, and shall thereafter come into force in respect of each State upon the date on which it becomes a Party to the Protocol.

2. The amendments set forth in the annex to the present Protocol shall come into force when twenty-three States shall have become Parties to the Protocol, and consequently any State becoming a Party to the Convention, after the amendments thereto have come into force, shall become a Party to the Convention as so amended.

Article IV

In accordance with paragraph 1 of Article 102 of the Charter of the United Nations and the regulations pursuant thereto adopted by the General Assembly, the Secretary-General of the United Nations is authorized to effect registration of the present Protocol and of the amendments made in the Convention by the Protocol on the respective dates of their entry into force and to publish the Protocol and the amended text of the Convention as soon as possible after registration.

Article V

The present Protocol, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations Secretariat. The texts of the Convention to be amended

in accordance with the annex being authentic in the English and French languages only, the English and French texts of the annex shall be equally authentic, and the Chinese, Russian and Spanish texts shall be translations. The Secretary-General shall prepare certified copies of the Protocol, including the annex, for communication to States Parties to the Convention, as well as to all other States Members of the United Nations. He shall likewise prepare for communication to States, including States not Members of the United Nations, upon the entry into force of the amendments as provided in article III, certified copies of the Convention as so amended.

In witness whereof the undersigned, being duly authorized thereto by their respective Governments, signed the present Protocol on the date appearing opposite their respective signatures.

Done at the Headquarters of the United Nations, New York, this.....day of.....* one thousand nine hundred and fifty-three.

* The above Protocol was opened for signature or acceptance at United Nations Headquarters on 7 December 1953.

ANNEX TO THE PROTOCOL AMENDING THE
SLAVERY CONVENTION SIGNED AT
GENEVA ON 25 SEPTEMBER 1926

In article 7 "the Secretary-General of the United Nations" shall be substituted for "the Secretary-General of the League of Nations".

In article 8 "the International Court of Justice" shall be substituted for "the Permanent Court of International Justice", and "the Statute of the International Court of Justice" shall be substituted for "the Protocol of December 16th, 1920, relating to the Permanent Court of International Justice".

In the first and second paragraphs of article 10 "the United Nations" shall be substituted for "the League of Nations".

The last three paragraphs of article 11 shall be deleted and the following substituted:

"The present Convention shall be open to accession by all States, including States which are not Members of the United Nations, to which the Secretary-General of the United Nations shall have communicated a certified copy of the Convention.

"Accession shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations, who shall give notice thereof to all States Parties to the Convention and to all other States contemplated in the present article, informing them of the date on which each such instrument of accession was received in deposit."

In article 12 "the United Nations" shall be substituted for "the League of Nations".

9. Prisoners of War

a. PROGRESS REPORT OF THE Ad hoc COMMISSION ON PRISONERS OF WAR

The Ad hoc Commission on Prisoners of War held its fourth session from 24 August to 11 September 1953. In its report to the General Assem-

bly (A/2482 & Corr.1), the Commission covered its work from the time of its establishment in December 1950 (Assembly resolution 427(V)) up to and including its fourth session.¹³ The Commission emphasized that its report was confined to a strictly objective statement of the facts, from which the General Assembly would be able to draw its own conclusions.

The first section of the report dealt with the basic problem and summarized the task with which the Assembly had charged the Commission. It stated that, had all governments concerned co-operated in supplying information, the problem would have been well on the road to a satisfactory solution.

The second section analysed the Commission's approach to its task, and described its interpretation of its terms of reference and its method of direct consultation with representatives of the governments concerned. The information the Commission had received, the report stated, fell into two main categories:

(1) information from governments concerning the prisoners of war who, at one time or another, had been detained in their custody; and

(2) information from certain governments concerning the numbers of their nationals who were believed to have been at one time in the custody of a foreign Power and had not as yet been repatriated or otherwise accounted for.

The Commission further, it was stated, had been faced with two special problems:

(1) the problem of prisoners of war who had become war criminals through the judgment of military tribunals or other judicial proceedings; and

(2) the problem of Japanese nationals who had not yet been repatriated or of whom nothing was known.

The third section of the report summarized and tabulated the information made available to the Ad hoc Commission as a result of the requests addressed to governments and the direct consultations with representatives of governments. The Commission analysed and tabulated the information it had received, in reply to requests addressed to some 80 Member and non-member States, under the following headings: Governments who had replied or failed to reply to the various requests for information addressed to them by the Secretary-General or by the Commission; those who had, at any time, held any prisoners of the Second World War in their custody; those who were, at the date of the establishment of the Commission, holding any such prisoners; those who were, at the date of the report (12 September 1953), still holding any such prisoners; those who supplied information concerning prisoners of war who had died while in their custody; and those who had supplied information concerning prison-

ers of war still held in custody in connexion with war crimes or on whatsoever grounds.

In the fourth section of the report, the Commission surveyed certain developments which had occurred since its establishment and which it wished to bring to the attention of the Assembly. The fate of some prisoners of war, it stated, had been clarified in the light of information received from countries which had co-operated with the Commission, while similar clarification of the fate of others had proved unattainable as a result of the lack of co-operation by other countries, especially the USSR.

With regard to repatriation of war prisoners, about 2,300 persons, previously held in connexion with war crimes, had been released; some prisoners, previously detained in the USSR, had returned home; and some 23,000 Japanese nationals had been repatriated, as a result of negotiations initiated by the Government of the People's Republic of China and carried out by the Chinese and Japanese Red Cross Societies together with certain other Japanese private organizations. This process of repatriation, the Commission stated, was continuing.

In conclusion, the Commission summed up the situation of prisoners of war at the time of the submission of the report by asserting that, in sectors where the full co-operation of governments had been given, the problem no longer existed; in sectors where that co-operation had been withheld, the problem remained in its entirety. The Commission emphasized that it therefore attached the greatest importance to the questions addressed to governments concerning those prisoners of war who had died while in captivity, and those who were still detained in connexion with war crimes.

b. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS EIGHTH SESSION

At its 87th meeting, the General Committee discussed whether the item "Measures for the Peaceful Solution of the Problem of Prisoners of War" should be included on the Assembly's agenda. The representatives of the USSR and Poland opposed the recommendation, contending that, under Article 107 of the Charter, the question of prisoners of war was entirely outside the competence of the United Nations; that, in any case, the question had no basis in fact, since the USSR had long ago completed the repatriation of prisoners of war; and that the examination of the

¹³ For details of activities undertaken at the Commission's first three sessions, see Y.U.N., 1951, p. 508 and 1952, pp. 457-58. For members of the Commission, see Appendix I.

question would do nothing to relieve international tension or to improve relations between States. The representatives of the United Kingdom and Australia felt that the Secretary-General had been right in proposing the inclusion of the item in the General Assembly's agenda, and that since the argument that the United Nations was not competent to deal with the question had not been held valid at the fifth session of the General Assembly, the United Nations must continue to give attention to this problem that concerned the fate of so many thousands of human beings.

The General Committee decided, by 12 votes to 2, to recommend the inclusion of the item in the agenda (A/2477) and, at its 435th plenary meeting on 17 September 1953, the General Assembly decided by 51 votes to 5, with 1 abstention, to include the item.

The question was considered by the Third Committee at its 537th to 542nd meetings, from 30 November to 3 December 1953.

The Committee was informed by the Chairman (A/C.3/L.383, L.392 & L.394) that the Governments of the Federal Republic of Germany, Italy and Japan had requested that their representatives be heard by the Third Committee when it discussed the item. Argentina, Bolivia, Brazil, Chile, Costa Rica, Cuba, Mexico and Peru proposed a draft resolution (A/C.3/L.396 & Add.1) by which the Third Committee would invite a representative of the Government of the Federal Republic of Germany and the Permanent Observers of Italy and Japan to the United Nations to state the views of their Governments. After a brief discussion at the 537th meeting, in which the representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR opposed the resolution, while the representatives of Afghanistan, Brazil, China, Cuba, Dominican Republic, India, Iraq, Mexico and Pakistan spoke in favour of it, the resolution was adopted by 48 votes to 5. Accordingly, statements were made at the same meeting by the representatives of the three Governments.

The representative of the Federal Republic of Germany said that the Soviet Government had announced on 4 May 1950 that repatriation of German war prisoners had been completed, except for 9,717 prisoners sentenced for major war crimes, 3,815 suspected of war crimes and fourteen sick prisoners. The Federal Government had found that, up to 1 September 1953, at least 102,958 former members of the armed German forces—whose names were known—had not been returned from the Soviet Union. At least 750,000 German civilians had been deported to the Soviet

Union, of whom a minimum of 133,000 had still been alive and in detention in 1950. Poland, he said, was still detaining 2,047 German prisoners and Czechoslovakia 3,434—whose names and places of detention were known. In addition, the whereabouts of 5,921 German prisoners in Poland and of 3,131 in Czechoslovakia—whose names were also known—remained to be cleared up. His Government had welcomed the recent releases of prisoners by the Soviet Union, and urged all Members of the United Nations to do their utmost to see that all Germans still detained abroad were returned home and the fate of the missing brought to light.

The representative of Italy said that Italy was concerned about the continuing uncertainty as to the number and names of prisoners detained as alleged war criminals. Nothing was known of about 63,000 officers and men missing on the Eastern Front, and the lack of information suggested that other war prisoners besides those accounted for might still be detained in the Soviet Union.

The representative of Japan announced that 26,000 Japanese prisoners had been repatriated from Communist China in 1953 through Red Cross arrangements and that Red Cross negotiations in Moscow had resulted in an arrangement for the repatriation of over 2,000 prisoners. Nevertheless, Japan had estimated on 1 August 1953 that there were, in all, 85,000 Japanese prisoners still unrepatriated whose identity was known, and of whom 56,000 were known to be alive. Of these, 14,504 were in USSR territory and most of the remainder in Communist China.

Two draft resolutions were submitted which reflected the clear differences of views held by members of the Committee.

A draft resolution by Australia, Brazil, Thailand, the United Kingdom and the United States (A/C.3/L.397) would have the Assembly:

- (1) reiterate its concern that large numbers of prisoners had not been repatriated or otherwise accounted for;
- (2) appeal to governments still having control over such persons to give them an unrestricted opportunity of repatriation;
- (3) express appreciation of the work of the Commission and request it to continue its efforts;
- (4) note with satisfaction that valuable information had been made available to the Commission, but note with concern the refusal of certain governments to co-operate with it;
- (5) urgently appeal to all governments and authorities which had not already done so to give their full co-operation to the Commission and to grant right of access to areas in which prisoners of war were detained; and

(6) request the Commission to report on the results of its further work and possible suggestions.

(For text as adopted, see below.)

The representative of Argentina expressed some apprehensions concerning the clause in the fifth paragraph which would ask governments to grant right of access to areas in which such prisoners were detained. The representative of Mexico proposed that the English text should be made to conform to the French text, whereby governments would be asked to grant the Commission access to these areas. The sponsors agreed to amend the draft resolution accordingly.

A revised text (A/C.3/L.397/Rev.1) was presented, which took the proposal of the representative of Mexico into account as well as an amendment by Iraq (A/C.3/L.399). This amendment would have added two new paragraphs by which the Assembly would note with satisfaction that some progress had taken place in the repatriation of prisoners of war in the last two years, and would express its appreciation to the Red Cross Societies and governments co-operating in that progress. The revised text of the joint draft resolution incorporated the two ideas proposed by Iraq in one new paragraph (paragraph 1).

The other draft resolution (A/C.3/L.398), submitted by the Byelorussian SSR, would have the Assembly

state that by virtue of Article 107 of the Charter, the problem of prisoners of war was not within the competence of the United Nations and that the activities of the Ad hoc Commission were contrary to the provisions of that Article and were being used "to sow hatred and hostility between nations". The draft resolution therefore would have the Assembly resolve to discontinue the Commission.

The majority supported the joint draft resolution, many representatives, including those of Argentina, Belgium, Canada, Chile, Cuba, the Dominican Republic, France, Greece, Indonesia, Iraq, Lebanon, Liberia, Mexico, the Netherlands, Peru, the Philippines, the Union of South Africa and Uruguay, stressing that they did so for humanitarian reasons.

It was pointed out that recognized standards of international conduct required the speedy repatriation of prisoners of war after the cessation of hostilities and full accounting for those who had died or were for any reason still detained, and reference was made in this connexion to the Hague and Geneva Conventions.

The sponsors of the joint draft and the representatives supporting it deplored the fact that, more than eight years after the end of the Second World War, a large number of prisoners of war had not been repatriated or otherwise accounted

for by certain countries, and stressed the necessity of maintaining international interest in the problem of prisoners of war. In their view, the Assembly was competent and in duty bound to deal with the problem, which could only be solved with the goodwill of the governments concerned. It was obvious, they held, from the contradictory figures cited that further clarification was necessary and that the appeal to governments to account for all war prisoners was therefore justified and urgent. They also expressed appreciation of the work of the Commission and hoped that it would be continued until the problem of prisoners of war was completely solved.

Speaking in support of the Byelorussian draft resolution and against the joint draft resolution, the representatives of Czechoslovakia, Poland, the Ukrainian SSR and the USSR contended that the problem of prisoners of war was beyond the competence of the United Nations and that its inclusion in the agenda was contrary to the letter and spirit of Article 107 of the Charter. They stated that the artificial maintenance of the problem and the continuation in existence of the Ad hoc Commission did not serve the cause of peaceful relations, but contributed to international tension. The activities of the Ad hoc Commission, they stated, were designed to divert attention from the policy of reviving the German army under the same leadership it had had under Hitler, and generally to whitewash the Nazi, Fascist and Japanese militarists. They maintained that the problem of prisoners of war no longer existed, since all prisoners had been repatriated except those convicted of or under investigation for war crimes. They also alleged that the figures presented by the representative of the Federal Republic of Germany and the observers of Italy and Japan and by certain representatives, and referred to in the report of the Ad hoc Commission, were based on unfounded assumptions.

The representatives of Afghanistan, India and Saudi Arabia held that the continuation of the Ad hoc Commission was not the best nor the most effective way of dealing with the problem. The Indian representative thought that the matter should be placed in the hands of an international organization such as the Red Cross rather than in those of the Ad hoc Commission.

The representative of Saudi Arabia held that, since the governments concerned had clearly stated that they would not co-operate with the Ad hoc Commission on Prisoners of War, which they regarded as illegal, no practical results could be expected from the joint draft resolution. On the other hand, he said, the Byelorussian proposal

took too narrow and formalistic a position on a matter which undoubtedly had a humanitarian aspect. Therefore, his delegation would abstain in the vote on both draft resolutions. The representative of Afghanistan associated himself with the views expressed by the representative of Saudi Arabia.

Following a separate vote on the first operative paragraph, as requested by the representative of Saudi Arabia, the revised joint draft resolution (A/C.3/L.397/Rev.1), as a whole, was adopted (A/2604) by a roll-call vote of 44 to 5, with 5 abstentions, at the Third Committee's 542nd meeting on 3 December (see below for text).

The Chairman observed that, since a resolution approving the continuance of the Ad hoc Commission had been adopted, no vote was needed on the Byelorussian draft resolution. The representative of the USSR, however, formally moved that it be put to the vote. The Committee decided, however, by 21 votes to 11, with 16 abstentions, that the resolution should not be voted on.

The General Assembly considered the draft resolution proposed by the Third Committee (A/2604) at its 468th meeting on 7 December 1953. In addition to the report of the Third Committee, the Fifth Committee, in accordance with rule 152 of the rules of procedure, had submitted its report (A/2609) on the financial aspects of the resolution proposed by the Third Committee.

The representatives of the Byelorussian SSR, Poland and the USSR, explaining their votes, said that they would vote against the proposed resolution because the inclusion of the item in the agenda was contrary to Article 107 of the Charter and, since the repatriation of war prisoners from the Soviet Union had been completed long ago, the creation of the Ad hoc Commission on Prisoners of War had not been justified, but was prompted only by a desire of reactionary circles to delude public opinion and slander the peoples' democracies.

The representative of the United States explained that he would vote in favour of the resolution because, in his view, it reflected the best hope of thousands of families in Germany, Italy, Japan and other countries. These families were entitled to know whether their missing relatives were alive or dead.

The representative of the Byelorussian SSR re-submitted (A/L.171) his draft resolution, calling for the abolition of the Ad hoc Commission and asked that it be put to the vote first.

However, the Assembly rejected this motion by 35 votes to 5, with 14 abstentions, and adopted the

draft resolution proposed by the Third Committee by 46 votes to 5, with 6 abstentions, as resolution 741(VIII). The Byelorussian SSR draft resolution was, accordingly, not voted on. Resolution 741(VIII) read:

"The General Assembly,

"Recalling its resolution 427(V) of 14 December 1950 on measures for the peaceful solution of the problem of prisoners of war,

"Reaffirming its belief that all prisoners having originally come within the control of the Allied Powers as a consequence of the Second World War should either have been repatriated long since or have been otherwise accounted for as required both by recognized standards of international conduct and the Geneva Convention of 1949 relative to the treatment of prisoners of war, and by specific agreements between the Allied Powers,

"Having examined the progress report to the Secretary-General on the work of the Ad hoc Commission on Prisoners of War,

"1. Notes with satisfaction that some progress has taken place in the repatriation of prisoners of war in the course of the last two years, and expresses the hope that those governments and Red Cross Societies which have contributed to that progress will continue their efforts;

"2. Reiterates its grave and continuing concern at the evidence that large numbers of prisoners taken in the course of the Second World War have not yet been repatriated or otherwise accounted for;

"3. Urgently appeals to all governments and authorities which continue to hold prisoners of the Second World War to act in conformity with the recognized standards of international conduct and with the above-mentioned international agreements and the Geneva Convention of 1949 which require that, upon the cessation of active hostilities, all prisoners should, with the least possible delay, be given an unrestricted opportunity of repatriation;

"4. Expresses its sincere appreciation to the Ad hoc Commission on Prisoners of War for its efforts to assist in a solution of the problem of prisoners of war; and requests the Commission to continue its efforts to assist in a solution of the problem of prisoners of war under the terms of reference contained in General Assembly resolution 427(V) of 14 December 1950;

"5. Notes with satisfaction that a large amount of valuable information was made available to the Ad hoc Commission concerning prisoners of war; but notes with concern that certain governments and authorities mentioned in the report of the Commission have so far refused to co-operate with the Commission, which refusal represents the main obstacle by which the best efforts of the Commission have been frustrated;

"6. Urgently appeals to all governments and authorities which have not already done so to give their full co-operation to the Ad hoc Commission to supply the information requested by it on all prisoners of the Second World War who are still under their control and on such prisoners who have died while under their control; and to grant the Commission access to areas in which such prisoners are detained;

"7. Requests the Secretary-General to continue to furnish the Ad hoc Commission with the staff and facilities necessary for the effective accomplishment of its task;

"8. Requests the Ad hoc Commission to report as soon as practicable the results of its further work and possible suggestions to the Secretary-General for transmission to the Members of the United Nations."

10. Plight of Survivors of So-Called Scientific Experiments in Nazi Concentration Camps

During its fifteenth session, the Secretary-General furnished to the Economic and Social Council, for its information, a fourth progress report (E/2378) on action taken to implement resolution 386(XIII)¹¹⁴ on the subject of indemnification for survivors of so-called scientific experiments in Nazi concentration camps.

The report stated that, as of 31 January 1953, the Secretary-General had transmitted 468 claims to the Government of the Federal Republic of Germany. The Federal Government had informed the Secretary-General, in a note dated 22 December 1952, that final decisions had been passed in 156 cases and that a large number of applications were still being worked on. Of these 156, pay-

ments in the amount of DM 351,673.20 had been made to 108 applicants, while 48 claims had been rejected. The latter, it was stated by the Federal Government, had been rejected for the following reasons: in 27 cases they were not victims of so-called scientific experiments; fifteen applicants were not in need of assistance; in two cases the applicants did not suffer impairment of health; and in four cases they had received compensation previously.

By the end of 1953, a total of 510 claims had been transmitted to the Federal Republic of Germany.

In 1953, 500,000 Deutschmarks were appropriated for the plight of survivors in the Budget Bill submitted to the Parliament of the Federal Republic of Germany.

A new Federal law on "the indemnification of victims of national-socialist persecution", containing some provisions relevant to the plight of survivors of so-called scientific experiments in Nazi concentration camps, came into force on 1 October 1953.

L. FREEDOM OF INFORMATION

1. Consideration by the Economic and Social Council at its Fifteenth Session

The Economic and Social Council, at its 677th plenary meeting on 6 April 1953, had before it the interim report of the Rapporteur on Freedom of Information (E/2345 & Add.1). The Rapporteur reported that satisfactory progress was being made in the preparation of the substantive report on freedom of information which he had been asked by the Council (442 C (XIV))¹¹⁵ to submit in 1953. Preparatory work on the report, he stated, had involved extensive consultations with the United Nations Educational, Scientific and Cultural Organization (UNESCO) and correspondence with governments and with more than 600 information enterprises and national and international professional associations throughout the world. He had also taken into account suggestions made by several representatives in the Third Committee's debates at the Assembly's seventh session.¹¹⁶

In order to facilitate his work, he asked that the Council also permit him certain privileges concerning access to communications that had been received which contained specific criticisms or

complaints against governments in the field of freedom of information.

The representatives of Belgium, India, Venezuela and the USSR, among others, opposed a draft resolution proposed by the Rapporteur to this effect. They considered that such communications were extremely vague and often unreliable and that conclusions based on them could be seriously distorted. Often such communications were motivated by bitterness or political hatred. It was also difficult to see how the Rapporteur could successfully study, within the time remaining, the hundred thousand communications which had reached the Secretariat over the years. While not doubting the Rapporteur's objectivity, some representatives, including those of India and the USSR, questioned the wisdom of giving such privileges to an individual. The representative of the USSR further stated that the proposal ran counter to the Charter, which, with the exception of petitions from Trust Territories, did not permit examination of such communications from any individual or organization. The representatives of Argentina and Yugoslavia thought the exact scope

¹¹⁴ See Y.U.N., 1951, p. 507.

¹¹⁵ See Y.U.N., 1952, p. 477.

¹¹⁶ See Y.U.N., 1952, pp. 459 ff.

of the proposal must be clarified before the Council could take a decision on it.

Those favouring the draft resolution, including the representatives of China, France, the Philippines, the United States and Uruguay, felt that, in all fairness, the Council should give the Rapporteur all the facilities he needed to complete his assignment. The United States representative pointed out that, according to the draft resolution under discussion, the communications would be dealt with in conformity with the procedure defined in resolutions 75(V) and 116 A (VI).¹¹⁷ In that connexion, he recalled that the Commission on Human Rights itself, while having the right to take cognizance of those communications, was not entitled to act on any claims made in them. Moreover, according to the procedure laid down in resolution 75(V), the Rapporteur would simply review the confidential list of communications and would consult only such communications as related to the basic principles of freedom of information.

The Rapporteur, in further clarifying the intent of the draft resolution, stated that he would concern himself only with communications which related to freedom of information and emanated from national or international legally constituted enterprises or associations. The Secretariat had received over 25,000 communications relating to human rights, and he would be able to study only a small number in the two or three weeks remaining to him for the preparation of his report. Therefore, he would clearly confine himself to those communications which were relevant to the study he had been asked to carry out. Moreover, in accordance with the letter and spirit of resolution 240(IX),¹¹⁸ he did not intend to consider communications emanating from individuals or non-professional organizations. Where a relevant communication contained criticism of a given government, he stated, he supposed that he would receive a summary of it only, without the name and address of the author. He hoped that these explanations would dispel the doubts expressed by certain delegations.

The draft resolution proposed by the Rapporteur (E/2345/Add.1) was adopted by 13 votes to 3, with 2 abstentions, as resolution 473(XV). It read:

"The Economic and Social Council

"Resolves to give the Rapporteur on Freedom of Information, Mr. Salvador P. Lopez, with respect to Communications dealing with freedom of information, the facilities which have been granted to the members of the Sub-Commission on Freedom of Information and of the Press by Council resolution 240 C (IX), it being understood that if such communications include criticism

of or complaints against governments, the procedure to be followed shall be the same as that established by resolution 75(V) as amended and by resolution 116 A (VI)".

2. Consideration by the Economic and Social Council at its Sixteenth Session

In accordance with resolution 442 C (XIV), the report of the Rapporteur on Freedom of Information (E/2426), together with comments and suggestions of governments (E/2427) transmitted to him for his information and assistance, and a summary of comments and suggestions (E/2439) received by him from information enterprises and national and professional associations were submitted to the Council at its sixteenth session.

In Section I of the report, the Rapporteur dealt with the work accomplished prior to the existence of the United Nations concerning freedom of information, including the early work of non-governmental organizations and of the League of Nations, and with the work of the United Nations and the specialized agencies, particularly with reference to reasons for the successes and failures of the United Nations in this field.

Section II of the report covered the current situation and practical problems, namely: rights and responsibilities of the media of information; propaganda for war and false and distorted information; internal censorship and the suppression and coercion of media of information; censorship of outgoing news dispatches; status and movement of foreign correspondents; laws affecting the Press; monopolies; professional standards; independence of information personnel; protection of sources of information; development of Press, film, radio and television; professional training; production and distribution of newsprint; Press rates and priorities; international broadcasting; postal services; tariff and trade practices; and copyright.

Section II also contained a series of recommendations. The Rapporteur recommended that work on the draft Convention on Freedom of Information should proceed and he proposed a general formula which might be used as a basis for the drafting of article 2 of the Convention. This article, which lists permissible restrictions on freedom of information, had given rise to particular difficulties.

He recommended that a rapporteur be appointed for a further period of one year and that he be asked, among other things, to:

¹¹⁷ See Y.U.N., 1947-48, pp. 579-80.

¹¹⁸ See Y.U.N., 1948-49, p. 570-71.

(1) prepare a working paper, in co-operation with the Secretary-General, on the drafting of a Declaration on Freedom of Information;

(2) draw up a concrete programme of action, in conjunction with the Secretary-General and UNESCO and in consultation with information enterprises and national and international professional associations, for enlisting the co-operation of the Press, radio and films throughout the world in promoting friendly relations among nations based on the Purposes and Principles of the Charter;

(3) undertake, in co-operation with the Secretary-General and the specialized agencies concerned and, where appropriate, in consultation with information enterprises and national and international professional associations, a world-wide survey of current internal censorship practices, a similar survey of current practices involved in the censorship of outgoing news dispatches, and a study of the problem of bringing into harmony articles 29 and 30 of the International Telecommunication Convention with articles of the United Nations Conventions on freedom of information;

(4) prepare, in co-operation with the Secretary-General and UNESCO, a programme of action for implementing the recommendations contained in two earlier studies, namely, "Study of the Law and Practice Governing the Status and Work of Foreign News Personnel and Measures to Facilitate the Work of Such Personnel" (E/CN.4/Sub.1/140) and "Study Relating to the Definition and Identification of Foreign Correspondents" (E/CN.4/Sub.1/148);

(5) make suggestions concerning the range and scope of and the most efficient manner of undertaking a detailed study of the legal aspects of the rights and responsibilities of the media of information;

(6) prepare, in co-operation with the Secretary-General, a detailed study of the problem of the protection of sources of information of news personnel; and

(7) make, in consultation with the Secretary-General and UNESCO, a detailed study and recommendations regarding the establishment of machinery which would serve as an international co-ordinating centre for professional action in regard to such matters as professional ethics and responsibility to the public, and as a liaison body between the profession and the United Nations.

As a means of coping with propaganda for war and false and distorted reports, the Rapporteur recommended that the International Convention concerning the Use of Broadcasting in the Cause of Peace (Geneva, 1936), formulated by the League of Nations, be revitalized. He also recommended that the specialized agencies co-operate with the United Nations in a number of special technical tasks, concerning, for example:

the collection of current information and completion of documentation on problems relating to the economic independence of information personnel;

the increasing of opportunities for professional training of information personnel;

the removal of tariff and trade obstacles affecting the free flow of information;

problems arising from lack of uniformity in copyright agreements;

the provision of services and advice and the formulation of plans for expansion of their production on pulp and paper;

problems of transmitting Press messages and the development of new techniques leading to economy in the use of radio frequencies and to elimination of wasteful competition and duplication; and reduction of postal rates for news materials.

The report listed in annex A the governments which had replied (E/2427 & Addenda) to the request for comments and suggestions as to contemporary problems and developments which, in their opinion, had tended to promote or hamper the free flow of information within countries and across national frontiers and any other relevant material which might be useful in the preparation of the report. The information enterprises and national and international professional associations which forwarded (E/2439) comments and suggestions on the subject, at the Rapporteur's request, were listed in annex B.

The Council also had before it a note by the Secretary-General (E/2465) stating that the Secretariat report concerning the encouragement and development of independent domestic information enterprises, called for by Council resolution 442 E (XIV) and Assembly resolution 633(VII),¹¹⁹ was not yet ready. While it could be presented to the Council before the end of the current session, it was suggested that, to allow more time for discussion of it, the Council might wish to postpone its consideration of this subject to the following session.

The Council, at its 705th plenary meeting on 30 June 1953, decided, by 12 votes to 5, with 1 abstention, to postpone consideration of the Rapporteur's report on freedom of information, since governments would not have sufficient time to study it prior to the Council's discussion. It was decided, without vote, to postpone also the discussion on the item concerning encouragement and development of independent domestic information enterprises.

Following brief discussions at the Council's 706th and 718th plenary meetings, on 30 June and 9 July, the Council was informed that the Rapporteur, Mr. Lopez, had agreed to present his report at the seventeenth session of the Council and that no financial implications for the United Nations would ensue, providing Mr. Lopez were in New York at that time. It was also agreed that provision for travelling expenses, if necessary, should be provided by the Secretary-General in submitting, at the end of the session, a statement of financial implications of the Council's decisions.

¹¹⁹

See Y.U.N., 1952, pp. 467 and 469-70.

3. Consideration by the General Assembly at its Eighth Session

The question of freedom of information was not on the Assembly's agenda at its eighth session. However, it was introduced during the Third Committee's general debate, at its 503rd to 511th meetings, on 22, and 26 to 30 October and 2 and 3 November, on Chapter V, Human Rights, of the report of the Economic and Social Council (A/2430). As a result, it subsequently, at the Third Committee's 512th to 516th meetings, from 5 to 9 November, became the subject of a separate discussion and specific recommendations to the General Assembly.

At its 504th meeting, the Third Committee approved, without vote, a formal proposal by Saudi Arabia (A/C.3/L.362) to invite Mr. Salvador P. López, the Rapporteur on Freedom of Information, to address the Committee. Mr. Lopez stated that he had naturally been disappointed by the Council's decision not to discuss his report, but that assurance had been given that the Council would give high priority to its consideration at the seventeenth session and he was confident that it would be possible to make up for the time that had been lost. In view of the procedural difficulties, he stated that he thought it would be advisable for the Third Committee to proceed with caution and to confine itself to a general discussion of the report, leaving it to the Council to consider the recommendations for practical action. He briefly outlined the form of the report and the principles on which it was based. The Rapporteur also stated that, since May 1953, the situation had changed in a number of countries and that he would supply the Council with the latest information at his disposal on new developments.

Among others, the representatives of Afghanistan, China, Egypt, Mexico, the Philippines, Saudi Arabia, Syria and Yugoslavia regretted that the Council had not discussed the Rapporteur's report and stressed that it should give urgent priority to it at its seventeenth session. They further hoped that, on the basis of the many useful suggestions in the report, the Council would be able to agree on new and practical measures to be taken in the field of freedom of information. The representatives of Mexico and the Philippines particularly emphasized the desirability of continuing work on the draft Convention on Freedom of Information, noting that the Rapporteur had proposed a revised text for the controversial article 2. The Egyptian and Syrian representatives also urged that the Secretariat should complete, in time for the Council's consideration at its next session, the

study of concrete action for developing information media in under-developed areas of the world.

On the other hand, some representatives, among them those of Belgium, Canada, Turkey and the United Kingdom, maintained that, in view of the care which must be taken not to act hastily in such a delicate matter, the Council's decision to defer consideration of the Rapporteur's report was not necessarily to be regretted. In any case, they noted, the Council had decided to deal with the report at its seventeenth session.

A representative of the Secretary-General stated that the study of measures for the encouragement and development of independent domestic information enterprises had been ready for the sixteenth session of the Council; when the Council had decided to postpone consideration of the matter, the Secretary-General had decided to avail himself of the extra time at his disposal to attempt to improve the study.

Chile, France, Mexico, Netherlands, Pakistan, United Kingdom, United States and Uruguay submitted a draft resolution (A/C.3/L.364 & Add.1) by which the General Assembly,

recalling the terms of its resolutions 631(VII) and 633(VII) and regretting that the Council had been unable to consider the subject of freedom of information at its sixteenth session, would request the Council to give priority at its seventeenth session to discussion of freedom of information, including the Rapporteur's report, and to the formulation of recommendations for the Assembly's consideration at its ninth session.

The draft resolution would further: (1) request the Council to take into account the views expressed on this subject at the eighth session of the Assembly; and (2) request the Secretary-General to complete his report on the development of information facilities in under-developed regions of the world in time for consideration at the Council's seventeenth session.

Amendments to the joint draft resolution were presented by Turkey (A/C.3/L.365) and Afghanistan (A/C.3/L.377).

The Turkish amendment proposed that the General Assembly should "note" instead of "regret" that the Council had been unable to consider freedom of information at its sixteenth session and that the request to the Council to give priority to discussions on freedom of information at its seventeenth session should be deleted.

The Afghanistan amendment proposed that the first paragraph of the preamble of the joint draft resolution should be replaced by a paragraph reaffirming the considerations and decisions contained in Assembly resolutions 631(VII) and 633(VII) and that a paragraph should be added to the preamble, by which the Assembly would also reaffirm its recommendation that United Nations bodies studying freedom of information consider measures to avoid the harm done to international understanding by the dissemination of false and distorted information.

The amendment also proposed that the second paragraph of the joint draft resolution be reworded to include a reference to consideration by the Council of the draft Convention on Freedom of Information in the light of the Rapporteur's report and that a new paragraph be added to the preamble referring to the fact that the General Assembly had not studied the draft Convention during its sixth, seventh and eighth sessions.

The amendment further proposed that the second operative paragraph of the joint draft resolution should be amended to include a request to the Council to take into account the views expressed on freedom of information at the seventh and eighth sessions of the Assembly and that a new operative paragraph should be added requesting the Council to submit to the Assembly at its next session a statement of its views and plans regarding future work in connexion with freedom of information and the problem of promoting and safeguarding freedom of information in accordance with the provisions of resolution 631(VII).

The representatives of Afghanistan, Chile, Egypt, France, Mexico, the Netherlands, Pakistan, Turkey, the United Kingdom, the United States and Uruguay met as an informal working group on 5 November to consider the consolidation of the joint draft resolution (A/C.3/L.364 & Add.1) and the amendments submitted thereto (A/C.3/L.365 and A/C.3/L.377). Subsequently, the group presented a text (A/C.3/L.379) for the consideration of the Committee. Its report noted that unanimous agreement had been reached on everything except the first word of the first paragraph of the preamble of the new text, by which the Assembly would alternatively reaffirm or recall the decisions contained in its resolutions on freedom of information adopted at its seventh session. Thus, the new text incorporated all the points contained in the Afghanistan amendment except the word "reaffirming". The representative of Afghanistan agreed that this paragraph should begin with the word "recalling" and the word "reaffirming" was withdrawn.

The new joint text (A/C.3/L.379), as amended, was adopted by the Committee (A/2573 (IV) A), at its 514th meeting on 5 November, by 42 votes to none, with 6 abstentions.

The General Assembly, at its 460th plenary meeting on 28 November 1953, adopted it by 53 votes to none, with 6 abstentions, as resolution 736 A (VIII). It read:

"The General Assembly,

"Recalling the decisions contained in the resolutions on freedom of information adopted at its seventh session,

"Regretting that the Economic and Social Council was unable to give consideration at its sixteenth session to the subject of freedom of information, including the report of its Rapporteur,

"Noting that, at its sixteenth session, the Economic and Social Council postponed consideration of the question of freedom of information to its seventeenth session

and decided, in agreement with the Rapporteur, that the Rapporteur would present his report at the seventeenth session,

"Noting that the General Assembly has not studied the draft Convention on Freedom of Information at its sixth, seventh and eighth sessions and that the Economic and Social Council, at its sixteenth session, did not consider the draft Convention on Freedom of Information concurrently with the report of the Rapporteur,

"1. Requests the Economic and Social Council to give priority, at its seventeenth session, to discussion of freedom of information, including the report of the Rapporteur, and to the formulation, in accordance with the provisions of General Assembly resolution 631(VII) of 16 December 1952, of recommendations for the consideration of the General Assembly at its ninth session;

"2. Requests the Economic and Social Council, in its discussion of freedom of information, to take into account the views expressed on this subject at the seventh and eighth sessions of the General Assembly;

"3. Requests the Secretary-General to complete the report on a programme of concrete action for the development of information facilities in under-developed regions of the world, requested in General Assembly resolution 633(VII) of 16 December 1952, in time for consideration at the seventeenth session of the Economic and Social Council."

The Third Committee also had before it, at its 514th to 516th meetings on 5, 6 and 9 November, a draft resolution (A/C.3/L.375) by Saudi Arabia and Syria concerning the draft International Code of Ethics for information personnel.

By this resolution the Assembly, recalling its resolution 635(VII)¹²⁰ concerning further work on the draft International Code of Ethics, would invite the Secretary-General to address a further communication to the information enterprises and national and international professional associations which had not yet replied to his previous letter concerning the organization of an international professional conference to complete work on the draft Code, requesting them to do so within a reasonable period, upon the expiry of which a conference should be organized for the purpose of preparing a final text of the Code and measures for its implementation.

The Committee also had before it a statement by the Secretary-General (A/C.3/L.375/Add.1) on the financial implications of the draft resolution, and a memorandum (A/C.3/L.381), entitled "Replies from information enterprises and national and international professional associations received under General Assembly resolution 635(VII)".

Chile, France and the United Kingdom submitted two amendments (A/C.3/L.380) to the draft resolution. The first amendment, that the third paragraph of the draft should be deleted, was subsequently withdrawn. The second, which suggested a new text for the first operative paragraph, was accepted by Saudi Arabia and Syria. Verbal drafting amendments proposed by the representatives of China, Egypt and the United States

¹²⁰ See Y.U.N., 1952, p. 466.

were also accepted by the sponsors and a revised draft resolution (A/C.3/L.375/Rev.2) was submitted to the Committee.

The majority supported the proposal on the grounds that:

(1) a code of ethics would help to correct some of the abuses in the field of freedom of information, to promote friendly relations among peoples and to solve the vexed problem of false and distorted reports;

(2) while the development of the code was a matter for the profession alone, the United Nations was legitimately interested in questions of professional ethics and could properly offer encouragement and assistance in such a problem; and

(3) even if an improvement in the international climate was necessary before an effective code could be drafted, every effort should be made to improve the situation.

However, they emphasized that the final adoption of a draft code was a matter for the information professions alone without any form of governmental interference at national or international levels.

A number of representatives, including those of Israel, New Zealand and Sweden, expressed doubt, however, as to whether the United Nations should interest itself any further in the draft Code. In their opinion it would be extremely difficult, under current conditions, for any conference to reach agreement on the text of a universally acceptable code.

Moreover, the New Zealand representative stated, it would be detrimental to the prestige of the United Nations to address another communication on the subject to enterprises and associations.

The representative of the USSR held that the question was outside the competence of the United Nations and that information personnel should decide on the calling of a conference and the preparation of a draft code.

In resolution 635(VII), the Assembly had requested the Secretary-General, if a representative group of information enterprises and of national and international professional associations expressed a desire to do so, to co-operate with it in organizing an international professional conference. However, various opinions were expressed as to what constituted a "representative group" under the terms of this resolution.

The representative of Sweden maintained that those enterprises and associations which, according

to the Secretary-General's memorandum (A/C.3/L.381), favoured holding a professional conference did not constitute a representative group. On the other hand, the Egyptian representative stated that a federation, representing several units or syndicates, might itself constitute a representative group. The representatives of Canada and France believed that the task of defining a representative group should be left to the Secretary-General.

At the request of the representative of Guatemala, a separate vote was taken on the first operative paragraph of the revised draft resolution (A/C.3/L.375/Rev.2), and it was adopted by 43 votes to 5, with 5 abstentions, at the Committee's 516th meeting on 9 November.

The draft resolution, as a whole, was adopted by the Third Committee (A/2573 IV B) by 44 votes to 5, with 5 abstentions.

The General Assembly, at its 460th plenary meeting on 28 November 1953, adopted it by 49 votes to 5, with 5 abstentions, as resolution 736 B (VIII). It read:

"The General Assembly,

"Recalling its resolution 635(VII) of 16 December 1952 in which it requested the Secretary-General, if a representative group of information enterprises and of national and international professional associations expressed a desire to do so, to co-operate with it in organizing an international professional conference for the purpose of preparing the final text of an International Code of Ethics for the use of information personnel,

"Noting that replies have already been received from a number of the information enterprises and professional associations consulted by the Secretary-General in pursuance of the aforementioned resolution,

"Considering that to await replies from all the information enterprises and professional associations consulted would unnecessarily delay the conference and the preparation of the final text of the Code,

"1. Invites the Secretary-General to address a further communication to the enterprises and associations which have not yet replied, requesting them to do so within a reasonable period, and, provided that a representative group of enterprises and associations expresses a desire to do so, to co-operate with the group in organizing an international professional conference for the purpose of preparing the final text of the Code and measures for its implementation;

"2. Requests the Secretary-General:

"(a) To bring the text of the present resolution to the notice of the information enterprises and national and international associations to which he communicated the draft Code;

"(b) To report to the General Assembly at its ninth session on any progress achieved."

M. STATUS OF WOMEN

The Commission on the Status of Women at its seventh session, held from 16 March to 3 April 1953, discussed, among other things: the nationality of married women; the status of women in private law; political rights of women; equal pay for equal work; economic and educational opportunities for women; participation of women in the work of the United Nations and the specialized agencies; and technical assistance programmes in relation to the status of women.

The report of the Commission (E/2401) was discussed by the Economic and Social Council at its sixteenth session, at the 241st to 245th and 248th meetings of its Social Committee on 13 to 15 and 17 July, and at its 736th plenary meeting on 23 July 1953.

A resolution noting the Commission's report was adopted unanimously by the Social Committee at its 248th meeting on 17 July (E/2486) and, by 17 votes to none, by the Council, at its 736th plenary meeting on 23 July, as resolution 504 A (XVI).

The questions of political rights of women and technical assistance programmes in relation to the status of women were subsequently considered by the General Assembly at its eighth session. The action taken on the various items mentioned above is given below.

1. Nationality of Married Women

At its seventh session, the Commission on the Status of Women had before it notes (E/2343 & E/CN.6/217) by the Secretary-General on the action taken by the International Law Commission and the Economic and Social Council since the sixth session of the Commission, the report on "Nationality including statelessness" (A/CN.4/50) submitted to the International Law Commission by its special rapporteur, the relevant summary records of that Commission and a supplementary report by the Secretary-General (E/CN.6/206 & Add.1-2) on statutory and constitutional provisions relating to the nationality of married women.

The Commission proposed a draft resolution (E/2401 B) for adoption by the Economic and Social Council, which would note the recommendation of the Commission that a convention on the nationality of married persons be opened for signature by interested States, the text of a draft convention on that subject being appended to the resolution, and would request the Secretary-General to circulate that text to Member Governments for their comments.

During the Council's discussions of that draft resolution at its sixteenth session, the representatives of Belgium, Sweden, the United Kingdom, the United States and Venezuela, among others, expressed the view that it was premature to circulate for comments by governments a text which had not been studied adequately by the Council, especially as it involved the whole question of nationality of married persons and not just the nationality of married women. It would, they considered, be wiser to wait until the report on the work of the International Law Commission on the subject of nationality was available. Others, among them the representatives of Argentina, Cuba, China, France, the Philippines and Yugoslavia, opposed postponement of the question and considered that consultation with governments would facilitate the work of all organs of the United Nations on the subject.

A new text for the operative part of the draft resolution was proposed jointly by the Philippines, the United Kingdom and Venezuela (E/AC.7/L.161). In circulating the draft convention for comments, it would state that the Council had not considered its substance. It would also circulate to governments the records of the Council's discussions and the amendments submitted.

Two amendments to the substance of the draft Convention had been submitted. One by the Philippines recommended (E/AC.7/L.159/Rev.1) that a territorial clause should be added to extend the convention to all territories administered or governed by a contracting Metropolitan State. The second, by Egypt (E/AC.7/L.156), proposed to replace article 1 of the draft convention by a clause stating that each of the contracting States "agrees to direct" its legislation and practice in regard to nationality "towards abolishing" the distinction based on sex.

The joint amendment was adopted by the Council's Social Committee at its 244th meeting, by 15 votes to 1, with 2 abstentions, with the exception of a clause (rejected by 4 votes to 4, with 10 abstentions) providing that comments of governments should include comments on the desirability of such a convention.

The amended draft resolution was adopted, as a whole, by the Committee at the same meeting by 14 votes to 1, with 3 abstentions (E/2486 B), and by the Council, at its 736th plenary meeting on 23 July, by 15 votes to none, with 3 abstentions, as resolution 504 B (XVI). It read:

"The Economic and Social Council,

"Noting the recommendation of the Commission on the Status of Women, at its seventh session, that a convention on the nationality of married persons be opened for signature by interested States,

"Desiring to expedite by every appropriate means, in accordance with the principles of the Charter and of the Universal Declaration of Human Rights, the extension to women in all countries of equal rights in the field of nationality,

"Requests the Secretary-General to circulate to the governments of Member States, for their comments, the following text of a draft convention on nationality of married persons, the substance of which the Council has not considered, together with the records of the discussions held and the amendments submitted at the sixteenth session, with the request that such comments be sent to the Secretary-General by 1 January 1954, to be made available to the Commission on the Status of Women for consideration at its eighth session."

CONVENTION ON THE NATIONALITY OF MARRIED PERSONS

The Contracting Parties,

Recognizing that conflicts in law and in practice with reference to nationality arise as a result of distinctions based on sex,

Recognizing that in article 15 of the Universal Declaration of Human Rights the General Assembly of the United Nations has proclaimed that "everyone has the right to a nationality" and that "no one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality",

Desiring to co-operate with the United Nations in promoting universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to sex,

Hereby agree as hereinafter provided:

Article I

Each of the Contracting States agrees that it will make no distinction based on sex either in its legislation or in its practice in regard to nationality.

Article 2

Each of the Contracting States agrees that neither the celebration nor the dissolution of a marriage between one of its nationals and an alien shall affect the nationality of the spouse who is its national.

Article 3

1. Each of the Contracting States agrees that it will, whenever possible, give to the alien spouse of one of its nationals the right to acquire its nationality at his/her request.

2. Each of the Contracting States agrees that this Convention shall not be construed as affecting any existing legislation or practice which gives to the alien spouse of one of its nationals the right to acquire the latter's nationality, either at his/her request or through privileged naturalization procedures.

Article 4

Each of the Contracting States agrees that neither the voluntary acquisition of the nationality of another State nor the renunciation of its nationality by one of its nationals will affect the retention of its nationality by the spouse of such national.

Article 5

1. This Convention shall be open for signature on behalf of any Member of the United Nations and also on behalf of any other State to which an invitation has been directed by the General Assembly.

2. This Convention shall be ratified and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 6

1. This Convention shall be open for accession to all States referred to in paragraph 1 of article 5.

2. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 7

1. This Convention shall come into force on the ninetieth day following the date of deposit of the sixth instrument of ratification or accession.

2. For each State ratifying or acceding to the Convention after the deposit of the sixth instrument of ratification or accession, the Convention shall enter into force on the ninetieth day after deposit by such State of its instrument of ratification or accession.

Article 8

1. At the time of signature, ratification, or accession, any State may make reservations to any article of this Convention other than article(s) . . .

2. Any State making a reservation in accordance with paragraph 1 of this article may at any time withdraw the reservation by communication to this effect addressed to the Secretary-General of the United Nations.

Article 9

1. Any State may denounce this Convention by written notification to the Secretary-General of the United Nations. Denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General.

2. This Convention shall cease to be in force as from the date when the denunciation which reduces the number of Parties to less than six becomes effective.

Article 10

Any dispute which may arise between any two or more Contracting States concerning the interpretation or application of this Convention which is not settled by negotiation shall, at the request of any one of the Parties to the dispute, be referred to the International Court of Justice for decision, unless they agree to another mode of settlement.

Article 11

The Secretary-General of the United Nations shall notify all Members of the United Nations and the non-member States contemplated in paragraph 1 of article 5 of this Convention of the following:

(a) Signature and instruments of ratification received in accordance with article 5;

(b) Instruments of accession received in accordance with article 6;

(c) The date upon which this Convention enters into force in accordance with article 7;

(d) Communications and notifications received in accordance with article 8;

(e) Notifications of denunciation received in accordance with paragraph 1 of article 9;

(f) Abrogation in accordance with paragraph 2 of article 9.

Article 12

1. This Convention, of which the Chinese, English, French, Russian and Spanish texts shall be equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit a certified copy to all Members of the United Nations and to the non-member States contemplated in paragraph 1 of article 5.

2. Status of Women in Private Law

The Commission, at its seventh session, discussed the question of the status of women in private law, including family law and property rights. It had before it:

(a) a report on family law, (E/CN.6/185 & Add.1-10) prepared by the Secretary-General and based on replies of governments to part III of the Questionnaire on the Legal Status and Treatment of Women;

(b) a report (E/CN.6/208) by the Secretary-General on property rights of women based on replies of governments to part II of the same Questionnaire; and

(c) a report (E/CN.6/186 & Add.1-3) by the Secretary-General on the status of women in private law, covering both family law and property rights of women, based on replies of non-governmental organizations to questions concerning changes considered desirable in the legal systems of various countries in order to eliminate discrimination against women.

The Commission recommended (E/2401 C) that the Economic and Social Council request the Commission on Human Rights to include the text of article 16²¹ of the Universal Declaration of Human Rights relating to marriage and family rights in the draft Covenant on Civil and Political Rights. Meanwhile, the attention of the Commission on Human Rights was drawn to this resolution prior to its consideration by the Council.

That Commission, at its ninth session from 7 April to 1 June 1953,¹²² drafted article 22 of the draft Covenant on Civil and Political Rights substantially on the basis of article 16 of the Universal Declaration with the modification that the draft article did not specify that legislation would provide the equality of rights and responsibilities for the spouses as to marriage, during marriage and at its dissolution, but that legislation "shall be directed towards" that equality.

During the discussions in the Economic and Social Council in July, the representatives of Belgium and the Philippines pointed out that the proposal was obsolete in view of the action already taken by the Commission on Human Rights. However, the representative of India considered

that, on the basis of that action, the Commission on the Status of Women should have the opportunity to reconsider its recommendation, and presented a draft resolution (E/AC.7/L.162) to this effect. The representative of France pointed out that article 22 had been adopted by the Commission on Human Rights after long discussion and that therefore it might be unwise to reopen the discussion of the text. A separate vote was taken on the operative paragraph of the draft resolution (see para. 3, below), and it was adopted by 8 votes to 5, with 5 abstentions, at the Social Committee's 244th meeting on 14 July. The two introductory paragraphs were adopted jointly by 17 votes to none, with 1 abstention.

The draft resolution, as a whole, was adopted by 17 votes to none, with 1 abstention, by the Social Committee (E/2486 C) at the same meeting and by the Council, at its 736th plenary meeting on 23 July, as resolution 504 C (XVI). It read:

"The Economic and Social Council,

"1. Takes note of the recommendation contained in paragraph 30 of the report of the Commission on the Status of Women (seventh session);

"2. Draws the attention of the Commission on the Status of Women to article 22 of the Draft Covenant on Civil and Political Rights included in the report of the Commission on Human Rights (ninth session);

"3. Suggests to the Commission on the Status of Women that it reconsider the recommendation in the light of the provisions contained in article 22 of the Draft Covenant on Civil and Political Rights."

In its further considerations of the question, the Commission on the Status of Women agreed that discriminations existing against women, particularly married women, in family law and in regard to property rights were extensive and that measures should be taken as soon as possible for their elimination. It therefore requested (E/2401) the Secretary-General to prepare, for future sessions, detailed comparative studies of certain specific aspects of the status of women in family law and property rights. It also proposed a draft resolution, which the Council (E/2401 D) subsequently adopted.

During the discussions in the Council, at its sixteenth session, the representative of Egypt proposed (E/AC.7/L.155) that, in view of the complexities and difficulties involved in this problem, the Council should recommend to governments that they direct all possible measures towards ensuring equality of rights and duties of husband and wife in family matters rather than recommend

¹²² For text, see Y.U.N., 1948-49, p. 536.

¹²¹ See also p. 383.

specifically that governments take measures to do so.

However, the majority considered that the amendment would weaken the resolution and, moreover, that the expression "all possible measures" was not mandatory and did not necessarily require action. The Egyptian amendment was rejected at the Social Committee's 244th meeting on 14 July, by 8 votes to 4, with 6 abstentions.

The draft resolution, as proposed by the Commission, was adopted by 16 votes to none, with 2 abstentions, by the Social Committee (E/2486 D) at the same meeting, and by the Council, at its 736th plenary meeting, as resolution 540 D (XVI). It read:

"The Economic and Social Council,

"Considering that the principle of equality of rights for men and women is solemnly proclaimed in the Charter of the United Nations,

"Recognizing, in accordance with the Universal Declaration of Human Rights, that "the family is the natural and fundamental group unit of society and is entitled to protection by society and the State", and that men and women "are entitled to equal rights as to marriage, during marriage and at its dissolution",

"Believing that legal equality of husband and wife and the sharing by spouses of the authority, prerogatives and responsibilities involved in marriage are of benefit not only to the status of women but also to the family as an institution,

"Noting that the legal systems of many countries result in a subordinate status of the wife in family matters of fundamental importance, and that under numerous legal systems women are, during marriage, deprived of important personal and property rights or are subject to the authority and control of their husbands in the exercise of these rights,

"Recommends that governments:

"(a) Take all possible measures to ensure equality of rights and duties of husband and wife in family matters;

"(b) Take all possible measures to ensure to the wife full legal capacity, the right to engage in work outside the home and the right, on equal terms with her husband, to acquire, administer, enjoy and dispose of property."

3. Political Rights of Women

a. CONVENTION ON THE POLITICAL RIGHTS OF WOMEN

The Commission on the Status of Women, at its seventh session, had before it a report by the Secretary-General (E/CN.6/209) on the action taken by the Economic and Social Council and the General Assembly on the Draft Convention on the Political Rights of Women. By resolution 640 (VII)¹²³ of 20 December 1952, the General Assembly had adopted the Convention and had opened it for signature and ratification or accession.

The Commission therefore adopted a resolution (E/2401 E) which, after expressing satisfaction that the Convention on Political Rights of Women had been adopted by the General Assembly at its seventh session and had been opened for signature and ratification or accession by States, expressed certain recommendations to the Council concerning invitations to States not Members of the United Nations to ratify or accede to the Convention and concerning reports by States parties to the Convention on the implementation of the provisions of that instrument.

During the discussions in the Economic and Social Council at its sixteenth session, the majority praised the work of the Commission in securing the adoption of the Convention. The representatives of Poland and the USSR considered that, while the Convention had certain shortcomings, in general it represented a step forward. The representative of the Philippines thought that the Assembly's invitation to sign and ratify or accede to the Convention should be extended either on the principle of universality—that is, to all non-member States without exception—or on that of selectivity, by which the Assembly would consider each invitation to a non-member State on its individual merits. At the 736th plenary meeting of the Council, a separate vote was therefore taken on the final phrase of paragraph 4, concerning the invitation for signature (see below) and it was retained by 10 votes to 2, with 6 abstentions. A separate vote was also taken on the last paragraph at the request of Belgium, the representatives of Belgium and France having pointed out that the obligation of signatory States to report on implementation would place those States in an unfavourable position compared with non-signatory States. It was retained by 9 votes to 5, with 4 abstentions.

Following a paragraph-by-paragraph vote, the draft resolution, as proposed by the Commission (E/2401 E), was adopted by the Social Committee (E/2486 E), at its 244th meeting on 14 July, by 13 votes to none, with 5 abstentions, and by the Council, at its 736 plenary meeting on 23 July, by 14 votes to none, with 4 abstentions.

Resolution 504 E (XVI) urged Member States which had not yet done so to sign and ratify or accede to the Convention. It recommended to the Assembly that it invite signature and ratification or accession by non-member States which are or become members of one or more of the specialized agencies or are or become parties to the Statute of the International Court of Justice. It also re-

¹²³ See Y.U.N., 1952, pp. 484-85.

quested States parties to the Convention to report every two years to the Council on the measures taken by them to implement the provisions of the Convention.

The question was considered by the General Assembly at its eighth session, at the 367th meeting of its Sixth Committee on 7 October and at its 453rd plenary meeting on 23 October 1953. It had before it a memorandum (A/2445) by the Secretary-General which contained the text of the Council's resolution and of the relevant articles of the Convention. A draft resolution (A/C.6/L.297) was proposed by Cuba, the Dominican Republic, Greece, and the Philippines which would refer to the Council's resolution and would request the Secretary-General to invite each non-member State fulfilling the conditions laid down therein to become a party to the Convention.

Statements in support of the draft resolution were made by the representatives of Argentina, Belgium, Brazil, the Byelorussian SSR, Cuba, the Dominican Republic, Egypt, Greece, the Philippines, Syria, Thailand, the USSR and Yugoslavia, some of them announcing the intention of their countries shortly to ratify the Convention.

The representative of Peru stated that in his country women had not acquired full political rights because certain constitutional amendments were first required. That, however, would not prevent his delegation from voting in favour of the draft resolution.

The representative of the United Kingdom stated that the principles contained in the Convention were widely applied in his country but some practical difficulties remained which could not be solved without constitutional and legislative changes. He felt that his Government could not join in an invitation to other States until it had signed and ratified the Convention itself. He would therefore, he said, abstain on the draft resolution.

The joint draft resolution was adopted by the Committee (A/2508), at its 367th meeting by 44 votes to none, with 4 abstentions, and by the Assembly at its 453rd plenary meeting, without discussion, by 54 votes to 1, with 5 abstentions, as resolution 793(VIII). It read:

"The General Assembly,

"Taking note of Economic and Social Council resolution 504 E (XVI) dated 23 July 1953,

"Considering that articles IV and V of the Convention on the Political Rights of Women provide, inter alia, that the Convention shall be open for signature and ratification or for accession on behalf of any non-member State to which an invitation has been addressed by the General Assembly,

"Decides to request the Secretary-General to dispatch such an invitation to each non-member State which is or hereafter becomes a member or one or more of the specialized agencies of the United Nations, or which is or hereafter becomes a Party to the Statute of the International Court of Justice."

By December 1953, 29 countries had signed the Convention and three had deposited instruments of ratification. It will come into force 90 days after the date of deposit of the sixth instrument of ratification or accession.¹²⁴

b. ADVANCEMENT OF POLITICAL RIGHTS

The Commission on the Status of Women, at its seventh session, also had before it a memorandum (A/2154 & Add.1-2) prepared annually by the Secretary-General on the advancement of political rights of women and a report (E/CN.6/212 & Add.1) on women in political and public life. The former brought up to date information on national constitutions, electoral laws and other legal instruments relating to the franchise of women and their eligibility to public office and functions.

The Secretary-General's report (E/CN.6/212 & Add.1) on women in political and public life (number of women in elective State bodies, local government bodies, etc.) contained information concerning 35 countries. It was based on information from governments in response to the Questionnaire on the Legal Status and Treatment of Women, on information received from the Inter-American Commission of Women, and on information taken from official government sources available to the Secretary-General.

The Commission, following a discussion of the two reports, adopted a resolution (E/2401), which, inter alia, noted that in several countries, including Bolivia, Lebanon and Greece, action had been taken since the last session of the Commission to extend the franchise to women or to improve laws regarding the right to vote. It commended the Secretary-General on the inclusion of historical data in his report for 1952 and suggested that this document in the future include pertinent information on all countries, information as to whether women who had been granted the vote had had an opportunity to participate in an election, and information on suffrage grants involving limitations on grounds of sex, and legislative changes subsequent to such grants in relation to the achievement of equal suffrage for women. The Commission further requested the Secretary-General to summarize suggestions on ways in which equal political rights for women could be achieved

¹²⁴ In accordance with the provision, the Convention was due to come into force on 7 July 1954.

and made effective. It expressed its appreciation of the report on Women in Political and Public Life and suggested that the Secretary-General prepare a plan for a more complete report on this subject to be issued at a later date, possibly in 1955. It also expressed its appreciation of the publication *The Road to Equality*.

The Commission also considered in this connexion two further reports by the Secretary-General, one on the status of women in Trust Territories (E/CN.6/210) and the other on their status in Non-Self-Governing Territories (E/CN.6/211). The former contained information on political, social and economic, and educational advancement, based on the information supplied by the Administering Authorities in their annual reports to the Trusteeship Council. The report on the status of women in Non-Self-Governing Territories contained information taken from that transmitted by the Administering Authorities under Article 73e of the Charter and dealt with the status of women, in general, and political advancement.

Several members of the Commission expressed the opinion that the question of the political rights of women in Trust and Non-Self-Governing Territories should not be dealt with separately from that of the rights of women in sovereign States, inasmuch as in some of the latter States women did not enjoy any more political rights than women in dependent Territories. Separate treatment, they considered, would amount to discrimination. Other members stated that women in these Territories still had no rights and that special attention should be given by the Commission to the improvement of the status of women in dependent Territories; they referred particularly to decisions taken by the Trusteeship Council on this matter.

At the sixteenth session of the Economic and Social Council, the Commission's recommendations (E/2401 F) were adopted unanimously, without discussion, at the 244th meeting of the Social Committee (E/2486) on 14 July and at the Council's 736th plenary meeting on 23 July. Resolution 504 F (XIV) read:

"The Economic and Social Council,

"Considering that in some areas of the world, including certain Trust and Non-Self-Governing Territories, women do not enjoy full political rights, and that progress in this field can be achieved more readily if the education of women receives greater emphasis,

"1. Invites the General Assembly and the Trusteeship Council, as appropriate, in collaboration with the governments of all States which administer territories, including Trust and Non-Self-Governing Territories, where women do not enjoy full political rights, to take

all necessary measures leading to the development of political rights of women in such territories, in particular by means of education;

"2. Invites the Secretary-General to report to the Commission on the Status of Women on the steps taken to implement this resolution."

The Commission at its seventh session also noted with satisfaction (E/2401) that the Trusteeship Council had included in its Questionnaire, adopted under Article 88 of the Charter, questions on the status of women which contained some suggestions adopted by the Commission on the Status of Women at its sixth session. It expressed the hope that the Administering Authorities would reply in detail to all those questions in their annual reports to the United Nations. The Commission invited the Secretary-General to transmit regularly to the Commission information forwarded by the Administering Authorities in their annual reports on those questions and all relevant documents of the Trusteeship Council relating to that subject, as well as records of all discussions in that Council concerning the status of women in Trust Territories.

On the basis of an oral proposal by Cuba, the Economic and Social Council, at its sixteenth session, without discussion, by 15 votes to none, with 2 abstentions, at the 245th meeting of its Social Committee (E/2486 K) on 15 July, and by 17 votes to none, with 1 abstention, at its 736th plenary meeting on 23 July, took note of the Commission's resolution and drew it to the attention of the Trusteeship Council (resolution 504 K (XVI)).

The General Assembly, at its eighth session, under the agenda item "Development of political rights of women in territories where these rights are not fully enjoyed", had before it the relevant section of the report of the Economic and Social Council (E/2430), together with a note by the Secretary-General (A/2452) calling attention to Council resolution 504 F (XVI).

The question was discussed at the 490th to 492nd meetings of the Third Committee, on 1, 2 and 6 October, and at the Assembly's 454th plenary meeting on 23 October 1953. The Committee had before it a draft resolution (A/C.3/L.345/Rev.1) by Chile, Cuba, the Dominican Republic, Greece, India, Indonesia and the Philippines, based upon the Council's recommendations. The draft resolution would urge States to take all necessary measures, particularly educational, leading to the development of political rights for women in all territories—including Trust and Non-Self-Governing Territories—in which women do not enjoy full political rights.

During the discussion, all speakers strongly supported the goal of equal political rights for women. The representative of Cuba pointed out that the draft resolution especially stressed educational measures, because education was the best means of raising people to the highest economic and social levels. It was clear that in many cases economic and social factors had prevented women from obtaining proper education and thus becoming fitted to exercise the vote, he said.

The representatives of Bolivia, Israel and Yugoslavia stressed that lack of education must not be used as a pretext for postponing the granting of political rights to women, and it was generally understood that the draft resolution had no such implications. The representative of the Philippines was of the opinion that, if literacy was a prerequisite of the franchise in any country, the same condition should apply to men as well as to women.

Syria submitted three amendments (A/C.3/L.347/Rev.1). The first would urge States to take legislative as well as educational measures leading to the development of political rights. This was opposed by the representatives of Argentina, Australia, Belgium, El Salvador and France, among others, on the basis that the resolution already provided for "all necessary" measures. The representatives of Bolivia, Costa Rica, the Dominican Republic, Ethiopia, Guatemala, Israel, Poland, the Ukrainian SSR, the USSR and Venezuela, on the other hand, supported the amendment on the grounds that it might strengthen the resolution. The amendment was subsequently adopted by 32 votes to 8, with 12 abstentions.

A second Syrian amendment proposed the addition of a new operative paragraph requesting the Trusteeship Council to be careful to ensure that questions in the revised Trusteeship Questionnaire relating to the status of women were replied to adequately and in detail by the Administering Authorities. The representatives of El Salvador, Guatemala, Poland, the Ukrainian SSR and the USSR, among others, spoke in favour of the amendment. The representatives of Argentina, Australia, Cuba, and Mexico, however, pointed out that the Council in resolution 504 K (XVI) (see above) had already covered the matter. The representatives of Australia, Belgium, France and the United Kingdom considered that such a strong injunction to the Trusteeship Council was derogatory and implied failure by the Administering Authorities to discharge their obligations. Doubts were also expressed as to the Third Committee's competence to deal with this matter.

The Committee decided, by 26 votes to 13, with 13 abstentions, on the basis of an oral Afghanistan proposal, to recommend that the Assembly refer the text of the amendment to the Fourth Committee for further consideration and report thereon to the General Assembly.

The third Syrian amendment, which would have called on the Secretary-General to report to the Assembly's ninth session on steps taken to give effect to the resolution, was withdrawn.

The draft resolution, as amended, was adopted by the Third Committee (A/2503), at its 492nd meeting on 6 October, by a roll-call vote of 53 to none, with 1 abstention.

The General Assembly, at its 454th plenary meeting on 23 October adopted it, without discussion, by a roll-call vote of 59 in favour (the Union of South Africa was absent). Resolution 731(VIII) read:

"The General Assembly,

"Recalling its resolution 56(I) of 11 December 1946 relating to the political rights of women, which was reaffirmed in resolution 640(VII) of 20 December 1952,

"Having considered Economic and Social Council resolution 504 F (XVI) of 23 July 1953,

"Urges States to take all necessary measures, particularly educational and legislative measures, leading to the development of the political rights of women in all Territories in which women do not enjoy full political rights, including Trust and Non-Self-Governing Territories."

4. Equal Pay for Equal Work

The Commission at its seventh session had before it a report (E/CN.6/220) by the International Labour Office on the application of the Convention (No. 100) and Recommendation (No. 90) on Equal Remuneration for Work of Equal Value for Men and Women Workers, adopted at the 34th International Labour Conference in 1951. The Commission took note of the fact that the Convention had been brought into force by the ratification of three countries (Belgium, Mexico and Yugoslavia) and that it would come into effect on 23 May 1953. It also recommended a draft resolution (E/2401 G), which was subsequently adopted by the Council.

During the discussions at the sixteenth session of the Economic and Social Council, the representative of the United Kingdom stated that the Commission on the Status of Women, in common with many United Nations bodies, appeared to believe that to adopt a resolution was equivalent to action. While accepting the principle of equal pay, his Government questioned the wisdom of

adopting yet another resolution on the subject. The representative of Australia was also not in favour of the resolution since, in his opinion, it did not differ substantially from the resolution adopted at the Council's fourteenth session. The representative of Poland, on the other hand, stressed the importance of the draft resolution as a step in the right direction. The representative of Sweden stated that he would abstain in the vote, since his Government was not prepared to intervene in negotiations between parties in the labour market.

The draft resolution, as proposed by the Commission, was adopted by the Council at the 244th meeting of its Social Committee (E/2486 G) on 14 July by 15 votes to 1, with 2 abstentions, and at its 736th plenary meeting on 23 July by 15 votes to none, with 3 abstentions, as resolution 504 G (XVI). It read:

"The Economic and Social Council,

"Noting the action of countries which have formally ratified the Convention on Equal Remuneration adopted by the International Labour Organisation in 1951,

"Noting also the progress being made in other countries towards obtaining increased acceptance, in law and in practice, of the equal remuneration principle as set forth in the Preamble of the United Nations Charter, in article 23, paragraph 2, of the Universal Declaration of Human Rights, and in the International Labour Organisation Convention and Recommendation on this subject,

"Noting the work of non-governmental organizations in many countries in creating a favourable public opinion for the application of this principle by calling attention to the value of women's work and the need for establishing improved personnel practices and for securing equal opportunities for training and advancement, by promoting the adoption of legislation and by other appropriate means,

"1. Urges increased efforts towards widespread implementation of the principle of equal remuneration in all countries, whether or not members of the International Labour Organisation, by means appropriate to their systems of wage fixing;

"2. Invites the Secretary-General in collaboration with the International Labour Office to furnish annually additional information on the progress being made in the various countries toward elimination of discriminatory wage practices against women, as well as similar reports on steps taken or methods used in those countries to put the principle of equal remuneration into force."

5. Educational Opportunities for Women

The Commission had before it at its seventh session:

(1) a note by the Secretary-General (E/CN.6/214) on the findings of the Fifteenth International Conference on Public Education convened by the United Nations

Educational, Scientific and Cultural Organization (UNESCO) and the International Bureau of Education in July 1952, together with the official report of this Conference (Publication No. 143);

(2) a note by the Secretary-General on legal provisions concerning educational opportunities for girls and women (E/CN.6/215) transmitting a joint publication of UNESCO and the International Bureau of Education (Publication No. 141);

(3) a progress report prepared by UNESCO on access of women to education (E/CN.6/223); and

(4) a progress report prepared by the International Labour Office on vocational guidance and on vocational and technical training of women (E/CN.6/221).

The Commission expressed its appreciation for the work which ILO intended to undertake in the field of vocational guidance and training of women and suggested that its studies be continued in co-operation with the Secretary-General, and include the field of access to apprenticeship.

Various members of the Commission expressed disappointment, on the other hand, with certain parts of recommendation 34, concerning the access of women to education, adopted by the Fifteenth International Conference, on the grounds that they did not provide for true equality. Stating that, in its opinion, it was essential to have identity of basic programmes if all children were to have an equal chance of really benefiting from educational opportunities, the Commission recommended (E/2401 H) that the Economic and Social Council draw the attention of governments and of specialized agencies to the need for ensuring the identity of basic school curricula for pupils of both sexes.

The Council, however, at its sixteenth session, adopted a joint amendment by Argentina, Cuba, France and the United States (E/AC.7/L.158) which, instead of drawing the attention of governments and specialized agencies to the need for ensuring "the identity of basic school curricula for pupils of both sexes", would call their attention to the need for ensuring that "pupils of both sexes have the same opportunity to take basic school curricula, including curriculum choices".

The majority supported this version on the ground of clarity. The representative of UNESCO also expressed approval, pointing out that educators were reluctant to use so categorical an expression as "identity of basic school curricula", since the trend in education was towards diversification and adaptation to needs.

The substitute proposal was adopted by 15 votes to none, with 3 abstentions, at the 244th meeting of the Council's Social Committee (E/2486 H) on 14 July, and unanimously by the

Council at its 736th plenary meeting on 23 July, as resolution 504 H (XVI). It read:

"The Economic and Social Council,

"Draws the attention of governments and of specialized agencies to the need for ensuring that pupils of both sexes have the same opportunity to take basic school curricula, including curriculum choices."

The Commission on the Status of Women further adopted a resolution requesting the Secretary-General, in collaboration with UNESCO, to provide the Commission at its next session with all available information on the number of scholarships and fellowships granted to men and women students respectively in primary, secondary, higher and technical education. It also requested the Secretary-General to continue to co-operate with the Director-General of UNESCO to advance opportunities for education of women, and to assure full consideration of the needs of and participation by women in all programmes relating to education on equal terms with men. It recommended a draft resolution (E/2401 I) for adoption by the Economic and Social Council (see below).

During the Council's discussion, the representative of UNESCO stated that the information in UNESCO's possession was inadequate as a basis for any serious study as requested by the Commission, and would involve lengthy and difficult research. UNESCO, he further pointed out, had no funds to devote to such a study before 1955. The United States representative thought that the cost would be out of proportion to the value of the results. Moreover, in the view of his Government, primary education ought to be compulsory and free and the question of scholarships should therefore not arise at that level, he stated.

The draft resolution proposed by the Commission was unanimously adopted by the Social Committee (E/2486 I), at its 244th meeting on 14 July, and by the Council at its 736th plenary meeting on 23 July, as resolution 504 I (XVI). It read:

"The Economic and Social Council,

"1. Recommends to Member States that laws and regulations regarding the distribution of scholarships provide equal opportunities for girls and women, and that such scholarships be made available to them for education in any field and in preparation for all careers;

"2. Expresses the hope that, in countries where native and official languages exist, attention will be given in programmes of education to the importance of providing equal opportunities for women to acquire the language, in addition to their own, which will permit them access to the resources of knowledge in the general culture of the country."

6. Technical Assistance Programmes in Relation to the Status of Women

The Commission on the Status of Women had before it reports (E/CN.6/189 & Add.1) by the Secretary-General and other documents describing the nature and the extent of the technical assistance programmes administered by the United Nations and the various specialized agencies. It also had before it for information purposes: a report by the Secretary-General (E/2209) on United Nations Programmes of Technical Assistance; Evaluation of the Programme of Advisory Social Welfare Services 1947-1951 (E/CN.5/266); Programme of Fellowships and Scholarships for 1954; and Background Paper No. 74 (ST/DPI/SER.A/74) on United Nations Technical Assistance.

The Commission adopted a resolution (E/2401 J), asking the Council:

(1) to recommend to member Governments that they increase the participation of women in the formulation and carrying out of various technical assistance and other programmes;

(2) to recommend sympathetic consideration by the appropriate bodies of requests submitted by governments within the framework of those programmes for aid which would be useful in raising the status of women; and

(3) to authorize, subject to the approval of the General Assembly, the Secretary-General to render, at the request of Members, expert advice and other services in order to assist these States in improving the status of women, such services to include advice regarding the drafting of legislation and other matters which he deems appropriate.

During the discussion at the Council's sixteenth session, the majority supported the principles underlying the resolution. A number of representatives, however, among them those of Australia, Belgium, France, Sweden and the United Kingdom, thought it would be preferable to refer the question to the Council's Technical Assistance Committee. The representative of the United States pointed out that the draft resolution referred, in one paragraph, to existing technical assistance programmes and, in another, to a new type of programme, namely technical assistance to promote human rights. Therefore, at the Social Committee's 245th meeting on 15 July, he introduced an alternative draft resolution (E/AC.7/L.163) designed to simplify and rearrange the original text. Part A of the new text dealt with existing programmes and Part B with a new type of programme. While recognizing that separate funds might be required under Part B, he stated that in the initial stages they could be met out of existing resources.

The representatives of Australia and the United Kingdom thought it unrealistic to base a proposal on a remote possibility of obtaining funds through savings in other sections of the United Nations budget. The Australian representative therefore proposed (E/AC.7/L.164) that the authority of General Assembly resolution 418(V) on advisory social welfare services should be extended to cover the new expenses. However, he subsequently withdrew the amendment on the understanding that the draft resolution would not be regarded as committing the Council or Committee on any other eventual proposal concerning other forms of technical assistance in the field of human rights.

The representative of the United States accepted an oral United Kingdom amendment to address the recommendations concerning conferences, seminars and training courses to governments rather than to the Secretary-General and the specialized agencies.

The Social Committee, at its 248th meeting on 17 July, adopted Part A of the draft resolution (E/AC.7/L.163) by 17 votes to none, with 1 abstention, and Part B by 13 votes to none, with 5 abstentions. It was adopted, as a whole (E/2486 J I & II), by 15 votes to none, with 3 abstentions.

The Council, at its 736th plenary meeting on 23 July, adopted the resolution, by the same votes, as resolution 504 J I & II (XVI). The representative of the United Kingdom stated that he had abstained, in particular, on the grounds that it was inappropriate for the Council to establish what might be regarded as a precedent when the whole question of technical assistance in the field of human rights had been referred to governments for their consideration. The French representative abstained since she did not disapprove of the principles but wished to leave the door open until the financial implications of Part II were better known.

Resolution 504 J I & II (XVI) read:

I

"The Economic and Social Council,

"Noting the constructive nature and extent of the technical assistance programmes administered by the United Nations and the various specialized agencies,

"1. Recommends to the organizations participating in the technical assistance and other programmes providing aid or assistance that they give sympathetic consideration to the requests which governments may submit for aid, within the framework of existing programmes, which would be useful in promoting the economic and social advance of women;

"2. Recommends to governments of Member States:

"(a) That, where women are not already participating in the formulation of requests for technical assis-

tance, consideration be given to appointing qualified women to posts in which they may share in framing policy and planning specific technical assistance projects;

"(b) That they encourage increased participation of women in conferences, seminars and training courses organized under existing technical assistance programmes."

II

"The Economic and Social Council,

"Bearing in mind that, under Article 66 of the Charter of the United Nations, the Council "may, with the approval of the General Assembly, perform services at the request of Members of the United Nations and at the request of specialized agencies",

"Relieving that the fields in which the Secretary-General is at present authorized to render assistance for the purpose of improving the status of women may appropriately be broadened,

"Decides that, subject to the approval of the General Assembly, the Secretary-General shall be authorized to render, at the request of Member States, services which do not fall within the scope of existing technical assistance programmes, in order to assist these States in promoting and safeguarding the rights of women."

The General Assembly at its eighth session considered the question, at the 485th and 486th meetings of its Third Committee on 24 and 25 September, under the item "Technical assistance in promoting and safeguarding the rights of women". It had before it the relevant sections of the report of the Economic and Social Council (E/2430) and a note by the Secretary-General (A/2454) directing attention to Council resolution 504 J II (XVI). The discussion in the Committee was mainly directed to a draft resolution (A/C.3/L.339/Rev.1), submitted by Cuba, the Dominican Republic and Pakistan, which would note the Council's resolution and approve its decision to extend the Secretary-General's authority in the manner therein described.

All representatives agreed on the principles and the majority supported the draft resolution. Again, the main point of disagreement concerned the financial implications, the representatives of Australia, France, the Netherlands, the Union of South Africa and the United Kingdom stressing the importance of fuller information regarding the extent of the commitment involved.

The representatives of Syria, the United Kingdom, Uruguay and Yugoslavia also questioned the absence of a more specific indication of the type of services to be rendered. The representative of the Dominican Republic thought that the exact nature of the services that would be rendered could be determined only after the receipt of requests from Member States. He and the representative of the United States suggested, as possible types of projects, advice in connexion with

revision of laws and practices relating to property, inheritance and family rights of women and assistance in planning programmes for the progressive advancement of women's status in political as well as in economic and social fields. With respect to financial implications, the representative of the United States pointed out that the assistance provided for in the resolution could, for the year 1954 at least, be rendered by the Secretary-General without additional expenditure by utilizing existing staff, for whom requesting governments might bear local costs, and that a year's experience would provide a possible basis for future budgetary provisions if these became necessary.

The Secretary-General presented a statement (A/C.3/L.339/Rev.1/Add.1) of financial implications, indicating that assistance would be provided within available funds to the maximum extent possible through the use of staff members seconded from the existing establishment. It was foreseen that such requests would necessitate expenditures for travel and subsistence of such staff and for miscellaneous expenses. The local costs, it was assumed, would be borne by recipient governments, in accordance with normal technical assistance arrangements. Should this course of action prove inadequate, the Secretary-General would rely on the resolution on unforeseen and extraordinary expenses, whereby, with the concurrence of the Advisory Committee on Administrative and Budgetary Questions, additional resources from the Working Capital Fund might be made available to meet urgent needs.

The Fifth Committee at its 392nd meeting on 19 October subsequently endorsed (A/2525) the decision of the Advisory Committee to concur in the Secretary General's proposal, inasmuch as the nature and volume of requests likely to arise were not known at that stage.

The draft resolution was adopted by a roll-call vote of 39 to none, with 14 abstentions, at the Third Committee's 486th meeting on 25 September (E/2494) and by the General Assembly, at its 453rd plenary meeting on 23 October, by a roll-call vote of 47 to none, with 13 abstentions, as follows:

In favour: Argentina, Belgium, Bolivia, Brazil, Burma, Byelorussian SSR, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Luxembourg, Mexico, Nicaragua, Pakistan, Panama, Paraguay, Philippines, Poland, Syria, Thailand, Turkey, Ukrainian SSR, USSR, United States, Uruguay, Venezuela, Yugoslavia.

Against: None.

Abstaining: Afghanistan, Australia, Denmark, France, Netherlands, New Zealand, Norway, Peru, Saudi Arabia, Sweden, Union of South Africa, United Kingdom, Yemen.

Resolution 729(VIII) read:

"The General Assembly,

"Noting Economic and Social Council resolution 504 J II (XVI) of 23 July 1953 concerning technical assistance in promoting and safeguarding the rights of women,

"Approves the decision of the Council authorizing the Secretary-General to render, at the request of Member States, services which do not fall within the scope of existing technical assistance programmes, in order to assist these States in promoting and safeguarding the rights of women."

7. Economic Opportunities for Women

The Commission on the Status of Women, at its seventh session, had before it a report by the Secretary-General (E/CN.6/213) concerning part-time work for women and a preliminary report prepared by the International Labour Office (E/CN.6/222) on part-time employment. After noting these reports, the Commission requested (E/2401) the Secretary-General, in co-operation with the International Labour Office, to continue study of the question with a view to preparing such further reports as might be needed to serve as a basis for full discussion of the question at the Commission's eighth session. It invited them to give special attention to the work of women in cottage industries and handicrafts and in seasonal agricultural work in the economically underdeveloped countries of the world. The Commission also expressed the wish that the Secretary-General prepare a bibliography of books and pamphlets on this subject.

8. Participation of Women in the Work of the United Nations and the Specialized Agencies

The Commission had before it a report by the Secretary-General (E/CN.6/216 & Add.1) containing information on the nature and proportion of positions occupied by women in the secretariats of the United Nations and the specialized agencies, and on the number and proportion of women who had served in delegations since the San Francisco Conference. The Commission, taking note of the report of the Secretary-General, deplored the exceedingly small number of women occupying senior and policy-making posts in the secretariats of the United Nations and the specialized agencies and the fact that no upward trend

was discernible in the reports of past years. It urged the Secretary-General and the chief administrative officers of the specialized agencies, in making appointments to senior and policy-making positions in the secretariats, to give equal consideration to qualified women, in conformity with Article 8 of the Charter. It also urged that all discrimination against women be eliminated from the conditions of employment in the secretariats.

The Commission further invited the Secretary-General to continue to make such annual reports, to include in those reports data on the number and proportion of applications presented by women and accepted, and to continue to supplement the report by information on the number and proportion of women who had served during the year as delegates and alternates in sessions of the principal organs of the United Nations and in conferences of the specialized agencies. It suggested that, in addition, the report should include whatever information was available on the number and proportion of women in fellowship and internship programmes of the United Nations and the specialized agencies, and of those serving as experts on technical assistance projects.

The Commission also recommended to non-governmental organizations that they emphasize the importance of expanding opportunities for women at the national level as a means of encouraging the appointment of more women to policy-making posts in the United Nations and specialized agencies.

9. Other Work

The Commission at its seventh session also took note of two lists of communications, a non-confidential list (E/CN.6/CR.6) and a confidential list (SW/Communications List No. 3), submitted by the Secretary-General, together with a reply (SW/Communication No.1) from the Government of a Member State concerning a communication sent to it.

Concerning its programme of future work, it established a programme of priorities, the main headings of which were: political rights and public law; nationality; economic rights and equal pay; private law; educational opportunities; and activities of other United Nations organs affecting the status of women.

The Commission also took note of the report of the Inter-American Commission of Women (E/CN.6/224) on its activities during the year. It adopted a resolution concerning the attendance at its session of a representative of the Women's International Democratic Federation, a non-governmental organization in consultative status category B, expressing regret that the representative had not been granted an entry visa which would have enabled her to come to United Nations Headquarters and to take part in the work of the Commission, calling the attention of the Council to that abnormal situation and requesting it to examine this question at its fifteenth session in order to take appropriate measures.¹²⁵

N. REFUGEES

1. Report of the United Nations High Commissioner for Refugees

In accordance with the Statute of the Office of the United Nations High Commissioner for Refugees,¹²⁶ the General Assembly, at its eighth session, was to review the arrangements for the Office with a view to determining whether it should be continued beyond 31 December 1953. The High Commissioner accordingly submitted, through the Economic and Social Council at its sixteenth session, a report covering the period from June 1952 to May 1953,¹²⁷ giving as full an account as possible of the work undertaken by the Office during that time. The report contained a section on the historical background, and dealt with general activities and work of protection, the work of the branch offices and the situation of refugees in various countries, refugees requir-

ing institutional care, the Refugee Emergency Fund, Ford Foundation grants for refugees, and the Advisory Committee on Refugees.

In his conclusions, the High Commissioner stated that, despite the fact that a number of individual countries had made great efforts to provide some permanent solution for the problem of refugees within the mandate of the Office, there remained a continuing need for some central international organization concerned with the problems of refugees. To ensure that the best possible use is made of the various international funds made available to help refugees, this central organization, he considered, must have some say in the allocation of the funds. Closer co-ordination

¹²⁵ See pp. 501-503.

¹²⁶ See Y.U.N., 1950, pp. 585-87.

¹²⁷ For activities prior to this date, see Y.U.N., 1952, pp. 497-501. For those undertaken during 1953, see below.

and, therefore, more efficient use of existing machinery rather than the establishment of new machinery was needed, he maintained. Continued effort, he stated, must be made not only in the direction of resettlement but also in that of repatriation and integration. This did not imply that there was a need for an international organization with operational functions to deal with the current refugee problem; the responsibilities of the United Nations in providing international protection and seeking permanent solutions should, in his opinion, mainly be the promotion and co-ordination of operations on behalf of refugees. However, he considered, it was essential to prolong the arrangements for the Office for a period long enough to make it possible for it to devote its efforts entirely to the needs of refugees and not, after a very short period, to the administrative problems of liquidation. He therefore recommended that, should the Assembly continue the Office, it should do so for a period of not less than five years and that any subsequent review should take place at least one year before the termination date. In addition, he stressed in the report that it was urgent for the General Assembly to give renewed attention to the continuing problem of emergency aid to the most needy groups within the mandate of his office.

2. Consideration by the Economic and Social Council at its Sixteenth Session

The Economic and Social Council had the High Commissioner's report before it at its 713th to 715th plenary meetings on 6 and 7 July 1953. The majority congratulated the High Commissioner on the progress made by his Office, despite the limited resources at his disposal, and agreed that it was necessary for the work of the Office to be continued. It was also generally agreed that any question of extending the scope of the mandate should be raised in the Assembly. In this connexion, the representative of France, pending the Assembly's decision on the continuation of the Office, at the 715th plenary meeting withdrew a draft resolution (E/L.523) which would propose to increase the powers and responsibilities of the Advisory Committee.

With regard to continuing the Office, there was some difference of opinion as to whether a period should be defined at all, whether the Assembly should define it, or whether three years was preferable to five, but it was finally agreed that the Council should recommend that the Assembly approve the continuation of the Office for a further five years.

By 16 votes to 2, the Council, at its 714th plenary meeting on 7 July, adopted a draft resolution (E/L.521/Rev.1) submitted by Australia, Sweden and the United Kingdom.

By this resolution (500(XVI)) the Council, considering the valuable work performed by the Office of the High Commissioner both in providing international protection for refugees and promoting permanent solutions for their problems, expressed its appreciation of the report, recommended that the Office should be continued for a further period of five years, and drew the attention of the General Assembly to the importance of making provision for the arrangements of the Office to be reviewed at least one year before the expiry of the period which it would determine.

3. Consideration by the General Assembly at its Eighth Session

The General Assembly considered the work of the Office of the United Nations High Commissioner for Refugees at the 497th to 502nd meetings of its Third Committee, on 13 to 16, 19 and 20 October, and at its 453rd and 454th plenary meetings on 23 October 1953. In addition to the report of the United Nations High Commissioner for Refugees (A/2394) (see above), it had before it the relevant sections of the report of the Economic and Social Council (A/2430), a note by the Secretary-General (A/2449) on the question of the continuation of the Office of the High Commissioner, and a memorandum by the Secretary-General (A/2457) containing his comments on the work of the United Nations on behalf of refugees.

At the Committee's 497th meeting on 13 October, the High Commissioner, Dr. G. J. van Heuven Goedhart, outlined the background and origins of the Office, explaining its functions in connexion both with international protection of refugees and the promotion of permanent solutions for their problems. He stressed, among other things, the precarious situation of refugees who were dependent on the Refugee Emergency Fund, particularly those of European origin in China; the difficult cases requiring special care; and the situation of a considerable number of refugees still living in camps in Europe. He also mentioned the valuable work which the interested organizations had enabled his Office to promote in the field of social and economic assimilation of refugees.

At the end of his statement, the High Commissioner submitted certain conclusions (A/C.3/-

L.356) for the consideration of the Committee. In those conclusions, he pointed out that a solution of the refugee problem required the co-operation, in a co-ordinated manner, between the countries of first and second asylum and those of resettlement. There was need, he emphasized, for a better and more co-ordinated use of existing machinery rather than new machinery. Stressing the co-ordinating role of his Office, he pointed out that if the Office were consulted prior to the launching of any programme of international action on behalf of refugees, there would be a considerable increase in the efficiency of the work done. It would also be a step forward if governments would see their way to give attention at a higher level to refugee problems. He also emphasized that the complexity of the current refugee problem made it necessary for a certain amount of long-term planning to be undertaken and for this reason considered five years the minimum period for the prolongation of the Office. Finally, he appealed for further contributions to the Refugee Emergency Fund, pointing out that for many thousands of refugees within the mandate of his Office the living conditions were nearly desperate.

The discussion in the Committee was mainly directed to the question of the continuation of the Office and the need for greater co-ordination of international action on behalf of refugees. The majority expressed their appreciation of the work of the Office of the High Commissioner and emphasized the necessity of continued United Nations action on behalf of refugees through the Office. The majority also emphasized the necessity of working for permanent solutions of the refugee problem through integration and resettlement, and the importance of greater co-ordination of programmes. However, a number of representatives, among them those of Iraq, Saudi Arabia and Yugoslavia, considered that more attention should be paid to voluntary repatriation.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR considered that the work of the Office should be discontinued, and expressed strong criticism of international action undertaken on behalf of refugees since the end of the war through the International Refugee Organization and the Office of the High Commissioner. They maintained that the Office tended to perpetuate the refugee problem, which should be solved through the repatriation of the refugees in accordance with General Assembly resolution 8(I) of 12 February 1946, the provisions of which, they stated, had not been observed.

The High Commissioner, in answer, stated that he firmly believed that repatriation was the ideal solution for the refugee problem. However, it should be pointed out that repatriation should be voluntary, as was clear from the terms of the Statute of his Office. No person could be sent back to his country of origin against his will and, in fact, the refugees who asked for repatriation were few. Moreover, the High Commissioner's task was not to ensure repatriation or resettlement of refugees. His responsibility was only to facilitate solutions of that kind, not to carry them out. When a refugee expressed a desire to return to his country the High Commissioner could only put him in touch with the nearest interested consulate; such a case had occurred, for example, in connexion with 75 Yugoslav citizens in Greece and twelve European refugees from Shanghai. He was acting, he stated, within the means at his disposal; he had no funds to finance repatriation. Moreover, the Statute and the various resolutions of the General Assembly showed that a refugee who asked to return to his country ceased automatically to be a refugee within the meaning of their provisions and no longer came under the jurisdiction of the High Commissioner. Personally, he was entirely in favour of voluntary repatriation as a solution, yet it was not for him to encourage refugees to take that step but merely to aid those who showed a desire to return to their countries, so far as his means and his terms of reference allowed.

The Committee had before it two draft resolutions, one on the continuation of the Office of the High Commissioner, and a second on the work of the Office. The former, submitted by Belgium, Denmark, the Netherlands, Sweden, the United Kingdom and Uruguay (A/C.3/L.355/Rev.1) would reaffirm the Statute of the Office and recommend that it should be continued for a period of five years from 1 January 1954, with a review to take place not later than at the twelfth session of the General Assembly. The representative of the United States submitted an amendment (A/C.3/L.360) to this, which would omit any reference to the reaffirmation of the Statute but recommend that the Office be continued for five years on the basis of the Statute.

The second draft resolution, submitted by Belgium, Brazil, Colombia, Denmark, the Netherlands, Norway and the United Kingdom (A/C.3/L.357), and concerning the work of the Office of the High Commissioner, would invite the High Commissioner to concern himself in particular with refugees requiring emergency aid, those still living in camps and those requiring special care,

and would appeal to governments to intensify their efforts to promote solutions for the problems of refugees in co-operation with the High Commissioner. It would congratulate the High Commissioner on the relations established with interested organizations and express the hope that appropriate consultations would take place in the drawing up of all programmes of international action designed to improve the situation of refugees who were the concern of the High Commissioner.

Amendments to this draft resolution were proposed by Syria (A/C.3/L.358 & 361) and by Yugoslavia (A/C.3/L.359). The first Syrian amendment (A/C.3/L.358) would request the High Commissioner in the exercise of his functions to take account of the provisions of General Assembly resolution 538 B (VI) of 2 February 1952 concerning repatriation and the provisions of the Statute, emphasizing the humanitarian character of the work of the Office and the importance of concentrating attention on the more destitute categories of refugees. The Yugoslav amendment (A/C.3/L.359) would also stress the question of repatriation and would invite the High Commissioner to pay particular attention and take care of refugees willing to be repatriated. It would further invite him to report to the Assembly's ninth session on his consultations with appropriate international organizations on all programmes of international action designed to improve the situation of refugees within his mandate.

The second Syrian proposal (A/C.3/L.361) would delete the paragraph in the preamble of the draft resolution expressing appreciation for the work accomplished and, in the operative part, the congratulations offered the High Commissioner for the relations he had established with interested organizations.

At the suggestion of the Chairman, the authors of the amendments and the two draft resolutions met informally and agreed on two compromise texts (A/C.3/L.355/Rev.2 & A/C.3/L.357/-Rev.1).

They were adopted by the Third Committee (A/2523 & Corr.1 (I & II)), at its 502nd meeting on 20 October, by 43 votes to 5, with 4 abstentions, and by a roll-call vote of 45 to 5, with 3 abstentions, respectively. The General Assembly, at its 453rd plenary meeting on 23 October, adopted the draft resolutions by 47 votes to 5, with 3 abstentions, and by 48 votes to 5, with 4 abstentions, respectively, as resolutions 727 and 728(VIII).

The same day, at its 454th meeting, on the nomination of the Secretary-General (A/2527) in accordance with Chapter III, paragraph 13 of the Statute of the High Commissioner's Office, the President of the Assembly declared Dr. G. J. van Heuven Goedhart elected as United Nations High Commissioner for Refugees for a period of five years, beginning 1 January 1954. The representative of the USSR stated that, for reasons already explained, he wished to be considered as voting against the election of the High Commissioner. The representatives of the Byelorussian SSR, the Ukrainian SSR, Czechoslovakia and Poland associated themselves with the USSR's objections.

Resolution 727(VIII) read:

"The General Assembly,

"Recalling its resolutions 319(IV) of 3 December 1949 and 428(V) of 14 December 1950, by which the Assembly decided to establish the Office of the United Nations High Commissioner for Refugees and adopted the Statute governing the operation of that Office,

"Considering the continuing need for international action on behalf of refugees,

"Considering the valuable work which has been performed by the Office of the High Commissioner both in providing international protection for refugees and in promoting permanent solutions for their problems,

"1. Decides to continue the Office of the United Nations High Commissioner for Refugees for a period of five years from 1 January 1954 on the basis of the Statute of the Office contained in the annex to General Assembly resolution 428(V);

"2. Decides to review, not later than at the twelfth regular session of the Assembly, the arrangements for the Office of the High Commissioner with a view to determining whether the Office should be continued beyond 31 December 1958;

"3. Decides that the High Commissioner shall be elected for a period of five years from 1 January 1954, and that the High Commissioner shall appoint a Deputy High Commissioner of a nationality other than his own."

Resolution 728(VIII) read:

"The General Assembly,

"Having considered the problems of refugees who are the concern of the United Nations High Commissioner for Refugees in the light of his report to the General Assembly at its eighth session and of the Secretary-General's memorandum,

"Having noted with appreciation the work being done on behalf of these refugees,

"Having noted with concern the precarious situation of certain groups of refugees within the High Commissioner's mandate, in particular those in need of emergency aid, the considerable number still living in camps, and those requiring special care for whom no satisfactory arrangements have yet been made,

"1. Invites the High Commissioner to concern himself in particular with these groups of refugees in carrying out his functions as defined in the Statute of his

Office and to pay special attention to them in his report to the General Assembly at its ninth session;

"2. Appeals to the governments of States Members and non-members of the United Nations to intensify their efforts to promote, in co-operation with the High Commissioner, solutions for the problems of refugees, through repatriation, resettlement and integration in accordance with General Assembly resolution 538 B (VI) of 2 February 1952;

"3. Takes note of the relations which the High Commissioner has established with interested organizations, expresses the hope that appropriate consultations will take place in the drawing up of all programmes of international action designed to improve the situation of refugees within his mandate and invites the High Commissioner to give an account of such consultations in his report."

4. Work of the Office of the United Nations High Commissioner for Refugees

The Office of the United Nations High Commissioner for Refugees, established by the General Assembly as of 1 January 1951, continued to function during 1953.¹²⁸

On 2 February 1952, the General Assembly (resolution 538 B (VI))¹²⁹ had authorized the High Commissioner to appeal for funds to provide emergency aid to the most needy groups of refugees within his mandate. An appeal for funds with which to finance a programme of emergency relief was immediately launched under the name "United Nations Refugee Emergency Fund" (UNREF). During the subsequent year, it was possible, through voluntary contributions from governments and private persons, to provide food and medical attention for the most needy groups of refugees within the High Commissioner's mandate.

The continued provision throughout the world of international protection to refugees within the mandate was the major task of the Office during the year.

The branch offices¹³⁰ were particularly concerned with helping refugees represent their needs to the competent national and local authorities. They assisted refugees to establish their refugee status and to obtain the necessary legal documents. Representations were also made to the competent authorities concerning the right to work, social security benefits and public relief.

An important aspect of international protection for refugees is the promotion of the ratification of relevant international conventions. By the end of 1953 five countries—Belgium, Denmark, the Federal Republic of Germany, Luxembourg and Norway—had ratified the 1951 Convention Relating to the Status of Refugees. It was to come

into force 90 days after the deposit of the sixth instrument of ratification or accession.¹³¹

Special attention was given during the year to the difficult problem of finding asylum for the sick and elderly persons, currently numbering 800, among the group of 15,000 refugees of European origin in China. Barred by reasons of health from the regular programmes of immigration, these persons constituted the residual problem of several years of practical work on behalf of refugees in this region by previous organizations.

A new approach was made to governments, with the result that by the end of 1953, places in homes and sanatoria had been found for more than 300, and the first large group, made up of 51 persons, had been moved from Shanghai to Hong Kong to await transport to Sweden, Denmark and Belgium.

In Austria, a survey of the situation of sick and elderly refugees among the approximately 230,000 refugees within the High Commissioner's mandate was begun. The condition of refugees who have already been placed in institutions and the problems of those who require hospital treatment or special care are to form part of the survey.

In September 1952, the Ford Foundation made available a grant of \$2,900,000 with which the High Commissioner, as Administrator of the grant, was able to launch a number of pilot projects designed to promote the economic integration of refugees in Austria, France, Germany, Trieste and Greece and opportunities for resettlement in Latin America, Canada and Australia. These projects were implemented by voluntary agencies. This work continued throughout 1953 and, by September, almost all the Ford Grant had been allocated; matching contributions to the value of \$7,943,774 had extended the scale of the projects, with the result that nearly 300,000 refugees would benefit.

Some \$400,000 of the \$2,900,000 grant were allocated by the High Commissioner for practical

¹²⁸ For discussions leading to the establishment of the High Commissioner's Office, see Y.U.N., 1950, pp. 580-85. For text of the Statute of the Office, see *ibid.*, pp. 585-87. A summary of the functions and organizational arrangements for the Office is contained in Y.U.N., 1952, pp. 496-97 and is therefore not repeated in this volume. The members serving on the High Commissioner's Advisory Committee and the principal officials of the Office are given in Appendix I. The addresses of the Headquarters, liaison and branch offices are annexed to this section.

¹²⁹ See Y.U.N., 1951, p. 531.

¹³⁰ For list of these branch offices, see p. 440.

¹³¹ Australia deposited its instrument of accession on 22 January 1954 and the Convention accordingly came into force on 22 April 1954.

assistance to Berlin refugees whose arrival in large numbers was affecting the position of the foreign refugees already in Germany. The High Commissioner also appealed to governments in January 1953 to support his action and, by 15 September, goods to the value of \$2,323,843 had been received and the United States Government had donated \$15,000,000 for housing settlements for East German refugees.

The High Commissioner's Advisory Committee met between 27 April and 2 May, when arrangements for the High Commissioner's Office were reviewed and discussion centred on international protection and the position of the refugees of European origin in China and Hong Kong.

UNITED NATIONS REFUGEE EMERGENCY
FUND BUDGET

The main details of the expenditures and contributions relating to the United Nations Refugee Emergency Fund (UNREF) follow.

By 31 December 1953, contributions or pledges, totalling \$1,062,096, had been received as follows:

Contributions Received	
Governmental	
Australia	\$ 55,833
Austria	1,923
Belgium	40,000
Canada	100,462
Denmark	14,607
France	85,714
Germany	13,095
Greece	1,000
Luxembourg (3 contributions)	2,970
Netherlands	35,000
Norway	14,104
Sweden	19,492
Switzerland	69,284
United Kingdom	280,000
	\$ 733,484
Private Agencies, Societies and Individuals	61,937
	\$ 795,421
Other Assets	
IRO Trust Fund for Shanghai Operation	235,869
IRO Grant for resettlement of difficult case:	10,000
Miscellaneous Income	6,702
	\$ 252,571

Pledges from Governments	
Norway (2nd contribution)	14,104
Total	\$1,062,096 ¹³²

Allocations

Of this total, \$847,527 had been spent and the remainder allocated by the end of 1953. Expenditures were as follows:

For emergency relief to refugees in	
Austria	\$ 35,107
Belgium	420
Germany	16,578
Greece	27,944
Italy	25,000
Middle East	21,000
Switzerland	483
Trieste	20,000
Turkey	1,500
	\$ 148,032
Resettlement of difficult cases from Shanghai to Belgium	\$13,000
Resettlement of difficult cases from Shanghai to France	20,000
	\$ 33,000
Expenditures Shanghai Operation	
1 March 1952-31 December 1953	503,143
Due ICEM care and maintenance refugees in Hong Kong 1953	121,360
Due Jewish Council care and maintenance refugees in Shanghai 1953	3,511
	\$ 628,014
Administrative expenses	
1 March 1952-31 December 1953	21,851
Fund raising expenses	7,179
Miscellaneous	3,451
	\$ 32,481
Accounts payable (Liquidated since date of statement)	6,000
	\$ 847,527

¹³² As of 26 February 1954, an additional \$97,496 have been received from Australia (2nd contribution), the Holy See, New Zealand and Switzerland (2nd contribution).

ANNEX. OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES:
HEADQUARTERS, LIAISON AND BRANCH OFFICES

(1) HEADQUARTERS:

Address: Office of the United Nations High
Commissioner for Refugees,
Palais des Nations,
Geneva, Switzerland.
Cables: HICOMREF GENEVA

Address: Representative,
UNHCR Branch Office for Germany,
89/91 Kolnerstrasse,
Bad Godesberg, Germany.
Cables: HICOMREF BAD GODESBERG

(2) LIAISON OFFICE WITH UNITED NATIONS
HEADQUARTERS:

Address: Office of the United Nations High
Commissioner for Refugees,
Room 3858,
United Nations Headquarters,
New York, U.S.A.
Cables: HICOMREF NEW YORK

Address: Representative,
UNHCR Branch Office for Greece,
59 Skoufa Street,
Athens, Greece.
Cables: HICOMREF ATHENS

Address: Representative,
UNHCR Branch Office for Italy,
Viale David Lubin 2,
Rome, Italy.
Cables: HICOMREF ROME

(3) BRANCH OFFICES:

Address: Representative,
UNHCR Branch Office for Austria,
3 Krugerstrasse,
Vienna I, Austria.
Cables: HICOMREF VIENNA

Address: Representative,
UNHCR Branch Office for Latin America,
Avenida Jiménez de Quesada 8-89,
Oficina 301,
Bogota, Colombia.
Cables: HICOMREF BOGOTA

Address: Representative,
UNHCR Branch Office for Belgium,
Netherlands and Luxembourg,
63 rue de l'Association,
Brussels, Belgium.
Cables: HICOMREF BRUSSELS

Address: Representative,
UNHCR Branch Office for the United
Kingdom and British Commonwealth,
Russell Square House,
Russell Square,
London, W.C.1., England.
Cables: HICOMREF WESTCENT LONDON

Address: Representative,
UNHCR Branch Office for the Far East,
c/o ECAFE,
Rajadamnoen Avenue,
Bangkok, Thailand.
Cables: HICOMREF BANGKOK

Address: Representative,
UNHCR Branch Office for the United States
U.N. Headquarters,
United Nations, New York.
Cables: HICOMREF NEW YORK

Address: Representative,
UNHCR Branch Office for France,
103 rue de l'Université,
Paris 7, France.
Cables: HICOMREF PARIS

Address: Joint Representative,
United Nations High Commissioner for
Refugees and the Intergovernmental
Committee for European Migration
c/o Bank of East Asia Building,
801 Desvoeux Road C,
Hong Kong.
Cables: HICOMREF HONG KONG

O. SOCIAL QUESTIONS

The Economic and Social Council at its sixteenth session reviewed the report of the ninth session of the Social Commission, held from 4 to 20 May 1953 (E/2437), which, inter alia, dealt with two major subjects, the programme of concerted practical action in the social field and the future of UNICEF.¹³³ The Council also considered those sections of the Commission's report dealing with the progress made on a number of selected items of the Commission's work programme, as well as its general work programme and priorities for 1954-1955, as indicated below.

1. Concerted Practical Action in the Social Field

a. REPORT OF THE SECRETARY-GENERAL

In accordance with General Assembly resolution 535(VI)¹³⁴ and Council resolutions 434 A (XIV)¹³⁵ and 451 A (XIV),¹³⁶ and in the light of the findings of the Preliminary Report on the

¹³³ For UNICEF, see below, under that heading.

¹³⁴ See Y.U.N., 1951, pp. 552-53.

¹³⁵ See Y.U.N., 1952, p. 506.

¹³⁶ Ibid, p. 539.

World Social Situation (E/CN.5/267/Rev.1)¹³⁷ the Secretary-General, in consultation with the executive heads of the specialized agencies concerned, submitted to the Social Commission at its ninth session a report on a "Programme of Concerted Practical Action in the Social Field of the United Nations and Specialized Agencies" (E/CN.5/291 & Addenda). The report represented the common efforts of the United Nations (including UNICEF, the Office of the United Nations High Commissioner for Refugees, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and the United Nations Korean Reconstruction Agency (UNKRA)), the International Labour Organisation (ILO), the Food and Agriculture Organization of the United Nations (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), and the World Health Organization (WHO), and took into account the observations submitted by various governments.¹³⁸ The essential findings of the report expressed the views of the executive heads of the international agencies concerned, but not of their policy-making bodies.

The report reviewed the development of policy in international social programmes, analysed the current programmes and suggested various developments and re-orientations in the following fields: background research basic to social policy; health and narcotic drugs; housing and town and country planning; nutrition and home economics; education; labour; community organization and development (with special reference to rural areas programmes); social security, social assistance and related measures concerned with income; social protection and rehabilitation; migration and refugees; and emergency relief. Further, it analysed the techniques used for the implementation of international social programmes: collection and dissemination of information, legal and semi-legal instruments in the social field and direct assistance to governments.

In the conclusions of the report, the Secretary-General and the Directors-General of the four specialized agencies concerned stated that, in their view, there did not appear to be any significant gaps in the substance of international programmes in the social field. They stated that the most important problems which arose in increasing the effectiveness of the social programme were: (1) improvement of techniques; (2) achieving full governmental and popular co-operation in the implementation of essential long-term programmes; and (3) obtaining new resources for social development. The international organizations, it was stated, might make a substantial con-

tribution to the improvement of techniques within the limitations of existing constitutional arrangements but the solutions to problems of new resources and governmental and popular co-operation lay almost wholly within the province of Member Governments.

The Social Commission, in developing its recommendations at its ninth session, reviewed its own work programme and also considered the contributions which the specialized agencies and other organizations had made, and could make, towards improving social conditions.

The Commission, in its report (E/2437), set forth for the Council's approval certain general principles to be applied in matters of assistance to governments, the essential elements of a programme of practical action in the social field and the methods and techniques best adapted to carrying out activities in the social field.

The importance of the role of non-governmental organizations in promoting and developing programmes of social action was emphasized by various members of the Commission and also confirmed by the representatives of non-governmental organizations who participated either in the Commission's or the Council's consideration of this item.¹³⁹

b. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS SIXTEENTH SESSION

The question of concerted practical action in the social field was considered by the Council at its sixteenth session, during its 734th to 736th, 738th, 739th and 744th plenary meetings, held on 21, 23, 28 and 31 July 1953. Most representatives, including those of Argentina, Belgium,

¹³⁷ U.N.P., Sales No.: 1952.IV.11.

¹³⁸ The following Governments had, up to 15 February 1953, submitted observations: Canada, Ceylon, Egypt, France, Italy, the Philippines, Sweden, the United Kingdom, the USSR and the United States. In addition, the following Governments stated that they had no specific suggestions to offer: Austria, Denmark, Egypt, the Hashemite Kingdom of Jordan, India, New Zealand, Panama, Switzerland and Thailand. Subsequently (by 23 April 1953) the following Governments submitted observations: Greece, the Netherlands, the Union of South Africa and Yugoslavia.

¹³⁹ Catholic International Union for Social Service, International Association of Penal Law, International Bureau for the Unification of Penal Law, International Catholic Migration Committee, International Committee of Schools of Social Work, International Confederation of Free Trade Unions, International Conference of Catholic Charities, International Conference of Social Work, International Federation of University Women, International Social Service, International Society for the Welfare of Cripples, International Union for Child Welfare, World Alliance of Young Men's Christian Associations, World Federation of Trade Unions.

France, Sweden, the United Kingdom, the United States and Uruguay, expressed general satisfaction with the report on this question.

During the discussion, several representatives, including those of Argentina, Belgium and Uruguay, spoke of the inter-relationships between economic and social problems. They were gratified that the Council was devoting more time to the study of social problems.

Several representatives, in particular those of Argentina, Belgium, India and the United States, agreed that in the programmes of international assistance to governments in the social field, emphasis should be placed on under-developed countries. Nevertheless, it was pointed out that all countries had urgent social problems.

There was also agreement that international action should be closely integrated with national programmes. The representative of Belgium, in particular, stated that governments were responsible for determining their own social policies; the United Nations could do no more than encourage, assist and inform the national authorities, whom they could not in any circumstances replace.

Many representatives held the view, emphasized by the Social Commission, that governmental activities should be based on the co-operation of the people themselves and on the initiative of local communities. The representatives of Belgium, the Philippines, the United States and Yugoslavia, among others, stressed the importance of developing programmes of community organization and development, and particularly of establishing social welfare centres, as well as of building up training facilities.

Certain representatives, in particular those of Argentina and Sweden, underlined the importance of preliminary studies.

The representative of the Philippines said that he was in favour of a bold and far-reaching programme measuring up to the world's needs in the field of social development. More than half the population of the world, he declared, was living at a level that failed to give it adequate nutrition, housing, education, conditions of work and reasonable freedom from preventable disease. The social situation in Asia and in other under-developed areas, he said, could not be dealt with decisively in the interests of world peace by half measures. The challenge to the United Nations was total: social and economic as well as political. Its response to that challenge should also be total.

The view was expressed by the representatives of Poland and the USSR that the Secretary-Gen-

eral's report, having proved the urgency of social problems, did not contain practical suggestions and that the Social Commission's resolution had also failed to incorporate proposals designed to improve the living standards of the populations throughout the world. The Council, they argued, must repair that omission. Many countries, they declared, had no social security systems at all, while in others the system was defective and was the victim of racial discrimination. In the under-developed countries, they stated, there was a very close link between economic development and social security; improvements in the social security systems could give an added impetus to economic development. They spoke in support of a memorandum (E/2422) by the World Federation of Trade Unions (WFTU) on social security (see below).

The Council had before it (1) a Polish draft resolution (E/L.544 & Corr.2) and (2) a draft resolution proposed by the Social Commission for adoption by the Council (E/2437 B), with amendments to it.

The preamble to the Polish draft would have the Council draw attention to the memorandum by WFTU (E/2422) and the enclosed programme of social security prepared by the International Conference for the Defence, Improvement and Extension of Social Insurance and Social Security, held in Vienna in 1953 (E/C.2/349 & E/C.2/350). In its operative part, the draft resolution would have the Council:

- (1) state that the above-mentioned Conference's prepared programme of social insurance and social security corresponded with the principles of the United Nations;
- (2) express gratitude to the Conference for the preparation of constructive proposals; and
- (3) include in its plan of work for 1953-54 as a problem of priority importance, the programme prepared by the Conference for further substantive study and review at one of the sessions of the Council in 1954.

Certain representatives, in particular those of Australia, Belgium and the United States, considered that the Polish proposal was intended to by-pass, or even to undermine, the position of ILO, which had the necessary authority to deal with questions relating to social security. Furthermore, the Polish proposal sought to replace a number of important international instruments, treaties and intergovernmental declarations by a statement elaborated by a single non-governmental organization, which, they argued, represented only one political point of view.

In support of the Polish proposal, the representatives of Poland and the USSR argued that the

programme which was being proposed for adoption by the Council had been developed by the representatives of 59 countries of various political views. Moreover, the purpose of the Polish draft was not to usurp the function of ILO but merely to incorporate in the Council's plan of work for 1953-54 the study of a programme of social security elaborated by a large and representative international conference, all of whose participants had had direct experience of the problems involved.

The representatives of Egypt and India considered that proposals by a recognized non-governmental organization ought to be given due consideration. They orally proposed that the preamble of the Polish proposal be voted upon paragraph by paragraph.

The first part of the preamble to the Polish draft, referring to the WFTU memorandum, was rejected by 11 votes to 4, with 3 abstentions, and the second part, referring to the enclosed programme prepared by the International Conference for the Defence, Improvement and Extension of Social Insurance and Social Security, was rejected, by 12 votes to 2, with 4 abstentions. The first operative paragraph was rejected by 12 votes to 2, with 4 abstentions, the second by 13 votes to 2, with 3 abstentions, and the third by 13 votes to 4, with 1 abstention.

The resolution submitted by the Social Commission (E/2437), *inter alia*, laid down a number of general principles which the Secretary-General was invited to apply in matters of assistance to governments. An annex to the resolution defined the essential elements of a programme of practical action in the social field.

A number of representatives, in particular those of Argentina, the Philippines, the United States, Venezuela and Yugoslavia, expressed the opinion that this draft resolution, while serving as a sound basis for the Council's consideration, failed to provide specific recommendations for implementation of the programme. Accordingly, they jointly submitted an amendment (E/L.541 & Rev.1 & 2) which would, *inter alia*, incorporate the annex of the resolution proposed by the Social Commission into the substantive part of the resolution, and proposed certain changes aimed at placing more emphasis on the importance of community organization and development in the programme of international organizations.

The joint amendment called for the following specific action by the Secretary-General:

(1) to convene one or more small groups of senior policy-making representatives of the governments of

countries having similar social and economic problems with representatives of the secretariats of the United Nations and of the specialized agencies concerned to plan concrete programmes for expanding community projects and training facilities and for strengthening national and local organizations administering social programmes; and

(2) to submit to the Council a report containing recommendations on further practical measures.

The Secretary-General estimated that, as far as the United Nations was concerned, an expenditure of \$2,000 to \$3,000 would be required to convene such groups.

Sub-amendments to the joint five-Power amendment (E/L.541/Rev.2) were submitted: (1) jointly by France, Sweden and the United Kingdom (E/L.545, later revised as E/L.546); (2) by Australia (E/L.549, later revised as E/L.549/Rev.1); (3) by Poland (E/L.550); (4) by Belgium (E/L.552); and (5) by Turkey (E/L.558).¹⁴⁰

The joint three-Power sub-amendment (E/L.546) proposed, *inter alia*, to replace the provisions concerning the general principles to be applied in matters of assistance to governments by a provision inviting the attention of the General Assembly to previous Council resolutions on the subject (324(XI) & 451 A (XIV)) stating the opinion that these constituted sufficient guidance as to criteria and priorities.

This sub-amendment was rejected by the Council by 10 votes to 6, with 2 abstentions.

The Australian sub-amendment (E/L.549/Rev.1) would add assistance to "groups in need of special care", to the list of projects being undertaken in the social field.

This was adopted by 13 votes to none, with 5 abstentions.

The first paragraph of the Polish sub-amendment (E/L.550) would have the Council state that international action in the social field should "give special consideration to the needs of" under-developed areas rather than "concentrate on" such areas.

The representative of Poland explained that his sub-amendment sought to provide that, while special consideration was given to the needs of the under-developed areas, the United Nations programme would also embrace other areas since deficiencies in the social field existed also in highly industrialized and developed countries.

This paragraph was adopted unanimously.

The second paragraph of the sub-amendment would have the Council state that international as well as national measures in the social field should be introduced and applied "without any difference as to race, sex, language or religion".

This paragraph was rejected by 6 votes to 2, with 10 abstentions.

¹⁴⁰ For the convenience of the members of the Council, the Secretariat prepared a working paper (E/L.559) for the Council's 744th meeting on 31 July, indicating the paragraphs of the draft resolution on the programme of concerted practical action in the social field which had been accepted and those yet to be voted upon.

The third paragraph of the sub-amendment, *inter alia*, would:

(1) have the Council refer to projects for improving "social insurance" as well as "social security" measures; and

(2) delete a reference to the development of "constructive employer-employee relationships" as a reason for assuring respect for trade union freedom.

The representative of Poland explained that he did not think it was the purpose of the Council to enter into the problem of contractual relationships between employers and employees.

The first part of this paragraph was adopted by 10 votes to none, with 8 abstentions, and the second part rejected by 6 votes to 2, with 10 abstentions.

The fourth paragraph of the Polish sub-amendment would add the following methods and techniques for assisting governments in carrying out activities in the social field:

(1) the strengthening of governmental administration of programmes in the social field;

(2) the continuing study of the relationship of measures to increase international trade; and

(3) surveys essential to the implementation of practical action.

The representative of Poland explained that these additions were taken verbatim from section C of the annex to the draft resolution submitted by the Social Commission.

The first part of this paragraph was rejected by 5 votes to 3, with 10 abstentions; and the last two parts, each, by 6 votes to 2, with 10 abstentions.

The Belgian sub-amendment (E/L.552) would add a provision for the encouragement of "scientific training and research" in the programme of practical action in the social field.

This sub-amendment was adopted by 9 votes to 4, with 5 abstentions.

The Turkish sub-amendment (E/L.558) would state that the programme should be established "without disturbing the balance between economic and social programmes".

The Turkish representative, however, accepted an oral United States proposal to reword the sub-amendment to state "without prejudice to the economic priority programmes".

The sub-amendment, as thus amended, was adopted by 9 votes to 4, with 5 abstentions.

The joint five-Power amendment and the sub-amendments to it were voted upon by the Council at its 738th, 739th and 744th plenary meetings, on 28 and 31 July. AH paragraphs were adopted by votes, ranging from unanimity to 15 to 2, with 1 abstention.

The draft resolution, as a whole and as amended, was adopted by the Council at its 744th meeting on 31 July by 15 votes to none, with 3 abstentions, as resolution 496(XVI). It read:

"The Economic and Social Council,

"Taking into account the recommendations of its Social Commission on the programme of concerted action in the social field,

"Having considered the report by the Secretary-General on a programme of concerted practical action in the social field of the United Nations and the specialized agencies prepared in the light of criteria for, and priorities in the social field established by Council resolutions 324(XI) and 451 A (XIV), the findings of the Preliminary Report on the World Social Situation, the views of governments and policies established by the United Nations and the specialized agencies,

"1. Informs the General Assembly that, in accordance with General Assembly resolution 535(VI), it has examined the social activities undertaken by the United Nations and the specialized agencies;

"2. Calls attention to the fact that progress has already been made through national, bilateral and international action in dealing with the age-old problems of ignorance, poverty and disease, but that in spite of all efforts, the need as pictured in the report on the world social situation is so great that resources available are still inadequate;

"3. Notes with satisfaction that the Secretary-General's report contains suggestions directed to increasing the practical effectiveness of the social programme which the Council commends to the careful consideration of the organizations concerned;

"4. Agrees with the views expressed by the Secretary-General and the Directors-General of the specialized agencies concerned that, in the programme of activities now being undertaken as part of a broader plan for the promotion of social progress and the raising of standards of living among the people, there is need for reorientation, further concentration of effort, wider geographical coverage, improvement of methods and techniques, additional resources and for achieving full governmental and popular co-operation;

"5. Considers that special attention should be devoted to the exploration for broader sources indispensable for international financing of social and economic development;

"6. Considers that international action in the social field should give special consideration to the needs of under-developed areas;

"7. Requests the Secretary-General and invites the specialized agencies to apply in matters of assistance to governments the following general principles:

"(a) The inter-related character of economic and social factors and the benefits to social progress resulting from a balanced expansion of world economy require that economic development and social development go hand-in-hand with a view to improving standards of living; projects financed by the United Nations and the specialized agencies should be selected bearing in mind this inter-relationship;

"(b) Such projects should be concerted with integrated plans for economic and social development prepared by each of the beneficiary governments;

"(c) Such projects should yield early and permanent results and reach a maximum number of people;

"(d) Such projects should be adapted to the geographic, economic, social and demographic conditions of the country concerned, and studies of these conditions essential to effective practical projects should be undertaken but should not delay action to meet urgent needs;

"(e) The participation of appropriate non-governmental organizations in the implementation of international programmes in the social field should be en-

couraged and their experience, competence and facilities utilized to the fullest extent;

"8. Considers that a concerted programme of practical action in the social field should, within the framework of criteria and priorities established by Council resolutions 324(XI) and 451 A (XIV) and without prejudice to the priorities established in the economic field, concentrate on projects which:

"(a) Improve health and nutrition by increasing food supply and improving food distribution and dietary practices;

"(b) Strengthen national health services with greater accessibility of medical services, improve maternal and child health and prevent and control major communicable diseases;

"(c) Strengthen national family and child welfare services;

"(d) Introduce, extend and improve social security and social insurance measures such as assistance in old age, unemployment and disability;

"(e) Develop and extend services for the welfare of groups in need of special care;

"(f) Emphasize fundamental education, promote greater accessibility of education for the broad masses of the population, introduce or develop in the Member States of the United Nations free compulsory primary education for all and encourage scientific training and research;

"(g) Improve housing and community facilities, especially for persons in low-income groups;

"(h) Increase employment opportunities, improve labour standards, strengthen training and manpower services, assure respect for trade-union freedom so as to develop constructive employer-employee relationships and encourage any measures which will improve the social and economic status of workers;

"9. Considers it advisable, as an immediate objective, to pay particular attention to the use of the following practical methods and techniques for assisting governments in carrying out the activities set forth in paragraph 8:

"(a) The promotion and implementation of community development projects, particularly through the establishment of demonstration centres;

"(b) The rapid development of programmes and facilities for training both professional and technical personnel and auxiliary and community workers;

"(c) The development and strengthening of national and local organizations necessary for administering social programmes;

"10. Authorizes the Secretary-General to take early action, on an experimental basis and at the request of the governments concerned, to convene one or more small groups of senior policy-making representatives of governments having similar social and economic problems and of representatives of the Secretariats of the United Nations and the specialized agencies concerned, to plan concrete programmes for expansion of community development projects, including training facilities and the strengthening of organizations for administering social programmes related to community development in their respective countries;

"11. Requests the Technical Assistance Board to give sympathetic consideration, as resources permit, to such requests as the governments concerned may make regarding any particular aspects of these programmes;

"12. Requests the Secretary-General, in consultation with the Directors-General of the specialized agencies, to submit to an early session of the Council a report containing recommendations on further practical measures which might be taken to strengthen and make more effective methods and techniques of the type recommended in paragraph 9, taking into account the results of consultations provided for in paragraph 10."

c. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS EIGHTH SESSION

The question of concerted practical action in the social field was referred by the General Assembly at its eighth session to the Third Committee, which considered it at its 492nd to 496th meetings, on 6 to 9 and 12 October 1953. The Committee had before it chapter IV, section I of the report of the Economic and Social Council, which dealt with the Council's discussion of the matter, and a note by the Secretary-General (A/2474) drawing attention to Council resolution 496(XVI) of 31 July 1953.

The representatives of Argentina, Cuba, France, India, Iraq, Israel, the Netherlands, the Philippines and Yugoslavia, among others, emphasized the urgent necessity of promoting social as well as economic progress as a means towards the elimination of the evils reflected in the Preliminary Report on the World Social Situation.¹⁴¹ (This Report showed that more than half of the people in the world were still without means of satisfying their most elementary needs in health, nutrition, housing, education and conditions of work.) It was stated that the United Nations was responsible under the Charter for carrying out a social policy to achieve better living conditions. The realistic denunciation in the Report of the ignorance, poverty and disease from which mankind was suffering, said the representative of Cuba, removed any doubt of the urgent necessity for the United Nations to give all its support to social progress.

The representatives of Argentina, Ecuador, France, Guatemala, Liberia, the Philippines and Syria, in particular, drew attention to the inadequacy of available national and international resources for the implementation of the vast programmes essential to the solution of worldwide social problems.

Most representatives, nevertheless, considered that concerted practical action in the social field could be taken by the United Nations and the specialized agencies.

Certain representatives, including those of China, the Dominican Republic, Israel, Lebanon, the Philippines and Turkey, bearing in mind the

¹⁴¹ U.N.P., Sales No.: 1952.IV.11.

current limitations of resources, considered the existing international social programmes as developing rather than final. The programme was only a beginning and might be improved, but the desired progress could not be anticipated overnight. The problems were not new and no one could hope to solve them alone; concerted action was required. The Council was playing an essential part as a co-ordinating factor, and it should be commended and encouraged.

A few representatives, among others those of Egypt, Saudi Arabia, Syria and the United Kingdom, stressed that it would be preferable to adopt a realistic approach and to concentrate the limited resources available on projects of primary importance.

A number of representatives, including those of France, Greece, India, Israel, the Netherlands, the Philippines and Yugoslavia, agreed with the Council that international assistance in the social field should aim particularly at promoting and implementing community development projects and extending training programmes and facilities.

In the various stages of development of a programme of concerted practical action in the social field, the importance of the co-operation of the various specialized agencies and non-governmental organizations was emphasized by, among others, the representatives of Belgium, Canada, China, France and Israel.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR declared that social conditions in many countries, and particularly in the Trust Territories and Non-Self-Governing Territories, were at a low level. Because of military preparations, the already very small allowances and pensions for unemployment, sickness and old age were being steadily reduced, while the continual rise in prices and the depreciation of the currency were reducing the real scale of expenditure on social insurance, which had already been curtailed, they asserted. The programme of concerted practical action adopted by the Council did not, in their view, meet the necessary requirements, as the programme was too wide and too abstract as a whole, and too general on certain points. They spoke in support of USSR amendments (see below) which, in their opinion, would give the work of the United Nations in the social field real practical value and would enable the United Nations to play its part in improving the world social situation.

The Third Committee had before it a joint draft resolution by Ecuador, the Philippines, the

United States and Yugoslavia (A/C.3/L.348) by which the General Assembly would:

(1) thank the Economic and Social Council for the careful manner in which it had carried out the request contained in Assembly resolution 535(VI), in co-operation with Member Governments, the specialized agencies, the Social Commission and the Secretary-General;

(2) take note with appreciation of the programme of practical action in the social field of the United Nations and of the specialized agencies adopted in Council resolution 496(XVI); and

(3) request the Council: (a) to keep the development of this programme under review; (b) to consider, as appropriate, further practical measures which might be undertaken in accordance with its resolution 496(XVI); and (c) to report, as appropriate, to the General Assembly on the progress achieved.

Amendments to the joint draft resolution (A/C.3/L.348) were submitted by Saudi Arabia and Egypt jointly (A/C.3/L.349); by France (A/C.3/L.350) with a Syrian sub-amendment to it (A/C.3/L.351); and by Lebanon (A/C.3/L.352).

The joint amendment of Saudi Arabia and Egypt proposed the deletion of the first operative paragraph of the four-Power draft, the words "with appreciation" in the second operative paragraph, and the words "as appropriate" in the last operative paragraph.

The sponsors considered that the expression of thanks and appreciation in the joint draft was inappropriate before it had been determined to what extent the Council resolution met the request expressed by the General Assembly in resolution 535(VI) and that to provide that the Council should consider further practical measures "as appropriate" and report "as appropriate" to the Assembly would give it too free a hand.

The French amendment proposed the insertion of a new operative paragraph, in which the Secretary-General and the specialized agencies would be invited to keep particularly in mind, in the implementation of the projects of the programme of practical action, the general principles and methods and techniques defined in Council resolution 496(XVI).

The sponsors of the joint draft accepted the French amendment.

The Syrian sub-amendment to the French amendment would provide for particular reference to paragraph 6 of Council resolution 496(XVI), referring to special consideration to the needs of under-developed areas.

The Lebanese amendment proposed that the Assembly note with appreciation the Council's "efforts to develop" a programme and state that the Council should keep the development of the programme under review "with a view to its constant improvement".

After consultation between the sponsors of the joint draft resolution and the authors of the amendments, a revised joint draft was introduced by Ecuador, Egypt, France, Lebanon, the Philippines, Syria, the United States and Yugoslavia (A/C.3/L.353) to replace the original four-Power draft (A/C.3/L.348) and the amendments to it.

An Argentine oral amendment and a USSR formal amendment (A/C.3/L.354) to the revised joint draft resolution were proposed. The Argentine oral amendment, which was designed to ensure that emphasis was placed on the special needs of the under-developed countries, was accepted by the sponsors of the revised joint draft.

The USSR amendment (A/C.3/L.354) proposed the insertion of a new operative paragraph in which the Assembly would recommend that the Council should supplement and amend the programme set forth in its resolution 496(XVI).

Sub-paragraph (a) of the amendment proposed that paragraph 8 (b) of resolution 496(XVI) be amended so as to "ensure greater accessibility of medical services for the population without discrimination as to race, sex, language, creed, property status or social origin".

This sub-paragraph was rejected by 27 votes to 10, with 14 abstentions.

Sub-paragraph (b) proposed that paragraph 8 (d) of resolution 496(XVI) be amended so as to "extend social security measures, unemployment, old age, disability and sickness insurance measures, and maternal and child welfare measures".

This sub-paragraph was rejected by 27 votes to 7, with 17 abstentions.

Sub-paragraph (c) proposed that paragraph 8 (f) of resolution 496(XVI) be amended so as to "promote greater accessibility of education for the broad masses of the population and introduce in the Member States of the United Nations free compulsory primary education for all citizens without any discrimination as to race, sex, language, creed, property status or social origin".

This sub-paragraph was rejected by 25 votes to 11, with 15 abstentions.

Sub-paragraph (d) proposed the addition of a new paragraph 8 (i) to resolution 496(XVI) concerning the improvement of health, education and social welfare in the Non-Self-Governing and Trust Territories.

This sub-paragraph was adopted by a roll-call vote of 28 to 13, with 10 abstentions.

In view of the adoption of this sub-paragraph, it was understood that the preamble to that amendment would be included in the new operative paragraph 3 of the joint draft and that the existing paragraph 3 was to become operative paragraph 4.

The joint draft, as amended, as a whole, was adopted by the Third Committee, at its 496th meeting on 12 October, by 38 votes to none, with 11 abstentions (A/2514), and by the General Assembly, at its 454th plenary meeting on 23 October, by 45 votes to none, with 12 abstentions, as resolution 732(VIII). It read:

"The General Assembly,

"Reaffirming the principles contained in its resolution 535(VI) of 2 February 1952,

"1. Takes note with appreciation of the efforts made to establish the programme of concerted practical action

in the social field of the United Nations and the specialized agencies adopted in Economic and Social Council resolution 496(XVI) of 31 July 1953;

"2. Invites the Secretary-General and the specialized agencies to keep particularly in mind, in the implementation of the projects of the programme of concerted practical action, the general principles, methods and techniques defined in Economic and Social Council resolution 496(XVI), special consideration being given to the needs of the under-developed countries;

"3. Recommends that the Economic and Social Council should supplement the programme of concerted practical action in the social field of the United Nations and the specialized agencies as set forth in resolution 496(XVI), by the insertion of a new paragraph 8 (i) reading as follows:

'Improve the situation with respect to health, education and social welfare in the Non-Self-Governing and Trust Territories.'

"4. Requests the Economic and Social Council:

"(a) To keep the development of the programme under consideration with a view to its progressive improvement;

"(b) To consider, as appropriate, further practical measures which may be undertaken in accordance with General Assembly resolution 535(VI) and Economic and Social Council resolution 496(XVI) with the addition thereto recommended to the Economic and Social Council by the General Assembly at its eighth session;

"(c) To report to the General Assembly on the progress achieved."

d. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS RESUMED SIXTEENTH SESSION

The question was again considered by the Council at its resumed sixteenth session, at the 753rd and 754th plenary meetings on 1 and 7 December.

At its 754th plenary meeting, the Council adopted (resolution 511(XVI)), without discussion and without objection, a draft resolution submitted by Argentina (E/L.573), by which the Council took note of Assembly resolution 732 (VIII), and, in accordance with that resolution, amended Council resolution 496(XVI) by the inclusion of a new sub-paragraph (i) in paragraph 8, reading as follows:

"Improve the situation with respect to health, education and social welfare in the Non-Self-Governing and Trust Territories."

2. General Programme of Work and Priorities of the Social Commission

The Social Commission, at its ninth session in May 1953, had before it progress reports giving a full account of the action taken by the Secretariat on the following selected items of its work programme which had been given high priority

by the Commission and the Council, or in areas where policy guidance was needed: community welfare centres (E/CN.5/289/Add.1); strengthening of national programmes for family and child welfare (E/CN.5/289/Add.2); social defence (E/CN.5/289/Add.3); studies on financing of housing (including co-operative and self-help methods) (E/CN.5/289/Add.4); and advisory social welfare services and relevant assistance provided under the Expanded Programme of technical assistance for the economic development of under-developed countries (E/CN.5/289/Add.5).¹⁴²

The Commission also considered a detailed report by the Secretary-General on its work programme for 1954-55 (E/CN.5/292 & Add.1). A number of adjustments had been proposed as a result of the priorities established by the Council in resolution 451 A (XIV), involving a change of emphasis in order to make more staff available for direct assistance to governments in the extension of social programmes. For example, in the field of housing and town and country planning, higher priority had been assigned to training of personnel and regional land use planning, in the light of the increased attention of the Commission to training of all types of social workers and to the integration of studies with projects of practical action in the social field. Other examples concerned the restriction of the Biennial Report on Community, Family and Child Welfare to a report on significant developments in the field of family and child welfare; and the incorporation of the separate "Report on Social Welfare, Planning and the Organization and Administration of Social Services" in the quadrennial "International Survey of Programmes of Social Development".

The work programme for 1954-55, as adopted by the Social Commission, was listed in annex II of the Commission's report (E/2437). The programme was organized into four main fields of activity: social policy and development, housing and town and country planning, social services and social defence.

The Commission's report (E/2437) was considered by the Economic and Social Council at its sixteenth session, at the 234th to 236th meetings of the Council's Social Committee from 6 to 8 July, and at the 736th plenary meeting of the Council on 23 July 1953.

Members of the Council, in discussing the work programme, noted with satisfaction that the Commission had become increasingly aware of the close relationship between its work and other programmes for which the Council was respon-

sible. The particular importance of the Commission's work, it was stressed, lay in the fact that it brought to light the complexity of world social problems and gaps that existed between the standards of living in developed and under-developed countries. Whereas during its early sessions the Commission had studied many specific welfare questions, more recently it had examined world social problems, thereby enabling it to advise the Council on the programmes and resources of international organizations in relation to the needs in the social field. As the General Assembly had recommended that the Secretariat should report every four years on the world social situation and also on national and international measures taken to improve social conditions throughout the world, it was suggested that the Commission, at each of its sessions to be held every second year, might consider the possibility of examining one of these two general reports; furthermore, that it might study two or three specific technical questions and receive sufficiently precise reports on them in order that effective recommendations might be made. Finally, it was suggested that the Commission might examine a general report on the work accomplished by the United Nations in the social field during the preceding two years and on the work it proposed to undertake during succeeding years. It was urged that, in all cases, documents should reach governments in sufficient time for thorough consideration.

The representatives of Poland and the USSR questioned the omission from the Commission's work programme of problems such as measures for promoting social and unemployment insurance, the extension of old age, sickness and other benefits. While omitting the important measures, the Social Commission, in their view, overloaded its agenda with such minor questions as, for example, penal statistics. They could not, therefore, subscribe to its work programme, and they hoped that such defects in the Commission's work as they had pointed out would be rectified and a practical programme adopted. Most representatives, however, while expressing concern for these important problems, considered that they fell within the competence of the specialized agencies concerned and their inclusion in the Commission's work programme would only result in duplication of effort.

The representative of Egypt said that he had hoped to find in the Social Commission's report not only information, but also guidance that would

¹⁴² For these progress reports and additional developments in the social field, see below under the relevant headings.

have been of use to his country. Since its liberation and the setting up of the Republican regime, Egypt, he said, had made great social efforts to break with the old system and improve the well-being of the people. Egypt had embarked on water supply schemes in the middle of the desert, and had built entire villages on the most modern lines. He had not, however, found in the Commission's report what he had been looking for, and wished to express in very general terms his profound disappointment.

The representatives of France and the United States urged that wider publicity should be given to the activities of the United Nations in the social field in order that this work might receive the support it deserved from the general public. While the majority of the publications issued by the Secretariat were of great value to social workers, organizations, national administration, and to those responsible for the planning of social policy in the various countries, many were of a highly technical nature and did not reach the public at large. It was suggested that a medium might be found between publications of a general nature and those of a more technical character of interest only to a limited number of readers.

Two draft resolutions were presented to the Social Committee, one jointly by China and France (E/AC.7/L.145) and one by Argentina (E/AC.7/L.146). They were consolidated and presented jointly by the three sponsors (E/AC.7/L.147). The second paragraph of the joint draft resolution approving the work programme of the Social Commission (which had formed part of the Argentine draft resolution) was adopted by 15 votes to none, with 3 abstentions, and the draft resolution, as a whole, by the same vote at the Social Committee's 236th meeting on 8 July (E/2481).

In a statement of financial implications (E/2481/Add.1 & Corr.1) the Secretary-General noted that, although certain projects in the work programme of the Social Commission had been added or raised in priority in order to make available more direct assistance to governments, they were, nevertheless, counter-balanced by other projects which had been restricted or reduced in priority and that no net increase in the workload or budget of the United Nations would be required.

The Council, at its 736th plenary meeting, adopted the second paragraph of the draft resolution by 15 votes to 1, with 2 abstentions, and the resolution, as a whole, by 15 votes to none, with 3 abstentions, as resolution 494(XVI).

By this resolution, the Council: (1) took note of the report of the ninth session of the Social Commission (with the exception of the chapters concerning UNICEF and the programme of concerted practical action in the social field¹⁴³); (2) approved the work programme for 1954-55 drawn up by the Social Commission at its ninth session; and (3) invited the attention of the Social Commission, for its general guidance, to the records of the discussions on these subjects at the Council's sixteenth session.

At its eighth session, the General Assembly held a general debate on chapters IV and V of the report of the Economic and Social Council, which included the work programme of the Social Commission, at the Third Committee's 503rd to 511th meetings, from 22 October to 3 November. Draft resolutions concerning the work of the Social Commission were considered specifically by the Committee at its 516th to 518th meetings, from 9 to 11 November, and by the General Assembly at its 460th plenary meeting on 28 November.

During the Third Committee's debate, certain representatives, including, in particular, those of Canada, the Dominican Republic and Iraq, paid tribute to the work of the Social Commission, which, in their opinion, had achieved results that redounded greatly to the credit of the United Nations. During the discussion, the importance of family and child welfare, community organization and development, the training of professional and local personnel and the strengthening of administration of social programmes were emphasized. With regard to the problems of strengthening national programmes for family and child welfare, the representative of Syria stated that meetings of local experts would have little chance of success if held on a purely regional basis. He expressed the hope that the experts of Middle Eastern countries would be drawn from countries of similar ethnic characteristics so that they might have an opportunity to pool their knowledge and experience of their countries' common problems.

The importance of the training of qualified personnel in the social field was stressed by, among others, the representatives of Greece, Iraq and Israel. They considered, *inter alia*, that fellows should be guaranteed responsible posts in their countries on their return, and that they should also study in less-developed areas where conditions were similar to those in their own countries.

As regards housing, the representatives of Greece and Iraq stressed that the problem was

¹⁴³ See pp. 466; 440-41.

one of financing and that co-operative and self-help methods would not provide a solution.

Speaking in favour of national programmes for cheap housing, the representative of Iraq expressed the view that the only effective solution to the world housing problem would be State grants or low-interest loans, since there was a risk of exploitation in the case of foreign assistance for national industries.

The representative of Syria attached particular importance to the reports on the world social situation and on national and international measures taken to improve social conditions throughout the world which the General Assembly had recommended that the Secretariat should make quadrennially. He hoped that they would be submitted in time for them to be studied in detail by the Social Commission.

The frequency of meetings and membership of the Social Commission was considered in detail by the Third Committee. Stressing the importance of the work of the Social Commission, some representatives, including those of Argentina, Iraq, the Philippines, Syria and Yugoslavia, expressed concern at the Council's decision that future meetings of the Commission should be held biennially instead of annually. Despite the additional financial and practical problems involved, it seemed unsound, these representatives held, that the Commission should not meet regularly during the formative years of its programme. Biennial meetings would also mean that some members would only be able to attend one session, and in order to render valuable service to the Commission members should be given an opportunity to attend at least two further sessions. It was further contended that, in view of the special importance attached by the United Nations to the needs of the less developed areas, it would be desirable to expand the membership of the Commission to provide better representation of the varying economic and social systems in those areas.

While recognizing the importance of the work of the Social Commission, certain representatives, including those of Belgium, Ecuador, France, the Netherlands, Peru, Sweden and the United States, considered that, as the Council was to review the organization of its functional commissions in 1954, it might be preferable to await the Council's findings as to whether annual meetings of the Social Commission were necessary.

Some representatives, among others those of Belgium, China, India and Israel, were of the opinion that the existing procedure of biennial meetings would give both governments and the

Secretariat time to make fuller use of the documentation prepared. Most of the problems studied by the Commission, they said, were long-term and, despite progress in some areas, social conditions did not change rapidly enough to warrant an annual review. The representatives of India, the United Kingdom, the Union of South Africa and Uruguay, in particular, pointed out that financial considerations must be taken into account in considering an increase in the frequency of meetings or in membership.

The representative of China suggested that, in view of the major programmes being undertaken by the Commission, the Council might consider whether the Commission should meet for a longer period every two years rather than for two weeks each year.

The representatives of India, Israel, Peru, the Philippines and Yugoslavia, among others, thought that if the Commission was to continue meeting biennially the Council might consider convening ad hoc committees of experts to study in the interim period questions in the social field.

With regard to increasing the Commission's membership, the representative of the United States, in particular, drew attention to the fact that the Charter limited the Council's membership to eighteen and that this set a maximum for membership of its functional commissions. In the view of the representatives of Canada and Sweden, among others, any expansion might induce other functional commissions to seek a similar increase in their own membership with consequent financial and other problems for the United Nations.

The Third Committee had before it a draft resolution by Iraq (A/C.3/L.376) providing that the General Assembly request the Economic and Social Council:

(1) to reconsider its resolution 414(XIII), section B. I 18. (g),¹⁴⁴ with a view to convening the Social Commission every year; and

(2) to consider the expansion of the membership of the Commission to provide improved representation of under-developed areas and various economic and cultural patterns.

The Committee also had before it a statement by the Secretary-General (A/C.3/L.376/Add.1) on the financial implications of the Iraqi draft resolution, pointing out the extra costs involved if the Commission were to be convened every year instead of every two years and if its membership were to be increased. Budgetary provision for the 1953 meeting had amounted to \$10,800 for

¹⁴⁴ See Y.U.N., 1951, p. 62.

eighteen members and the cost per Commission member was estimated at an average of \$650.

A Netherlands amendment (A/C.3/L.382) to the Iraqi draft resolution proposed that the first operative paragraph be altered to ask the Council to investigate if there was a need for a more frequent convening of the Social Commission, and if it considered that such a need existed, to reconsider its resolution with a view to convening the Commission every year.

A Peruvian amendment (A/C.3/L.384) proposed a new text, by which the Council would be asked to consider among the methods and procedures of the Social Commission the establishment of a small number of committees of experts to deal with the technical matters within the purview of the Commission.

A Guatemalan sub-amendment (A/C.3/L.386) to the Peruvian amendment, proposed that the Peruvian amendment should be included as a third operative paragraph of the Iraqi proposal, instead of replacing the two existing operative paragraphs.

A draft resolution was put forward by Canada (A/C.3/L.385) which aimed at bringing together all of the suggestions made in the Third Committee. This draft would have the General Assembly invite the Council, in its review of this question, to consider the proposals made by Iraq, the Netherlands and Peru, as well as the suggestions made in the discussion of the matter during the Assembly's eighth session; and would have the Assembly request the Secretary-General to communicate the records of the debate on the question in the Assembly at its eighth session to the Council for its guidance and information.

The USSR representative proposed orally that the Canadian draft resolution be amended to include a reference to Article 61 as well as Article 68 of the Charter in the first preambular paragraph, and that the words "for its guidance and information" in the last operative paragraph be deleted. The representatives of Egypt and Uruguay orally proposed that, if direct reference were made to Articles 61 and 68 of the Charter in the first paragraph of the Canadian draft, it would not be necessary to quote the text of either Article.

The Committee adopted by 30 votes to 14, with 7 abstentions, an oral proposal by India that the Canadian draft resolution should be voted upon before the Iraqi draft resolution.

Following further oral drafting amendments by the representatives of China and Saudi Arabia, a revised version of the Canadian draft resolution (A/C.3/L.385/Rev.1) was presented to the Committee incorporating all of the oral amendments which had been proposed.

The words "61 and" in the first paragraph of the preamble of the revised Canadian draft reso-

lution were voted on by roll call, at the request of the representatives of Afghanistan and the Philippines, and were adopted by 29 votes to 17, with 5 abstentions.

The representative of Canada accepted an oral United Kingdom amendment to reword the first sentence of the second preambular paragraph to state that "one of the aims" rather than "the aim" of the United Nations was to promote social progress and better standards of life.

The draft resolution, as amended, was adopted, as a whole, by the Third Committee (A/2573) at its 518th meeting on 11 November, by 45 votes to none, with 6 abstentions, and by the Assembly, without discussion, at its 460th plenary meeting on 28 November, by 51 votes to none, with 7 abstentions (resolution 735 (VIII)). It read:

"The General Assembly,

"Mindful of the provisions of Articles 61 and 68 of the Charter,

"Considering that one of the aims of the United Nations is to promote social progress and better standards of life in larger freedom and to this end to be a centre for harmonizing the actions of nations,

"Considering that the General Assembly at its present session has adopted a programme of concerted practical action in the social field,

"Recalling that the Economic and Social Council, in its resolution 414(XIII) of 18, 19 and 20 September 1931 decided that the Social Commission should meet biennially instead of annually,

"Bearing in mind that, in accordance with its resolution 414(XIII), the Economic and Social Council must review in 1954 the question of organization of its functional commissions,

"Having considered the draft proposals made with a view to the possible revision of the pattern of meetings of the Social Commission, as well as to the expansion of its membership to provide improved representation of under-developed areas and various economic and cultural patterns,

"1. Invites the Economic and Social Council, in its review of this question, to consider the aforementioned draft proposals, as well as the suggestions made in the discussion of this matter during the eighth session of the General Assembly;

"2. Requests the Secretary-General to communicate to the Economic and Social Council the records of the debate on the question during the eighth session of the General Assembly."

3. Community Organization and Development

The progress report on community welfare centres (E/CN.5/289/Add.1), submitted to the Social Commission's ninth session, provided information on studies and surveys completed in 1952 or to be carried out in 1953, in accordance with Council resolution 390 D (XIII),¹⁴⁵ and on

¹⁴⁵ See Y.U.N., 1951, p. 537.

the technical assistance in this field being provided to Member Governments. The Social Commission noted the statements made concerning the recent field survey missions which had confirmed that the promotion of community self-development activities was dependent upon active co-operation and support from the government concerned, from non-governmental organizations and from the local community.

The Commission, while approving the proposed outline for the Secretary-General's full analytical report to the Commission at its tenth session, considered that the report should contain more complete information on the work carried out in the various regions of the world, as well as material which could form the basis of an evaluation of methods and results.

During the Council's discussion of the Social Commission's report at its sixteenth session, most representatives laid particular stress on the importance of community development projects, particularly through demonstration centres, training both professional and technical personnel, as well as auxiliary and community workers. It was noted that community welfare centres represented one form of community development and that the United Nations and the specialized agencies used the broad term "community organization and development" to describe the process by which local communities sought to raise their standards of living. It was pointed out that community development programmes were not designed to deal with problems singly, but in related groups, and that they could be really effective only when they encompassed the most important problems affecting the community.

Attention was drawn by the representatives of Belgium and the United Kingdom, in particular, to the importance of flexibility in the methods employed in setting up community welfare centres as effective instruments to promote economic and social progress throughout the world, so as to allow for adaption to differences in local conditions. The establishment of single purpose centres, in the view of the representatives of Belgium, China, the Philippines and Venezuela, among others, was a first stage in the development of wider social welfare activities, and it was recognized that such centres would be particularly useful in economically highly-developed countries. Multi-purpose centres which could be organized on a more economical basis, in the opinion of the representatives of Belgium and China, would be more appropriate in the less-developed areas, especially rural areas and areas undergoing a rapid process of development.

Since the ninth session of the Social Commission, the reports of the missions undertaken jointly by the United Nations and the specialized agencies for the purpose of surveying selected community development experiments in the Caribbean area and Mexico, in the Middle East and in South and South East Asia, were made available.¹⁴⁶ The report of the survey for the Caribbean area and Mexico was among the major papers discussed at the Brazilian Seminar on Rural Welfare, held in January 1953, and at the regional meeting on the training of auxiliary and community workers which took place in Bogota, Colombia, in December 1953; they would also form part of the documentation being prepared for the regional conferences referred to below. The surveys revealed that the most urgent needs were for the development and clarification of national policy, the training of personnel, the planning and organization of demonstration projects and the supply of technical literature.

To help in meeting the need for technical literature and training materials, information was made available to governments through the publications in the United Nations Series on Community Organization and Development. The series includes country monographs, special studies of selected experiments of particular significance, reports of survey missions, and training aids in the form of study kits and guides.

The Commission at its ninth session stressed the necessity for placing major emphasis on direct assistance to governments. In this connexion, four experts were provided to advise the Governments of Iraq, Pakistan, Thailand and Yugoslavia on the establishment of nation-wide community programmes and on the co-ordination of government services at the local level. United Nations experts in community organization and development were also engaged on work at the UNESCO Fundamental Education Training Centres at Sirs el Layyan in Egypt and at Patzcuaro in Mexico. In addition, 29 fellowships and scholarships were awarded in 1953.

A number of governments expressed interest in receiving advice on the utilization of under-employed manpower by means of simple community projects, such as building roads, irrigation canals, etc. In South Korea, such a programme was established in each province, with technical assistance provided by the United Nations, during March and April 1953. The United Nations Korean Reconstruction Agency (UNKRA) re-

¹⁴⁶ Caribbean area and Mexico (ST/SOA/Ser.O/7); the Middle East (ST/SOA/Ser.O/9) and South and South East Asia (ST/SOA/Ser.O/10).

ported that, as of 1 December 1953, the total number of projects initiated in Korean villages and cities was 189, of which 150 had been completed. This programme was being expanded.

Certain questions were raised by the Social Commission at its ninth session concerning the relationship of community development to fundamental education and related activities. An ad hoc meeting of technical officers representing the United Nations and the specialized agencies concerned (the International Labour Organisation (ILO), the Food and Agriculture Organization of the United Nations (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the World Health Organization (WHO)) was convened by the Administrative Committee on Co-ordination from 9 to 11 July 1953 to consider such questions, to ensure maximum co-ordination in projects aimed at integrating social activities at the community level and to establish working arrangements on responsibilities in this field. These consultations resulted in an agreement on definitions of terms, and on the roles and objectives of the agencies participating in the joint programme for community organization and development (see E/2512).

Further consultations were held on 3 to 4 August, when a review was made of the work programmes and possible technical assistance projects of the United Nations and specialized agencies for 1954-55 in so far as they contribute to community development. The latter meeting also provided an opportunity to discuss the action to be taken as a result of paragraph 10 of Council resolution 496(XVI) which authorizes the Secretary-General

"to take early action on an experimental basis, and at the request of governments, to convene one or more small groups of senior policy-making representatives of governments to plan concrete programmes for the expansion of community development projects . . .".

Plans were being made, in consultation with the specialized agencies concerned, for one conference to be convened during the latter part of 1954 for the South and South East Asian region, and another early in 1955 for the Eastern Mediterranean area. The Secretary-General in December 1953 addressed letters to governments requesting an indication of their desire to participate in these conferences.

4. Housing and Town and Country Planning

In endorsing the scope and purpose of the international programme in the social field, the Social Commission, at its ninth session, emphasized

the importance of adequate housing and community facilities in raising standards of living in general, and stressed the urgency of increasing the supply of housing for the broad masses of the population and the low-income groups. The training of administrative and technical personnel in all phases of planning, and execution and management was given highest priority by the Commission in its 1954-55 work programme in this field. The Commission also discussed a report prepared by the Secretariat (E/CN.5/289/Add.4) relating to studies on financing of housing, including co-operative and self-help methods. This report outlined the progress of work undertaken in this field by the Secretariat, the regional economic commissions, the specialized agencies and interested non-governmental organizations.

The report indicated that meetings of experts, organized perhaps within the framework of the United Nations Expanded Programme of technical assistance, might be held to consider, on a regional basis, problems of national financing, including co-operative, self-help and similar housing practices, and international financing of housing, including the development of the building and building materials industries. Such meetings might also develop recommendations with respect to national policies and to appropriate international action, including technical assistance.

In its review of the report, the Social Commission stressed the importance of the financing of housing and community improvement programmes. It was recognized that governments were assuming increasing responsibility in this field as part of their general and economic and social policy. They had become aware of the magnitude of the problem, and the limited resources available called in many instances for active contributions by future householders through co-operative and self-help methods. The establishment of regional credit agencies was suggested as a sound method of attracting private savings for the purpose of granting mortgage loans for housing construction. The Social Commission further approved a new project dealing with regional land use planning in relation to economic, technological and human resources of a region.

In giving effect to the recommendations of the Commission, continuing attention was given to achieving greater co-ordination of activities among the interested specialized agencies and intergovernmental organizations participating in the integrated programme, and to co-operation with non-governmental organizations working in this field.

Studies were being reoriented so as to be more effectively related to the needs of particular countries and regions and to practical action and expert advice as expressed in requests received from governments.

Studies were also undertaken to supply basic information for technical assistance projects, which, in turn, furnished data for studies. The results of the studies continued to be made available through the *Housing and Town and Country Planning Bulletin*¹⁴⁷ and other publications.

Requests received from governments for direct assistance continued to increase. During 1953, nineteen experts were working in twelve countries (Burma, Ceylon, Colombia, Ecuador, India, Indonesia, Israel, Lebanon, Mexico, Pakistan, Paraguay and Turkey) and, in addition, 39 fellowships and scholarships were awarded in this field. The following are examples of case studies and pilot projects dealing with problems common to more than one country in a given area which were being carried out during 1953 under the technical assistance programme:

Development of national policies and programmes: United Nations experts were advising the Governments of Costa Rica, Ecuador and the Gold Coast on the development of national policies and programmes for housing and community improvement and on the establishment of required administrative organizations at the national, regional and local levels. As a result of recommendations by a United Nations expert, the Government of Bolivia formulated its national policy and was to establish a housing and planning agency.

Regional land use planning: Arrangements were being made to advise the Government of Egypt on a regional plan which would include the cities of Cairo, Alexandria and Port Said. United Nations experts were also assisting in the development of metropolitan plans for the capitals of Burma, Indonesia, Pakistan and Paraguay.

Rural housing and village planning: United Nations technicians were advising on the intensified use of local materials and skills for the improvement of rural housing and village planning at the UNESCO Fundamental Education Centres at Patzcuaro (Mexico) and at Sirs el Layyan (Egypt). Arrangements were also being discussed for a seminar on rural planning to take place in Latin America in 1955.

Research and training: Assistance in the development of research and training facilities for the different phases of planning and execution of housing and building programmes was provided

to the Government of Indonesia, to Israel (Building Research Centre) and to Costa Rica and Turkey (Public Administration Centres). Negotiations were in progress for the establishment of regional housing centres in Indonesia and India similar to the already existing Inter-American Centre at Bogotá, Colombia. The activities of this Centre, which is a major project of the Organization of American States, have been further expanded with United Nations assistance in the form of expert advice and equipment.

Building and building materials industries: The development of the building and building materials industries, based on the resources of the countries concerned, was the subject of direct assistance projects in Burma, Ceylon, Indonesia and Israel. In Israel, the first part of the research and demonstration and training project in stabilized earth was completed. The demonstrations at several sites have proved that, under varying conditions, it is possible to build satisfactory modern houses using only earth, unskilled labour and small quantities of stabilizer. As a result, the Government and the Jewish Agency have decided to build a considerable number of such houses.

Financing of housing and community improvement programmes: Case studies were prepared during 1953 on the possibility of financing such programmes from national and external sources in Greece and Colombia, and a housing expert was included in the mission of the International Bank for Reconstruction and Development to Syria. These studies, as well as previous studies on co-operative housing and on financing of housing from external sources, were prepared as working papers for a seminar on co-operative housing to be held in Copenhagen in 1954 and for a meeting of experts on financing of housing to be held in Brazil in 1955.

The reports and studies prepared in 1953 on national housing policies, on regional land use planning and on building and building materials industries also served as the preparatory work for the United Nations Regional Seminar on Housing and Community Improvement, to be held in New Delhi in February to March 1954.

5. Training of Social Welfare Personnel

The priority given to the training of social welfare personnel resulted in a marked increase in requests for direct technical assistance to gov-

¹⁴⁷ Bulletins Nos. 7 and 8 dealing, respectively, with urban land problems and policies and with building and housing research were to be published in the summer of 1954.

ernments in the form of experts, field surveys, scholarships and fellowships, regional seminars and technical groups, the supply (or lending) on a limited scale of training materials, and the making available of studies and reports on subjects pertaining to the training of social work personnel. The work of individual United Nations experts has varied from the setting up of demonstration training programmes where none existed to intensive work with schools and agencies in the improvement of theoretical and practical training. The United Nations was assisting in the training of three categories of personnel: (a) auxiliary and community workers; (b) preprofessional and professional social workers; and (c) employed personnel through in-service training.

In view of the repeated stress on the importance of adequately trained personnel to carry out social welfare programmes aimed at promoting the economic and social development of the less-developed areas, three regional meetings were organized in co-operation with the specialized agencies concerned.

The first meeting was held in Gandhigram, India, for the Far Eastern region, from 22 to 26 December 1952. It was attended by experts from India, Burma, Ceylon, the Philippines and Thailand and representatives of the United Nations (including UNICEF), FAO, ILO, UNESCO and WHO. Experts from Indonesia and Pakistan submitted papers but were unable to attend the meeting.

The second meeting was held in Beirut, Lebanon, for the Middle Eastern region, from 9 to 18 September 1953. It was attended by experts from Lebanon, Egypt, Iran, Iraq, Jordan, Pakistan and Syria, by representatives from the United Nations (including UNICEF and UNRWA) and FAO, UNESCO, and WHO, as well as social workers from the Jubrail project in Lebanon. Two representatives of the Lebanese Government attended as observers.

The third meeting was held in Bogota, Colombia, for the Caribbean and Central American region, from 30 November to 12 December 1953. Experts from the following countries participated: Colombia, Costa Rica, Cuba, Guatemala, Haiti, Jamaica and Mexico. Representatives from the United Nations, FAO, UNESCO and WHO, as well as local observers appointed by the Colombian Government, were also present. An expert from El Salvador submitted a paper but was unable to attend the meeting.

At each meeting, technical papers, prepared by the participating experts, giving an analysis and evaluation of their experiments in training

auxiliaries and community leaders, served as the basis of discussion. The results of these meetings showed the existence in the three regions of similar problems, particularly the lack of professionally trained personnel, of technical literature in the native language of the area concerned and of co-ordination of training programmes at the national level.

The Economic and Social Council in August 1951 by resolution 390 B. 2 (c) (XIII) had requested that a report indicating significant developments in social work training, and a revised directory of schools of social work, should be submitted to the Social Commission every four years. The first report entitled *Training for Social Work. An International Survey* (E/CN.5/196/Rev.1)¹⁴⁸ was issued in 1950. The new report was being prepared in co-operation with twelve national associations of schools of social work, as well as the Pan American Union, the International Committee of Schools of Social Work, the Union catholique internationale de Service social, the American Council of Social Work and professional associations of social workers. The survey, which covers a wide geographical area, including the less-developed as well as developed countries, will describe the present stage of development and trends of training in the different regions. The Directory, in order to facilitate international exchange of information, will include some brief data on the set-up, standards and duration of the training programme.

Of the four hundred schools of social work already consulted, more than half supplied a considerable amount of valuable data. The first draft of the report was to be discussed at the International Conference of Social Work in Toronto in June 1954.

During 1953, eighteen United Nations experts were assigned to many parts of the world, mainly in less-developed areas but also in developed areas, organizing preprofessional or professional courses. In Pakistan and in Thailand, experts assisted the authorities in organizing preprofessional training, which will eventually be placed on a professional level. In Iraq, an expert was organizing a pre-professional course at Queen Aliya College. In Belgium, Italy and Yugoslavia, experts assisted in organizing case-work courses; and in Costa Rica and El Salvador, they advised schools of social work on methods of professional training. Also during 1953, seven fellowships and scholarships were awarded.

Some of these experts also provided in-service training to persons already in employment. For

¹⁴⁸ U.N.P., Sales No.: 1950.IV.11.

example, Italian social workers were being trained in methods of supervision; in Burma and Thailand, personnel was being trained in medical-social work, and in Pakistan, welfare staff was being trained by a team of United Nations experts.

6. Strengthening of National Programmes for Family and Child Welfare

The Economic and Social Council in July 1952 adopted resolution 434 E (XIV)¹⁴⁹ relating to various aspects of the international family and child welfare programmes and requested the Secretary-General to report progress at the next regular session of the Social Commission.

In pursuance of that resolution, a progress report (E/CN.5/289/Add.2) was submitted by the Secretariat to the Commission's ninth session, under the following headings: direct assistance to governments in strengthening child welfare projects, training of auxiliary and community workers, national plans for the assessment and development of an integrated child welfare programme, status of studies and reports included in the work programme, the improvement of child nutrition, revised statement of measures for family and child welfare, and matters requiring special attention.

The report called particular attention to:

- nutrition;
- effective arrangements for home visiting;
- the part played by voluntary organizations and individual volunteers in inspiring and carrying out social services, especially for children;
- the importance of technical assistance in promoting country projects; and
- health, education and community development.

At its ninth session, the Social Commission reviewed with approval the measures taken by the United Nations, UNICEF and the specialized agencies to strengthen national programmes for family and child welfare. It emphasized the importance of the use of auxiliary personnel in countries which were at an early stage in the development of social services, as well as in the more developed countries.

In connexion with the improvement of child nutrition through inter-agency consultation, the Commission noted the report prepared by FAO in co-operation with WHO and UNICEF on the "Improvement of Child Nutrition, with Special Reference to Inter-Agency Action" (E/CN.5/289/Add.2, annex I) and heard a statement by the representative of FAO on the progress that had been made on the problem of supplying milk substitutes and protein foods.

At the Council's sixteenth session, a number of representatives, including those of Belgium, India, the Philippines and Yugoslavia, emphasized the importance of the training and use of auxiliary social workers. The representative of the United States expressed the opinion that the Technical Working Group on Long-Range Activities for Children of the Administrative Committee on Co-ordination,¹⁵⁰ while concentrating on certain specific problems, should also at its next session consider problems of a more general nature, such as income maintenance, which was of vital importance.

An important development during 1953 was the completion of the assessments of services for children, carried out, at the request of the Governments concerned, in Burma, El Salvador and Syria. The main purpose of these surveys is to assist governments to review existing services for the benefit of children and to advise on the initiation and development of comprehensive national programmes, applicable to both rural and urban areas.

Particular emphasis in the field of family and child welfare was given to extending direct assistance to governments in promoting the welfare of the family as the basic unit of society, and to measures designed to strengthen family life. For example, in Ecuador, a United Nations expert was working with a WHO team in a joint project for the setting up of child health centres; an expert was assigned to Burma to advise the Government on the implementation of the recommendations of the social services mission to that country in 1953, including services for children; and consultations were in progress with UNICEF in order to strengthen the social aspects of the work of the 5,300 maternal and child welfare centres receiving UNICEF aid. Seven experts were assigned to Israel, El Salvador, Syria, Trieste and Yugoslavia; and 35 United Nations fellowships and scholarships were awarded.

Under the general title Children Deprived of a Normal Home Life, of which the introductory study was issued in 1952 (E/CN.5/271),¹⁵¹ a second study on the practice and procedures related to the adoption of children, entitled Study on Adoption of Children, was prepared in co-operation with the International Union for Child Welfare for publication in 1953.¹⁵² This study covers

¹⁴⁹ See Y.U.N., 1952, p. 511.

¹⁵⁰ The ACC Working Group is composed of representatives of the United Nations (including UNICEF and the High Commissioner for Refugees), ILO, FAO, UNESCO and WHO.

¹⁵¹ U.N.P., Sales No.: 1952.IV.3

¹⁵² U.N.P., Sales No.: 1953.IV.19.

fifteen countries selected in view of their different legal systems and various social and cultural patterns. The scope of the inquiry does not include Middle Eastern and Far Eastern countries, since in these countries the pattern of family life is such as to give adoption a different function from that which it has in the West. The study therefore deals with adoption practice as it has developed in selected countries of Europe, North America and Latin America.

Twenty monographs dealing with the legal aspects of adoption in fifteen different countries (Canada being represented by three Provinces and the United States by four of its States) have also been prepared. These will serve as the basis for a comparative analytical study on adoption legislation. The study is scheduled for publication by the end of 1954.

The mental health aspects of adoption were dealt with in a report published by WHO, based on the discussions of a joint meeting of experts representing that organization and the United Nations.¹⁵³

At its eighth session in May 1952, the Social Commission requested the Secretariat to prepare a report on "Methods of Administering Assistance to the Needy in Under-Developed Areas" and to present it for the Commission's consideration at a later session together with the study on Methods of Administering Assistance to the Needy,¹⁵⁴ prepared in 1952 (E/CN.5/273). Nine public assistance specialists from Japan, Ceylon, Burma, Egypt, Iran, Libya, Chile, Bolivia and Ecuador compiled, during 1953, information relating to existing methods of administering assistance to the needy in these countries, which will form the basis of a report by the Secretariat to the Social Commission's tenth session.

The Biennial Report on Community, Family and Child Welfare, covering, for the most part, activities and developments during 1949 and 1950, was published in 1953.¹⁵⁵

In the Legislative and Administrative Series on Child, Youth and Family Welfare, Volume II (Nos. 1-4) (ST/SOA/Ser.E/2 & Add.1 & 2) was completed in December 1953, and contains legislation adopted in 1950, reproduced in extenso or in part, from 33 countries; and titles of texts from eleven additional countries.

7. Rehabilitation of Handicapped Persons

Action in this field was mainly concentrated during 1953 on technical assistance aimed at

advising governments in the planning of programmes for disability prevention and the rehabilitation of the handicapped. During the year, five United Nations experts in this field were provided to the Governments of Greece, India, Italy, Pakistan, the Republic of Korea and Venezuela; and 28 fellowships and scholarships were awarded.

In developing a co-ordinated international programme, a draft plan for the education and rehabilitation of the deaf and hard-of-hearing was prepared for discussion at the next meeting of the ACC Technical Working Group on Rehabilitation,¹⁵⁶ to be held in September 1954. A technical monograph on the subject was completed for publication in 1954. Reports on special allowances for the severely handicapped, including the blind, and an international definition of blindness would also be discussed at this meeting.

During 1953, co-operation with non-governmental organizations increased. Under the technical assistance programme, plans were made for joint projects, such as seminars and courses, the first of which would be a seminar on selective placement to be convened in October 1954 in Sweden, under the joint auspices of the Swedish Government, the World Veterans Federation, the United Nations and the International Labour Office. An example of a joint technical assistance project was the advisory mission to Egypt on the rehabilitation of the physically handicapped. The World Veterans Federation, an organization having consultative status with the Economic and Social Council, deposited funds with the Technical Assistance Administration to be used for the Egyptian project, for specific purposes recommended by the United Nations mission.

The Demonstration for the Rehabilitation of the Physically Handicapped, established in Belgrade under the United Nations programme, completed its first year of full-scale operations.

The Regional Demonstration Centre for the Rehabilitation of the Blind in Cairo received its first pupils in July 1953. Two home teaching courses were completed and the home teachers were posted to urban areas and rural social centres. An ILO expert on vocational training and placement took up his duties at the Centre in December 1953.

Other rehabilitation centres for which United Nations technical assistance has been provided

¹⁵³ See Technical Report Series No. 70, September 1953 See also under The World Health Organization.

¹⁵⁴ U.N.P., Sales No.:1952.IV.11.

¹⁵⁵ U.N.P., Sales No.:1952.IV.15.

¹⁵⁶ Composed of representatives of the United Nations (including UNICEF), ILO, UNESCO and WHO.

are those set up by the Institute for Social Security in Guatemala and in Venezuela.

The first in a series of monographs, entitled "Rehabilitation of the Handicapped", was published as a special issue of the Social Welfare Information Series (ST/SOA)Ser.F/11:2). It contains an outline of the co-ordinated international programme for the rehabilitation of handicapped persons and selected bibliographies of books and films on rehabilitation.

8. Social Defence

The report¹⁵⁷ on Social Defence (E/CN.5/-289/Add.3), which was prepared by the Secretariat and submitted to the Social Commission at its ninth session, dealt with:

(1) the permanent functions assigned to the Secretariat for the purposes of carrying out international action on the prevention of crime and the treatment of offenders;

(2) projects undertaken; and

(3) the number of experts, fellowships and scholarships in this field.

In discussing the question of regional consultative groups, the Social Commission expressed satisfaction with the achievements attained, particularly with regard to the methods employed in organizing and conducting such meetings, and urged their continuation. The Commission recognized that the ultimate aim of financial participation in these meetings should be exclusively a national responsibility, but that partial financing for the present would have to be assumed by the United Nations in order to ensure particularly the participation of the less-developed countries. The Commission considered that there should be no change in the periodicity of the meetings, provided that a certain amount of flexibility be permitted to the Secretariat.

Major emphasis in the field of prevention of crime and the treatment of offenders during 1953 was mainly directed towards the strengthening of international and regional co-operation and on providing assistance to governments. Preliminary work was being continued in connexion with the organization of the regional conferences, which were to take place either as meetings of regional consultative groups or as technical assistance seminars. Assistance to governments was also provided in the form of experts, fellowships and scholarships. During 1953, 31 fellowships and scholarships were awarded; and two experts were assigned to four countries (Burma, Israel, Pakistan and Turkey) to discuss programmes in the

field of social defence with the governments concerned and to advise on future developments.

The Latin American Seminar on the Prevention of Crime and the Treatment of Offenders, for which the Brazilian Government acted as host, was held in Rio de Janeiro in April 1953. Representatives from seventeen countries participated, as well as ten experts from the region who had prepared preliminary reports and acted as discussion leaders. The Seminar dealt with the standard minimum rules for the treatment of prisoners, the selection and training of correctional personnel, open institutions, juvenile delinquency and the trends of crime, as well as with questions of technical assistance.

One of the recommendations resulting from the Seminar concerned the establishment of a Latin American Institute for the Prevention of Crime (ST/TAA/Ser.C/13). At the request of the Government of Brazil (on behalf of the State of Sao Paulo) the Secretariat formulated a plan in connexion with this project which was submitted to the Government for consideration.

A further Seminar on the Prevention of Crime and the Treatment of Offenders for the Arab States took place in Cairo in December 1953, with the Government of Egypt acting as host. It was attended by representatives of Egypt, Iraq, Jordan, Lebanon, Saudi Arabia, Syria and Yemen, as well as by a number of technical experts and observers from the League of Arab States, the Government of Turkey, UNESCO and a number of non-governmental organizations. Major importance was attached to the question of juvenile delinquency, and recommendations were adopted for the improvement of the handling of juvenile cases in all phases, as well as for the development of adequate preventive measures. The question of open institutions was also examined, particularly from the point of view of the measures to be taken as transitional steps leading to the introduction of such institutions in the Arab States, where they are not yet generally known. A similar approach was followed in the consideration of the draft standard minimum rules for the treatment of prisoners to which several amendments were adopted, aimed at taking into account the special conditions prevailing in the region. The Seminar passed recommendations on future activity in the field among these States, advocating specifically the setting up of a bureau for the exchange of information within the League of Arab States and the creation of two centres, one for the training of personnel, and one for research.

¹⁵⁷ Certain aspects of this report are covered in Y.U.N., 1952, pp. 514-15.

In June 1953, the Secretary-General convened a meeting of the ad hoc advisory committee of experts¹⁵⁸ to advise the Social Commission and the Secretary-General on three main questions: the organization of the World Congress on the prevention of crime and the treatment of offenders; prison labour; and the prevention of types of criminality resulting from social changes and accompanying economic development in less-developed countries. The Committee also discussed juvenile delinquency and advised the Secretariat on future action in the field (E/CN.5/298).

Preparatory work for the World Congress, which will deal on a universal basis with the topics now being studied from a regional point of view, was proceeding along the general lines of the recommendations made by the committee of experts. The Congress will be composed of experts appointed by their governments, observers representing the specialized agencies and non-governmental organizations concerned, and individual observers. The findings of the regional conferences, and additional documentation prepared by consultants and voluntary contributors, will be used as the basis of discussion.

The Social Commission was informed at its ninth session of the Secretariat's plan to hold the Congress in 1956. A majority of the advisory committee of experts, however, recommended that it be convened in Geneva in 1955, and several governments and correspondents subsequently expressed a similar point of view. Preparatory work on questions to be considered by the Congress was being given priority by the Secretariat within the work programme.

Close relationship between research and direct assistance to governments was maintained. The Social Commission, at its ninth session, gave priority to the study on the prevention of juvenile delinquency, inasmuch as earlier studies published in 1952-53 had dealt in substantial measure with the treatment of juvenile delinquents.¹⁵⁹ During 1953, preparations were started for a survey on the prevention of juvenile delinquency in Europe.

Another study which was given high priority by the Commission concerns prison labour. The advisory committee of experts, in emphasizing the importance of this question, recommended that a comprehensive study be made so as to make available sound guidance on policy and practice. Preliminary work was commenced on the study which is being carried out with the participation of the International Labour Office.

The study on the indeterminate sentence, which was completed in 1953 (ST/SOA/SD/2)¹⁶⁰

covered selected countries in Europe, the Middle East, Latin America, Asia and the Far East and Australasia. A comparative analysis was included of the legislation in force relating to the indeterminate sentence and its application in the countries under review.

A survey on the practical results and financial aspects of probation (supplementary to the Secretariat's study on "Probation and Related Measures"—E/CN.5/230) was also completed in 1953. It dealt with the measure of success attained by the application of probationary supervision to offenders in selected countries, including the Scandinavian countries and the Netherlands, the United Kingdom and the United States. The study also included information on the financial aspects of this type of treatment. The report will be published in 1954.

A further study on parole and after-care, also to be published in 1954, provides analytical information and conclusions on the organization, content and the practical operation of parole and after-care systems in fourteen selected countries, as well as an analysis of the principles involved.

The third and the fourth issues (ST/SOA/Ser.M/4) of the International Review of Criminal Policy included various papers and information related to the programme on social defence.

In the Legislative and Administrative Series on Social Defence (prevention of crime and the treatment of offenders, and the traffic in persons and related problems) Volume II (Nos. 1 and 2) (ST/SOA/Ser.E/3 & Add.1) was issued during 1953, containing legislation adopted in 1950, reproduced in extenso or in part, from 23 countries; and titles of texts from six additional countries.

The publication in June 1953 of an addendum (E/TWC/Summary 1948-1950 Addendum) to the summary of reports on the traffic in persons brought to a close the circulation of information based on the League of Nations questionnaire. Future reports will follow the outline of the new questionnaire which was prepared as a consequence of the adoption by the General Assembly in December 1949 of the consolidated Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. Haiti became a party to this Convention in 1953.

¹⁵⁸ Appointed under General Assembly resolution 415 (V), see Y.U.N., 1950, pp. 655-56.

¹⁵⁹ The series of regional comparative surveys on juvenile delinquency was continued in 1953 by those covering Asia and the Far East (ST/SOA/SD/1-Add.3) and the Middle East (ST/SOA/SD/1-Add.4).

¹⁶⁰ U.N.P., Sales No.: 1953.IV.23.

Since the inception of the system of correspondents appointed by governments on matters of social defence, their number has been steadily increasing and, by December 1953, there were 78 in 40 States. During 1953 Pakistan appointed three correspondents to the Department of Social Affairs, in the field of the prevention of crime and the treatment of offenders, and the network of correspondents for the Commonwealth of Australia was completed by the appointment of a correspondent for South Australia. In addition to furnishing periodic reports and to complying with special requests in individual cases, correspondents have assisted the Secretariat in assembling information in connexion with the preparation of certain studies.

9. Advisory Social Welfare Services

In pursuance of General Assembly resolution 418(V),¹⁶¹ a report on the progress of the advisory social welfare services during 1952 (E/CN.5/289/Add.5) was prepared by the Secretariat.¹⁶²

The Social Commission at its ninth session expressed satisfaction with the progress made and stressed the importance of a progressive integration of social welfare projects with programmes for economic and social development at the national level. In view of the increase in the number of requests for expert assistance and the limitation of funds, emphasis was laid on the importance of paying increased attention to the careful selection, in co-operation with the governments concerned, of social welfare projects to be implemented.

The Commission agreed that in view of the possible reduction in the funds available from the Expanded Programme for social projects, the importance of quality, rather than quantity, of fellowships should be stressed and that international training through fellowships and scholarships should be supplemented as far as possible by training at the regional level. Importance was also attached to obtaining from requesting governments an assurance that, after their return to their countries, fellows would be offered responsible positions in the fields in which they had studied abroad.

The Commission noted the increase in the number of countries that had requested and received assistance under the programme of advisory social welfare services, and stressed the need for maintaining an adequate geographical balance of the programme. The European participation in this programme, particularly with regard to

fellowships, should not be further reduced in relation to services rendered to other areas. While the interchange of ideas and techniques was as important to European countries as to other areas of the world, it was felt that this interchange could be effected through such programmes as the European Exchange Scheme, in which a relatively greater proportion of costs was borne by the interested governments, thus making a greater proportion of resources available to under-developed countries.

At the sixteenth session of the Economic and Social Council, the representatives of Belgium and the Philippines, in particular, expressed approval of the views of the Social Commission, especially the emphasis it had placed on the integration of technical assistance activities in social welfare with programmes of general national economic and social development. The representatives of Belgium, France and Sweden supported the Commission's views on the need for avoiding any further decrease of European participation in the allocation of fellowships under the advisory social welfare services.

During 1953 a total of 64 experts of 22 nationalities in various social welfare fields assisted 26 countries with programmes and problems of social development, including training for social work—auxiliary, in-service or professional level; administration of social welfare services; family and child welfare services; rehabilitation of the handicapped, including the blind and deaf; housing, town and village planning; community organization and development; and care of offenders and juvenile delinquency.¹⁶³

The United Nations Regional Office in Europe, through its Exchange Programme, arranged for 33 experts from European countries to go to countries in Europe other than their own, for short periods varying from a few days to one month. The assignments, also requested by governments, permit these experts to draw on their professional experience for the introduction of new social techniques or the improvement of existing techniques.

Another method of assisting governments is through fellowships and scholarships—during the year, 254 such grants were utilized by persons

¹⁶¹ This resolution sets forth the social welfare services to be rendered by the United Nations and the policies in accordance with which they are to be rendered. For the text of the resolution see Y.U.N., 1950, p. 596.

¹⁶² For a summary of the report see Y.U.N., 1952, pp. 509-10.

¹⁶³ For the work of the United Nations in these various fields during 1953, see above under the respective headings.

from 51 countries, who observed and studied in 20 countries. Under the Exchange Programme in and for Europe, participated in by sixteen countries, 243 exchange visits were organized. This regional exchange, administered by the United Nations in co-operation with ILO and the national exchange committees in the participating countries, enables persons or groups working in the field of social welfare or labour questions to observe and study abroad, on a reciprocal exchange basis, for periods varying from one week to several months.

Seminars and expert working groups held during 1953 included: one in Egypt, for the Arab States, on problems of the prevention of crime, the treatment of offenders and juvenile delinquency; one in Lebanon and one in Colombia on the training of auxiliaries; two in Brazil, one on

the prevention of crime and the treatment of offenders and the other on rural community welfare and development; three in Europe, under the Exchange Plan, one in Sweden on foster-home care of children, one in France on in-service training and one in Italy on services to individuals and families.

Technical publications in the social welfare field were furnished, on request, to Jamaica, Hong Kong, Indonesia and Burma and study kits covering selected material in community organization and development were sent to all governments, specialized agencies, experts and organizations in the field dealing with the subject. The Geneva Office of the United Nations handled 134 loans, comprising 517 films to nineteen countries, under its Film Library Service.

P. UNITED NATIONS CHILDREN'S FUND (UNICEF)

The UNICEF Executive Board held two sessions in 1953: the first from 19 to 26 March and the second from 8 to 16 September. Officers of the Board and members of the Programme Committee and the Committee on Administrative Budget for 1953 were elected¹⁶⁴ at a meeting of the 1953 Executive Board on 13 October 1952. The appointment of UNICEF representatives for 1953 to the UNICEF/WHO Joint Committee on Health Policy was made at the same time. At its 157th meeting on 13 October 1952, the Programme Committee appointed a Sub-Committee on Fund Raising.

1. UNICEF Assistance during 1953

In 1953 the Executive Board approved allocations totalling \$15,864,090 as follows:

	Longe-range Aid	Emergency Aid
Africa	\$582,000	—
Asia	4,666,850	\$1,722,000
Eastern Mediterranean	959,000	320,000
Europe	289,000	200,900
Latin America	1,937,300	—
Assistance benefiting more than one region.....	295,000	—
	<hr/> \$8,729,150	<hr/> \$2,242,900
Total, project aid	\$10,972,050	
Freight	2,442,000	
Operational services	942,780	
Administration	1,507,260	
	<hr/> \$ 4,892,040	
Grand Total	<hr/> <u>\$15,864,090</u>	

a. EMERGENCY AID

The Executive Board allocated a total of \$2,242,900 for emergency aid in 1953. This represented about 20 per cent of all project aid approved. Of this amount, \$1,722,000 went to four Asian countries: India, Japan, Korea and Pakistan, of which India received the largest amount, i.e., \$718,000 for relief in famine areas. The Board approved \$603,000 for aid to Korea for one year, since it had certain reservations regarding aid beyond this period in view of the existence of the United Nations Korean Reconstruction Agency (UNKRA), whose sole purpose is to provide aid for Korea. The Board decided that further aid to Korea would be considered only if it became clear that the need would not be covered by the activities of UNKRA.

Aid for Palestine refugees totalled \$200,000 for the year. In accordance with the policy of the Executive Board, this allocation was to be used only for goods available in surplus, or from contributions in kind or restricted currencies, or for goods which could not be used effectively elsewhere. "Economic refugees" in the Israel villages along the Jordan border also received an apportionment for emergency assistance in 1953.

Emergency aid was approved twice during the year by a mail-poll vote: \$100,000, in August, for Greek earthquake victims and \$132,000, in December, for Japanese children in areas devastated by floods and typhoons. An additional \$100,000 was

¹⁶⁴ For members of the Executive Board and subsidiary bodies of UNICEF, see Appendix III.

approved for Greece by the Board at its September session, while an allocation of \$132,000 for Japan supplemented the \$154,000 approved at the September session.

b. LONG-RANGE AID

A total of \$8,729,150, representing approximately 80 per cent of all project aid, was approved in 1953 for long-range aid. A total of 112 long-range programmes in 59 countries and territories received assistance; in addition, allocations were made for personnel engaged in BCG vaccination projects for two regions and for two projects which would benefit more than one region. During the year eight more countries were added to the list of those receiving UNICEF long-range aid: six in Africa (Bechuanaland, Kenya, Mauritius, Nigeria, Tanganyika and Uganda) and two in Latin America (British Guiana and St. Kitts).

The percentage distribution of long-range aid as between areas was as follows:

	Per Cent
Africa	6.7
Asia	53.4
Eastern Mediterranean	11.0
Europe	3.3
Latin America	22.2
Benefiting more than one region.....	3.4
	100.0

In terms of major types of assistance, the percentage distribution was as follows:

	Per Cent
Maternal and Child Welfare.....	41.1
Mass Health	33.1
BCG and other TB control.....	(10.4)
Malaria and insect control	(8.7)
Yaws, bejel and syphilis control....	(9.8)
Control of other diseases.....	(4.2)
Child Nutrition	25.8
Long-range feeding	(7.6)
Milk and other food conservation..	(18.2)
	100.0

Maternal and Child Welfare: About one third of total project aid, and over 40 per cent of long-range aid approved in 1953 was allocated to maternal and child welfare services and training programmes. This type of assistance has been increasing steadily during the past few years. In 1953, 57.6 per cent of long-range aid to Asia was for maternal and child welfare, as was 48.5 per cent of long-range aid in the Eastern Mediterranean area, 8.6 per cent in Europe and 6.4 per cent in Latin America.

The potential value of assisted maternal and child welfare centres in the development of health

and other community services in rural areas, as well as in continuing large-scale campaigns against disease after the end of the mass phase, was increasingly recognized. By the end of 1953, UNICEF had approved aid for 5,200 centres. Because of the great need for trained auxiliary maternal and child care personnel, especially in rural areas, maternal and child welfare services aided by UNICEF usually provide training facilities as well as direct services to mothers and children. The training aspects of the programmes contribute not only to maternal and child welfare but to general public health work as well.

Aid for maternal and child welfare programmes included: equipment for centres; supplies and equipment for hospitals and wards; teaching equipment; transport; kits for midwives; school health supplies and equipment; special equipment for handicapped children; drugs and diet supplements; dried milk; soap; and stipends for training auxiliary personnel.

The following 28 countries and the International Children's Centre in Paris received \$3,585,650 in aid for maternal and child welfare programmes in 1953:

Asia: \$2,686,650 for Afghanistan, Burma, Cambodia, China,¹⁶⁵ Ceylon, Hong Kong, India, Indonesia, Japan, Malaya, Pakistan, the Philippines, Sarawak, Singapore, Thailand and Vietnam.

Eastern Mediterranean: \$465,000 for Egypt, Iraq, Libya, Israel and Turkey.

Europe: \$25,000 for Austria.

Latin America: \$124,000 for Bolivia, Brazil, Chile, Ecuador, Panama and Peru.

International Children's Centre in Paris: \$285,000 benefiting more than one region.

BCG Vaccination Campaigns and Other Tuberculosis Control: Allocations totalling \$907,000 were made to 25 countries and territories and two regions for BCG vaccination campaigns and other tuberculosis control work in 1953 as follows:

Asia: \$585,400 for Brunei, Burma, Cambodia, Ceylon, China,¹⁶⁵ India, Indonesia, Pakistan, the Philippines, Thailand, Vietnam, South East Asia Region.

Eastern Mediterranean Region: \$133,000 for Ethiopia, Iran, Iraq, Jordan, Libya, Sudan, Turkey, Eastern Mediterranean Regional BCG project.

Latin America: \$188,600 for British Guiana, British Honduras, Chile, Colombia, Grenada, Paraguay, St. Kitts.

Thus, tuberculosis control received slightly over 10 per cent of the allocations approved for long-range aid in 1953. By area, this type of assistance constituted 12.6 per cent of long-range aid to Asia, 13.9 per cent of that to the Eastern Mediterranean

¹⁶⁵ For projects in Taiwan.

area and 9.7 per cent of that to Latin America. During 1953, BCG campaigns were being carried on in 23 countries, and approximately nine million children were vaccinated, as follows:

Area	No. of Countries	No. of Children Vaccinated
Asia	11	7,657,000
Eastern Mediterranean ..	6	1,077,000
Latin America	6	300,000
	23	9,034,000

Control of Malaria and Other Insect-Borne Diseases: In 1953, allocations for the control of malaria and other insect-borne diseases amounted to 8.7 per cent of all allocations for long-range aid. This was about half of the percentage for 1952, the decline being attributable to the fact that new proposals for Africa and the Eastern Mediterranean area were being developed during the year for submission to the Board in 1954. Of the long-range aid approved for each area, the following percentages were allocated for malaria and insect control: 17.2 per cent to Africa, 7.2 per cent to Asia, and 16.8 per cent to Latin America. The total amount approved was \$763,000 for eleven countries and territories as follows:

Africa: \$100,000 for Kenya, Nigeria, Tanganyika, Uganda.

Asia: \$338,000 for Afghanistan, Burma, Ceylon, Pakistan.

Latin America: \$325,000 for the Dominican Republic, Guatemala, Mexico.

Over nine million children and mothers in 30 countries were protected during 1953 in malaria and insect-control programmes aided by UNICEF, mainly with DDT supplies on hand from allocations made in previous years. The number protected in each area was as follows:

Area	No. of Countries	No. Children and Mothers
Africa	4	369,000
Asia	4	5,975,000
Eastern Mediterranean ..	4	531,000
Latin America	18	2,271,000
	30	9,146,000

Control of Yaws, Bejel and Syphilis: UNICEF aid for yaws, bejel and syphilis campaigns accounted for 9.8 per cent of all allocations for long-range aid programmes in both 1952 and 1953. In 1953, 49.4 per cent of the long-range aid approved for Africa was for the control of yaws, bejel and syphilis, as was 11.5 per cent of that for Asia and 3.3 per cent of that for the Eastern Mediterranean region. A total of \$858,000 was allocated for this type of assistance in seven countries in 1953 as follows:

Africa: \$288,000 for Bechuanaland, Morocco and Nigeria.

Asia: \$538,000 for China,¹⁶⁶ India and Indonesia.

Eastern Mediterranean: \$32,000 for Syria.

During 1953, over one million children and mothers were treated with penicillin by UNICEF in these campaigns in ten countries:

Area	No. of Countries	No. Children and Mothers Treated
Africa	2	80,000
Asia	5	373,500
Eastern Mediterranean ..	1	50,000
Europe	1	22,000
Latin America	1	494,000
	10	1,019,500

A special progress report on the UNICEF/-WHO-assisted campaigns against yaws (E/ICEF/-233), submitted by the Director-General of the World Health Organization (WHO), stated that modern methods of control open the way to eventual complete eradication of the disease.

Other Health Measures: The Executive Board approved in principle two new types of aid during 1953, in accordance with criteria laid down by the UNICEF/WHO Joint Committee on Health Policy: aid for environmental sanitation, and aid for large-scale leprosy control measures. The Board noted the comments of the Joint Committee on Health Policy that environmental sanitation is a basic component of all maternal and child health work and might be associated with this work either as an integral part of it or as an independent programme. The Board agreed that it would be desirable if such programmes could be related to existing UNICEF-aided maternal and child welfare programmes, but that where this was not possible they would be considered on their own merits.

Regarding leprosy control, the nature of the aid provided, it was decided, would vary in each individual case along the lines laid down by the Joint Committee on Health Policy. Leprosy, it was noted, is a major health problem in underdeveloped tropical countries, and the prevailing opinion is that it is more often contracted during infancy and childhood than in later life. While leprosy control is a complex problem, the modern approach permits patients to maintain a fairly normal life in their own communities during treatment. The Board approved aid for a leprosy control programme in Nigeria at its March 1953 session.

Besides the mass campaigns against tuberculosis, malaria and yaws, UNICEF during 1953 approved \$368,000 in aid for a number of other health pro-

¹⁶⁶ For prenatal syphilis control project in Taiwan.

grammes, including the leprosy programme in Nigeria and projects to control mycosis (Syria), trachoma (Morocco and Tunisia) and diphtheria, whooping cough and tetanus (Mauritius, Pakistan, Austria, Colombia, Peru), the latter chiefly through aid for vaccine production. The Board was interested in possible UNICEF aid for trachoma control on a large scale in areas where it constitutes a major child health problem, at such time as current experiments in mass control reach a stage where they can be technically recommended. The campaign in Morocco reached 124,000 people during 1953; while final evaluation of the results can not be made for some time, a constant evaluation is being made by the Government and by a WHO expert on trachoma. The campaign in Tunisia started in December 1953.

Child Nutrition: The Board approved a total of \$2,247,500 for child nutrition projects. These included long-range feeding, and milk and other food conservation projects in 26 countries, and a group training course in milk quality control, held in Rome during 1953. Aid for milk and other food conservation projects accounted for 18.2 per cent of all long-range aid approved in 1953, while 7.6 per cent of this amount was allocated for long-range feeding. The percentage of total long-range aid for each area allocated to child nutrition in 1953 was as follows:

Area	Long-Range Feeding	Milk Conservation
Africa	1.4%	—
Asia	1.6	8.9
Eastern Mediterranean	12.7	17.4
Europe	—	79.6
Latin America	23.6	39.4
Projects benefiting more than one region	—	3.4

Aid for long-range feeding totalled \$662,500 for fifteen countries:

Africa: \$8,000 for Belgian Congo and Ruanda Urundi.

Asia: \$75,800 for the Philippines and Thailand.

Eastern Mediterranean Region: \$122,000 for Iraq.

Latin America: \$456,700 for Bolivia, Brazil, Chile, Costa Rica, Ecuador, Guatemala, Honduras, Panama, Paraguay, Peru.

During 1953, a peak figure of half a million children and mothers received daily rations from UNICEF-assisted long-range nutrition programmes in nineteen countries, as follows:

Area	No. of Countries	No. of Children and Mothers
Africa	3	37,000
Asia	1	100,000
Eastern Mediterranean	3	11,000
Latin America	12	357,200
	—	—
	19	505,200

Aid for milk and other food processing totalled \$1,585,000 for twelve countries and for the Rome training course:

Asia: \$415,000 for India and Indonesia.

Eastern Mediterranean Region: \$167,000 for Egypt, Iran, Iraq, Turkey.

Europe: \$230,000 for Greece and Yugoslavia.

Latin America: \$763,000 for Brazil, Costa Rica, El Salvador, Honduras.

Assistance benefiting more than one region: \$10,000 for milk conservation group training.

By the end of 1953, UNICEF had approved aid for milk or other food conservation in 23 countries. In six of these countries, assistance for eight dry milk plants, one food processing plant and 92 fluid milk plants had been completed. In seventeen of these countries, aid for thirteen dry milk plants, one soya milk plant and 44 fluid milk plants was in various stages of completion.

In 1953, the Board, for the first time, approved assistance for a milk conservation project in Asia (India) to produce dried buffalo milk and for a project to produce powdered vegetable milk from the soya bean (Indonesia). The latter represents the first effort by UNICEF to increase the use of local, protein-rich foods in countries where milk is scarce. Through a special report on the milk conservation programmes (E/ICEF/234), the Board's attention was directed not only to the impact of the projects in providing safe milk but also to the significant contribution made by the projects to the agricultural economy of the countries.

2. Finances

The following 55 governments contributed \$14,266,000 to UNICEF in 1953:

Afghanistan, Australia, Austria, Belgium, Bolivia, Brazil, Burma, Cambodia, Canada, Ceylon, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, Egypt, Ethiopia, France, Germany, Greece, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Jordan, Korea, Liechtenstein, Luxembourg, Malaya, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Peru, Philippines, Singapore, Sweden, Switzerland, Thailand, Turkey, United Kingdom, United States, Vatican City State, Vietnam, Yugoslavia.

Of this group, eight governments were contributing to UNICEF for the first time: Cambodia, Ethiopia, Ireland, Korea, Monaco, Nicaragua, Vatican City State and Vietnam.

The largest contribution, \$9,814,333, was made by the United States Government. On a per capita basis, the ten largest government contributors in 1953 were as follows: New Zealand, United States, Monaco, Canada, Liechtenstein, Switzerland, Thailand, Sweden, Australia, Nicaragua.

There has been a steady upward increase in contributions from governments since 1950. The amount contributed by governments in 1953 was 32 per cent higher than in 1952 and 80 per cent higher than in 1950. The number of contributing governments was 41 per cent higher in 1953 than in 1952 and 83 per cent higher than in 1950.

UNICEF income from private sources for 1953 totalled \$828,000, of which \$651,000 came from the proceeds of fund-raising campaigns and the United Nations Day collections. The remaining \$177,000 came from individuals, private groups and a Halloween collection carried out by children in the United States, and compared with \$99,000 received from similar sources in 1952.

UNICEF received \$428,000 from UNRRA residual assets in 1953, as compared with \$137,000 in 1952. Miscellaneous income for the year amounted to \$655,000. The total income for the year from all sources was \$1,677,000.

Target Programme of Allocations: The Executive Board, in September 1953, approved \$20,000,000 as the target programme of allocations for the calendar year 1954, the same level as for 1953. Of the total approved for project aid (exclusive of freight and administrative and operational services), 84.5 per cent was set aside for long-range aid and 15.5 per cent for emergency situations.

The target did not include local expenses incurred by the countries in connexion with the UNICEF-assisted programmes; in the past, for every \$1 allocated by UNICEF, assisted governments have spent or committed an average of \$1.55.

Fund Raising Activities: In March 1953, the Sub-Committee on Fund Raising of the Programme Committee reported to the Executive Board on three meetings held in early 1953, at which relations with the General Assembly's Negotiating Committee on Extra-Budgetary Funds, the use of prominent personalities for fund-raising purposes, and the status of the organization of UNICEF National Committees were discussed.

In November 1953, the Sub-Committee held another meeting and agreed that the Negotiating Committee for Extra-Budgetary Funds should be requested to authorize its chairman to ask governments to consider making contributions to UNICEF. Accordingly, by the end of the year, 31 letters had been sent. Letters were not sent to governments which had recently announced contributions for 1953 or to which, for other reasons, it was considered advisable to delay a formal approach.

The Sub-Committee also considered ways in which UNICEF public information activities

could be further improved and reaffirmed its belief that the development of UNICEF National Committees was an important part of UNICEF's public information programme. In some cases, these committees are sub-committees of United Nations Association organizations, while in others they represent continuing efforts of the United Nations Appeal for Children (UNAC) groups. The Sub-Committee expressed the opinion that a tie-in with United Nations Association organizations might offer advantages both to UNICEF and to the Associations.

3. Co-operation with Other United Nations Agencies

An essential factor in UNICEF's operation is the collaboration with related specialized agencies and departments of the United Nations. Such collaboration ensures that UNICEF supplies and equipment, and the plans of operations for which they are approved, are technically sound and that governments will receive necessary related technical advice and services. In addition, UNICEF co-operates with WHO and the Food and Agriculture Organization of the United Nations (FAO) through certain committees created to study problems of mutual interest.

For example, in addition to the UNICEF/WHO Joint Committee on Health Policy (see above), an FAO/WHO/UNICEF committee, known as the "Inter-Agency Working Group on Milk and Milk Products", was formed in December 1952 to consider problems of mutual interest in the field of milk conservation and to act in an advisory capacity with regard to national legislation and sanitary regulations governing milk quality control. Its first major accomplishment was the development of a training course in milk quality control, which was held in Rome in October to November 1953.

In August 1953 two training courses with representatives from Latin American countries were held simultaneously in San Jose, Costa Rica, one on school feeding and the other on improving milk production. The former was sponsored by FAO (which assumed the international financial obligations), UNICEF and the Ministry of Public Health of Costa Rica in collaboration with the Institute of Nutrition for Central America and Panama (INCAP). The latter was organized by FAO, with the Ministry of Agriculture of Costa Rica as host; UNICEF and INCAP took an active part in the conference through the participation of staff members. The course dealt more with the basic problems of milk production than with the problems of milk quality control considered by the Rome seminar.

4. Co-operation with Non-Governmental Organizations

Close relationship is also maintained between UNICEF and international non-governmental organizations. A number of such organizations have passed resolutions requesting national member organizations to give active help to UNICEF through such means as educating the public, pressing for government contributions, establishing national committees.

At its meeting on 15 October 1953, the Non-Governmental Organizations Committee on UNICEF approved a four-point programme of action for 1954 in the fields of: maternal and child welfare centres, national UNICEF committees, utilization of voluntary resources, and nutrition. The purpose of the programme is to stimulate additional voluntary effort in carrying out UNICEF-assisted projects, and to enable the Non-Governmental Organizations Committee to make a constantly increasing contribution to UNICEF, although the activities of the Committee are not limited to the efforts outlined above.

5. Continuation of UNICEF

The Social Commission, at its ninth session from 4 to 20 May 1953, proposed a draft resolution (E/2437 A) for adoption by the Economic and Social Council, by which the Council would express its opinion that the regulations which governed UNICEF had enabled it to achieve satisfactory techniques, to acquire valuable experience, and to accomplish its tasks successfully, and would recommend that the Assembly reaffirm the pertinent provisions of its resolutions 57(I) and 417(V)¹⁶⁷ with the exception of any reference to time limits contained in these resolutions.

The Council considered the question at its sixteenth session at its 732nd and 733rd plenary meetings on 20 July 1953. In addition to the report of the Social Commission (E/2437), it had before it two reports of the Executive Board of UNICEF, which had also been before the Social Commission. The first of these (E/2430) set forth the basic principles under which the Fund operates and the major programming and financial trends since its inception, and the second (E/2409) presented a synthesis of the observations of the members of the Executive Board at its March 1953 session on the work of UNICEF.

In the general discussion on the future of UNICEF, the Council unanimously paid tribute, as had the Social Commission, to the work of

UNICEF and to the principles of its administration. UNICEF, by its far-reaching effects, had brought help to millions of children throughout the world, particularly in under-developed areas. Among others, the representatives of Australia, Belgium, France and India expressed satisfaction with the excellent co-operation between UNICEF and the specialized agencies and hoped that such co-operation would continue.

The majority expressed the hope that contributions would be forthcoming in amounts sufficient to enable UNICEF to continue to work effectively. In this connexion, the representatives of Belgium, Egypt and Yugoslavia announced their Governments' contributions to either the 1953 or 1954 budgets, and the representative of Uruguay stated that his Government was studying the possibility of making an additional grant. The representative of Turkey also indicated the amounts his Government was intending to pay towards the aid being given Turkey by UNICEF. The Australian representative, while supporting the continuation of UNICEF, emphasized that it was essential that the Fund should have the guarantee of continued financial support. If that support were not forthcoming, his Government, he stated, would have to review its attitude.

The majority noted with approval that, during the last two years, the emphasis of UNICEF's activities had shifted from Europe to under-developed countries and from emergency to long-range programmes for economic and social development, but agreed that it was important to continue to render emergency aid when necessary. The representative of China stressed that countries outside Europe were three years behind so far as assistance from UNICEF was concerned; therefore, they should certainly not be regarded as no longer in need of any but long-term assistance. It would be regrettable, he thought, if the change of emphasis should debar those countries from benefiting from the emergency programmes in which they stood of such need.

In view of the change of emphasis and the fact that UNICEF was not only concerned with international emergency situations, the representatives of Argentina, France, India, the Philippines and the United States presented a joint amendment (E/L.524) to the draft resolution recommended by the Social Commission (E/2437 A) to:

(1) change the name of the organization to the United Nations Children's Fund, retaining the symbol UNICEF;

¹⁶⁷ See Y.U.N., 1946-47, pp. 163-64 and Y.U.N., 1950, p. 621.

- (2) provide for a periodic review of UNICEF's work;
- (3) request the Secretary-General to ensure effective co-ordination with other United Nations agencies and to report thereon; and
- (4) commend UNICEF, the United Nations Secretariat and the specialized agencies for their close working relations and request that they strengthen them.

The joint amendment was adopted unanimously and the draft resolution, as thus amended, was also adopted unanimously by the Council at its 733rd meeting on 20 July.

By this resolution (495(XVI)), the Council recommended that the General Assembly:

- (1) reaffirm the pertinent provisions of its resolutions 57(I) and 417(V) with the exception of any reference to time limits contained in those resolutions;
- (2) change the name of the organization to the United Nations Children's Fund, retaining the symbol UNICEF;
- (3) request the Council to continue to review periodically the work of UNICEF and to make recommendations to the Assembly as appropriate;
- (4) request the Secretary-General to ensure that the programme carried out by UNICEF should continue to be co-ordinated effectively with the regular and technical assistance programmes of the United Nations and the specialized agencies and to report thereon to the Council in 1954 and subsequently as appropriate; and
- (5) that the Assembly commend UNICEF, the United Nations Secretariat and the specialized agencies concerned for the close working relations which have developed progressively, and request them to strengthen those relations in giving full effect to the desires of the General Assembly as expressed in General Assembly resolution 417(V) and in this resolution.

At its eighth session, the General Assembly considered the question of continuing UNICEF at its 451st and 452nd plenary meetings, on 5 and 6 October 1953. It had before it, inter alia, the report (E/2430) of the Executive Board of UNICEF, and a note by the Secretary-General (A/2467) indicating the action taken by the Council. Argentina, Australia, Brazil, Canada, France, Greece, India, Iraq and the Philippines submitted a joint draft resolution (A/L.163) containing the text recommended by the Council.

Opening the debate, the representative of Iraq said that UNICEF was currently assisting more than 200 child-care projects in 75 countries. The major categories of these projects were: maternal and child welfare; control of malaria; BCG

vaccination and other tuberculosis control; child nutrition; and control of communicable diseases and emergency aid projects. He recalled that the United States had thus far contributed over \$97,250,000 to the Fund and other governments approximately a total of \$45 million. He stressed that, moreover, these amounts did not take into account the extensive "internal matching" of governments. Out of every dollar spent on child-care projects the local government concerned was spending 61 cents, as compared to 39 cents contributed by UNICEF.

The representative of Australia and others stressed that no other voluntarily financed programme had had such a high proportion of support from under-developed countries as had UNICEF. The representative of the United States announced that her Government would shortly contribute \$9,814,333 for the year 1953.

The Canadian representative said that his Government would maintain its financial support of the Fund, but that the amount of Canada's contribution for the coming year would be related to the support which the Fund received from other countries. The representatives of the United Kingdom, Syria, the Dominican Republic and Egypt also indicated that their Governments would consider making contributions in the following year.

Summing up the debate, in which the majority had praised the achievements of UNICEF, the President said that the General Assembly's unanimous support for the continuation of the United Nations Children's Fund was a recognition of the Fund's success in reaching tens of millions of children, not only in times of emergency but also with long-term and more permanent assistance. The joint draft resolution (A/L.163) was adopted unanimously at the Assembly's 452nd plenary meeting on 6 October as resolution 802(VIII). It read:

"The General Assembly,

"Considering the world-wide disproportion between the magnitude of social service tasks to be undertaken and the available means of implementation,

"Considering the role that the United Nations International Children's Emergency Fund plays in the whole international programme for the protection of the child,

"Considering that the Fund's activities are useful, not only because they realize some of the high objectives which have been adopted by the United Nations, but also because they create favourable conditions for the development of the long-range economic and social programmes of the United Nations and the specialized agencies, particularly the World Health Organization and the Food and Agriculture Organization of the United Nations,

"Considering the urgent need for continuing the work of UNICEF, particularly in the under-developed regions of the world,

"Considering that the number of governments making contributions to UNICEF has increased constantly since 1950,

"1. Affirms that the regulations which govern the activity of the United Nations International Children's Emergency Fund have enabled it to achieve satisfactory techniques, to acquire valuable experience and to accomplish its task successfully;

"2. Reaffirms the pertinent provisions of General Assembly resolutions 57(I) and 417(V), with the exception of any reference to time-limits contained in these resolutions;

"3. Decides to change the name of the organization to the United Nations Children's Fund, retaining the symbol UNICEF;

"4. Requests the Economic and Social Council to continue to review periodically the work of UNICEF and to make recommendations to the General Assembly as appropriate;

"5. Requests the Secretary-General:

"(a) To ensure that the programmes carried on by UNICEF continue to be co-ordinated effectively with the regular and technical assistance programmes of the United Nations and the specialized agencies;

"(b) To report thereon to the Economic and Social Council in 1954 and subsequently as appropriate;

"6. Commends UNICEF, the United Nations Secretariat and the specialized agencies concerned for the close working relations which have developed progressively and requests them to strengthen those relations in giving full effect to the desires of the Assembly as expressed in resolution 417(V) and the present resolution."

Q. POPULATION AND MIGRATION QUESTIONS

The Population Commission held its seventh session from 19 to 30 January 1953 at United Nations Headquarters. It reviewed its work programme in the light of its terms of reference and considered that major progress had been made, in particular in the improvement of the quantity and quality of demographic data. It also considered, on the basis of a report by the Secretary-General (E/CN.9/94), the progress of the various studies in course of preparation. These included work in connexion with the interrelationships of population trends and economic and social factors; migration; mortality; fertility; population estimates and forecasts; demographic aspects of the problem of aging; demographic aspects of labour supply, employment and unemployment; the population of Trust Territories; survey of demographic legislation; the demographic dictionary; and demographic aspects of technical assistance.

The Commission considered that first priority should be given to the preparatory work for the World Population Conference and to early completion of those projects which were already far advanced. It felt that certain other projects should be deferred to allow for a greater concentration of effort on those studies which could advance the priority programmes of the United Nations in the economic and social fields, namely:

(1) studies of interrelationships of demographic, economic and social factors;

(2) analyses of future population trends;

(3) studies of migration, both international and internal; and

(4) continuing Secretariat services including technical assistance.

At the request of the USSR and the Ukrainian SSR representatives the Commission included in its report a statement of their views. In their opinion, undue importance had been given to the study of secondary questions; higher priority should be accorded to the study of important social problems, such as the demographic aspects of unemployment, the demographic situation and living conditions of the people in the Trust Territories, and the living conditions of migrants in the countries of immigration.

The report of the Population Commission (E/2359) was considered by the Economic and Social Council at its fifteenth session, at the 227th and 228th meetings of its Social Committee on 7 April, and at its 685th plenary meeting on 14 April 1953.

The majority of the Council expressed satisfaction with the work of the Commission and with the studies being undertaken by the Secretariat. The representative of Argentina considered that undue emphasis was placed on data relating to the individual and not sufficient emphasis on the family as the basic element of the social structure. He also considered that more attention should be attached to qualitative methods in studying human groups. The representative of Yugoslavia suggested that States should be represented on the Commission by demographic experts or by economists readily able to understand demographic problems, and that it should be tacitly agreed that the Commission's members should be elected for two consecutive terms. A number of representatives, in particular those of Argentina, France, Egypt and the United Kingdom, emphasized the need for

co-ordinating the work of the United Nations and the specialized agencies in the demographic field.

A draft resolution proposed by the United States (E/AC.7/L.134) (with an oral amendment by Sweden, accepted by the sponsor, to refer to the Statistical as well as the Population Commission) was adopted by the Social Committee by 16 votes to none, with 2 abstentions. (For resolution as adopted, see below.) Previously, the Committee rejected, by 16 votes to 2, a USSR amendment to delete a reference to internal migration.

The draft resolution (E/2392 A) was adopted by the Social Committee at its 228th meeting by 16 votes to none, with 2 abstentions, and by the Council at its 685th plenary meeting on 14 April, by the same vote, as resolution 471 A-(XV). The United Kingdom representative stated that he had voted for the resolution on the understanding that the analyses of future population trends provided for in the resolution included the recent rise of the birth-rate in certain countries.

In resolution 471 A (XV), the Council took note of the report, expressed its satisfaction with the progress made by the Population Commission, in co-operation with the Statistical Commission, in improving the quality and availability of basic demographic information and in creating a continuing programme for further improvement, and welcomed the decision of the Commission to concentrate its efforts and resources on three major lines of work now under way, namely: (a) studies of the interrelationship of demographic, economic and social factors; (b) analyses of future population trends; and (c) studies of migration, international and internal. The principal questions dealt with by the Commission and the Council are indicated below.

1. Demographic Aspects of Problems of Economic and Social Development

a. INTERRELATIONSHIPS OF DEMOGRAPHIC, ECONOMIC AND SOCIAL FACTORS

The Commission was informed that the revision of the report "Determinants and Consequences of Population Trends", which presents a summary of the findings of studies of the interrelationships of demographic, economic and social factors, was nearing completion. It recommended the publication of the report as soon as possible and expressed the hope that concrete studies likely to throw light on these interrelationships might be undertaken in the various countries. It suggested that such studies should be based on as complete an objective observation of the facts as possible.

The Commission also examined a memorandum (E/CN.9/98) by the Secretary-General which listed major gaps, revealed in the preparation of this report, in current knowledge of relationships between population trends and economic and social conditions. The list, which was confined to topics of prime importance on which there were practical possibilities of obtaining valuable results from further studies, mentioned, *inter alia*:

the relative importance of the various factors affecting mortality;

the effect of changing economic conditions, in particular the economic development of under-developed areas, upon the trend of fertility in various cultural settings;

the related question of the reasons for the increase in the annual birth rate, particularly in industrialized countries, during and after the war; and

the interrelationships of demographic, social and economic factors in migration, in particular the effects of international immigration and emigration on population growth.

Some members of the Commission suggested modifications to the list, stressing, for example, the importance of internal migration in some under-developed countries and that of social organization as it affects population trends in relation to economic development. The Commission asked the Secretary-General to reconsider the list of topics in the light of the views expressed in the Commission, to publish the revised list and to communicate it to governmental and non-governmental agencies and private research institutions interested in population studies, as well as to experts in the field of demography, and invite their comments on the feasibility of carrying out studies on these topics; to report to the Commission on the replies received; and to call attention to these gaps at the World Population Conference.

Since the revised report "Determinants and Consequences of Population Trends" was not yet available, the Council had before it a memorandum (E/AC.7/L.132) by the Secretary-General on "Relation of Population Trends to Problems of Economic and Social Development", summarizing the report. The memorandum stressed the importance of taking into account the influence of contemplated measures for economic and social development upon the population trend and of understanding the possible consequences of population changes. It also pointed out the particular difficulties caused by the fact that the most rapid increases of population were currently taking place in under-developed countries.

During the Council's discussions at its fifteenth session, the importance of analysing the data in order to enable conclusions to be drawn was

stressed by the representatives of Belgium and the United States. Certain representatives, including those of the United States and Yugoslavia, referred to the particular importance of the question in under-developed areas. The representative of India considered that demographic problems in under-developed countries could best be met by dealing with economic rather than with biological factors. The Egyptian representative thought such problems could be solved, not only by economic development, but also by a better distribution of the world's material resources.

The Council's Social Committee, by 14 votes to none, with 2 abstentions, adopted two United States amendments (E/AC.7/L.133), the first to provide that the Council refer to the summary of the report rather than to the report itself; and the second, as amended orally by the Philippines, to draw the attention of governments to the importance of obtaining fuller information on the subject.

The amended draft resolution was adopted by the Social Committee at its 227th meeting, by 15 votes to none, with 2 abstentions (E/2392 B), and by the Council at its 685th plenary meeting on 14 April by 16 votes to none, with 2 abstentions, as resolution 471 B (XV).

In this resolution, the Council drew the attention of Member States to the importance of obtaining fuller information on, and considering the interrelationships between, population changes and the economic and social changes in developing various portions of their economic and social programmes aimed at raising the standard of living of their peoples.

The Population Commission at its seventh session discussed studies within various under-developed countries which the Council, in resolution 308 D (XI), had declared to be valuable in the consideration of the problem of technical assistance, namely, studies of the possible effects of various types of developmental measures upon population growth, and of the social and economic consequences of population growth.

The Commission was informed of the progress being made in the study of population in relation to social and economic conditions in Mysore State, India, which had been undertaken jointly by the United Nations and the Government of India (E/CN.9/94). The Commission was also informed of the negotiations being conducted with that Government regarding the possible extension of co-operative population studies in India and of the efforts of the Secretary-General to explore the possibilities of carrying out similar

studies in other countries (E/CN.9/94). The Commission recommended that the Secretary-General co-operate in studies of this type with Member Governments requesting such co-operation on the widest scale compatible with the priorities established by the Commission.

b. ANALYSIS OF THE RESULTS OF POPULATION CENSUSES TAKEN IN AND AROUND 1950

The Population Commission at its seventh session considered the large amount of information concerning demographic, economic and social conditions obtained in the national population censuses taken in and around 1950 and noted that little could be achieved unless the statistics made available were analysed to determine their bearing on programmes of action. It listed ten topics as particularly important for study where relevant information had been obtained in the censuses:

- (1) completeness and accuracy of census results and comparability with earlier censuses;
- (2) size, density, and geographical distribution of population in relation to natural resources;
- (3) trends and characteristics of urban and rural population;
- (4) structure of the population with special regard to age groups, economically active and inactive groups, social classes, and (where relevant) ethnic groups and nationalities;
- (5) trends in mortality, fertility, and family size for the country and its subdivisions;
- (6) fertility and mortality differentials between regions, economic groups, social classes, and (where relevant) ethnic groups, nationalities, etc.;
- (7) prospects for future population growth, with special reference to labour supply and employment;
- (8) internal and external migration and their effects on the age structure, labour force, and other demographic characteristics of the country and its subdivisions;
- (9) composition of the population with reference to occupation, industry, status, and social classes; and
- (10) economic and social conditions such as labour supply, housing, standard of living, education, and social welfare measures.

During the Council's discussions at its fifteenth session, the representative of Venezuela referred to the value of the 1950 census taken in his country. The United Kingdom representative considered that, in technical assistance programmes, preferential treatment could not be given to censuses.

The draft resolution proposed by the Commission (E/2359 B) was adopted by the Social Committee (E/2392 C) at its 227th meeting on 7 April, by 16 votes to none, with 2 abstentions, and, by the same vote, by the Council at its 685th

plenary meeting on 14 April, as resolution 471 C (XV). It read:

"The Economic and Social Council,

"Having in mind the great potential value of the results of the population censuses taken in various countries during recent years as a basis for analytical studies which would elucidate major social and economic problems facing Member States,

"1. Invites the governments of those countries and territories where population censuses have recently been taken, or will be taken in the near future, to prepare analytical studies based on either complete or sample tabulations of census results, devoting primary attention to those demographic topics which are of foremost importance to their programmes of economic and social development and taking into account, in the selection of topics, the views on this matter expressed by the Population Commission at its seventh session;

"2. Requests the Secretary-General to give, within the limits of the resources available and in accordance with the work priorities, appropriate technical assistance to those governments requesting aid in order to help them carry out analytical studies of their census results."

c. FERTILITY AND MORTALITY STUDIES IN UNDER-DEVELOPED COUNTRIES

The Population Commission noted that information on trends in fertility and mortality rates and their effects on population changes are of major importance in the long-range planning of economic and social development programmes, and pointed out that in under-developed countries these trends cannot be predicted with assurance on the basis of existing knowledge. The Commission recommended that the Secretary-General continue to explore the possibilities of intensive field studies of factors affecting these rates and trends in areas where large-scale development programmes are under way and that he extend the fullest possible co-operation to interested governments and agencies within the resources available and the priorities established by the Commission.

d. POPULATION ESTIMATES AND FORECASTS

The Commission was informed (E/CN.9/94) of the progress being made in compiling population and manpower projections. It considered that this work should be continued and that special attention should be paid to the under-developed countries where there existed a sufficient statistical basis.

2. Demographic Seminars

The Commission at its seventh session examined a report prepared by the Secretary-General on plans for regional seminars in the field of popu-

lation (E/CN.9/105), one to be held in Latin America, and another in Southeast Asia. The Commission's view was that a third seminar to be held in the Middle East was highly desirable. The representative of Egypt expressed support in the Economic and Social Council for this recommendation.

3. World Population Conference

The Population Commission at its seventh session reviewed plans for the World Population Conference to be held in 1954, as authorized by Economic and Social Council resolution 435 (XIV), and considered the preliminary agenda of the Conference contained in the report of the Preparatory Committee (E/CONF.13/PC/1).¹⁶⁸ The Commission called attention to the desirability of focusing the Conference on the main population problems confronting the world, and to the danger that the Conference might lose in effectiveness if too many topics were included in the agenda. During the Council's discussions at its fifteenth session, the representatives of Australia, the United Kingdom and Yugoslavia also emphasized this point.

The Commission was also informed that, after the Council had authorized the holding of the Conference with the stipulation that it be convened "at the site which will involve the least cost to the United Nations, but at Geneva, if in Europe", the Italian Government had offered to contribute 25,000 dollars toward the financing of the Conference, if it should take place in Rome. The Preparatory Committee had recommended that the Conference be held in Rome. The majority of members of the Council were in favour of accepting the Italian Government's offer, in the absence of any financial objection. A draft resolution proposed jointly by Argentina, Belgium, Cuba and Uruguay (E/AC.7/L.135) was adopted by the Social Committee (E/2392 E) at its 228th meeting on 7 April, by 16 votes to none, with 2 abstentions, and, by the same vote, by the Council at its 685th plenary meeting on 14 April, as resolution 471 E (XV).

By this resolution, the Council modified paragraph 6 of its resolution 435 (XIV) to read as follows:

"Authorizes the Secretary-General to convene the Conference at a site which will involve the least cost to the United Nations, but at Geneva or Rome if in Europe."

¹⁶⁸ See Y.U.N., 1952, pp. 532-33.

4. Migration

a. DEMOGRAPHIC ASPECTS OF MIGRATION

The Population Commission at its seventh session reviewed the international programme of studies on migration, considering the value of the results as an aid to national governments and international bodies in the formulation of co-ordinated migration policies and the planning of related programmes in the social and economic fields.

In this connexion the Commission considered two documents submitted by the Secretary-General: (1) a report on the progress made since its last session in various migration studies (E/CN.9/100); and (2) a summary of the results of studies of international migration undertaken by the United Nations and the specialized agencies since 1946 (E/CN.9/109).

The Secretary-General reported that reports on the following subjects would be completed during 1953:

(1) The revised study "Elements of Immigration Policy" (previously entitled "Prerequisites to Immigration") prepared jointly by the United Nations and interested specialized agencies;

(2) Sex and age of international migrants: statistics for 1918-1947;

(3) Economic characteristics of international migrants: statistics for selected countries, 1918-1950;

(4) Methodological problems in statistics on economic characteristics of international migrants; and

(5) Analytical bibliography of sources of migration statistics.

The Commission requested the Secretary-General, in co-operation with ILO and other interested specialized agencies, to publish these reports as soon as possible. During the Council's discussions at its fifteenth session, certain representatives, including those of Australia and the United States, also called attention to the value of these reports.

In the discussions in the Commission and the Economic and Social Council certain representatives, including, in the Council, the representatives of the Philippines and the United States, expressed the view that internal migration was an important factor in the demographic, economic and social development of many countries and deserved more attention than it had received. Others, in particular the representative of the USSR, considered that questions relating to internal migration were properly the concern of national governments only, and not of international organizations.

The Social Committee, by 16 votes to none, with 2 abstentions, adopted a United States amendment (E/AC.7/L.133) to delete from the Com-

mission's draft resolution (E/2359 C) clauses relating to particular types of technical assistance in order, the United States representative explained, to avoid giving the impression that more importance was attached to technical assistance programmes relating to the study of migration than to other such programmes. The draft resolution, as amended, was adopted by the Social Committee (E/2392 D), by 16 votes to 2, at its 227th meeting on 7 April.

At its 685th plenary meeting on 14 April, the Council, by 16 votes to none, with 2 abstentions, adopted a Swedish amendment (E/L.491), requesting the Secretary-General to report only on the implementation of paragraph 3 on technical assistance activities and not on the resolution as a whole. At the same meeting, the Council adopted the amended resolution by 15 votes to 2, with 1 abstention, as resolution 471 D (XV). It read:

"The Economic and Social Council,

"Considering the importance of internal migration in connexion with economic progress and the attendant social and political phenomena, especially in the economically under-developed countries, and noting that in these countries internal migration has not been sufficiently studied, and

"Paying due attention to the priorities established for the implementation of the work programme of the Population Commission,

"1. Recommends that Member States continue to give special attention to the problem of internal migration and its social and economic implications, particularly within a process of economic development;

"2. Invites Member States to take appropriate action with a view to improving the statistical and demographic information in the field of internal migration;

"3. Recommends that the Secretary-General, in co-operation with the appropriate specialized agencies, aid those Member States requesting technical assistance pertaining to the field of internal migration;

"4. Calls the attention of Member States having similar problems relating to internal migration to the advantage of conducting joint studies, and further directs the attention of the regional economic commissions to the importance of internal migration especially in connexion with economic development;

"5. Requests the Secretary-General to report to the Population Commission at its eighth session on the implementation of paragraph 3 of the present resolution."

During the consideration by the General Assembly, at its eighth session, of chapters IV and V (concerning social questions and human rights) of the report of the Economic and Social Council (A/2430) a draft resolution on the subject of internal migration was submitted jointly by Brazil, Indonesia, Mexico and Peru (A/C.3/L.363/Rev.1). This draft was referred to during the gen-

eral debate on these chapters at the Third Committee's 503rd to 511th meetings, from 22 October to 3 November 1953, and was discussed and voted on at the 511th meeting.

In addition to the sponsors, the representatives of China, Iraq and Syria spoke in favour of the draft resolution. The sponsors of the draft resolution stressed the importance of obtaining increased knowledge of the processes of internal migration and urbanization occurring in a number of economically under-developed countries and pointed out the many ways in which further economic development was interrelated with problems of encouraging and planning internal migration. The representatives of Peru and Syria drew attention to the fact that the draft resolution stipulated that the suggested programme of studies should be drawn up within presently available resources and that, therefore, no additional financial burden would be imposed.

The USSR representative stated his opposition to the draft resolution, on the ground that internal migration fell entirely within the domestic jurisdiction of States and thus outside the competence of the United Nations. On the other hand, the representative of Syria considered that no interference with the internal jurisdiction of States should be feared, as the draft resolution specifically stipulated that studies should only be carried out when requested by the countries concerned. The representative of China believed that the question was primarily the concern of each government but that sample studies made by a United Nations organ in some countries would be of interest to others.

The Third Committee adopted the joint draft resolution at its 511th meeting on 3 November by 40 votes to 5, with 5 abstentions (A/2373 I).

It was adopted by the General Assembly at its 460th plenary meeting on 28 November 1953, by 49 votes to 5, with 5 abstentions. Resolution 733 (VIII) read:

"The General Assembly,

"Considering the close connexion existing between internal movements of population and economic and social progress in the economically less developed countries,

"Noting with satisfaction that the Economic and Social Council, in examining the work of the Population Commission, has recently paid attention to the problems of internal migration (resolution 471 D (XV) of 14 April 1953) which have generally not been sufficiently studied,

"1. Invites the Economic and Social Council, in co-operation with the International Labour Organisation and other interested agencies, to develop, within available resources, an appropriate programme of studies on internal migration, especially in the economically less developed countries, to be carried out at the request of the countries concerned;

"2. Requests the Secretary-General to communicate to the Economic and Social Council, for its guidance and information, the records of the debate on this question in the General Assembly at its eighth session."

The Population Commission considered the necessity, emphasized in General Assembly resolution 624(VII),¹⁶⁹ of orienting the programme of work on migration to produce results of practical value for co-ordinated international effort. It noted that the work of international agencies has hitherto been concerned largely with the short-term problems of refugees and displaced persons, and recommended that more exhaustive study should be made of the relationship between migration and population trends in order to determine the longer range factors to be taken into account in the formulation of migration policies. The Commission further recommended that the Secretary-General, in co-operation with ILO and other interested agencies, prepare a summary of international migratory movements since 1950.

b. SOCIAL ASPECTS OF MIGRATION

(D Recognition and Enforcement Abroad of Maintenance Obligations)

In accordance with Council resolution 390 H (XIII)¹⁷⁰ concerning the recognition and enforcement abroad of maintenance obligations, a committee of experts, appointed by the Secretary-General, met in August 1952. The Committee prepared two international instruments—a draft convention on the recovery abroad of claims for maintenance and a draft of a model convention on the enforcement abroad of maintenance orders.

The Committee's report (E/AC.39/1) was submitted to the Council at its fifteenth session, but the Council, at its 673rd plenary meeting on 31 March, decided to postpone consideration of the question until its seventeenth session.

The question was, however, discussed by the General Assembly at its eighth session in connexion with the Assembly's consideration of chapters IV and V (concerning social questions and human rights) of the report of the Economic and Social Council. References were made to the subject in the general debate on these chapters which took place at the Third Committee's 503rd to 511th meetings from 22 October to 3 November. Certain representatives, in particular those of Denmark and Greece, expressed the view that the problem was important and extremely urgent.

A joint draft resolution submitted by Brazil, Denmark, Greece, the Netherlands, Norway and

¹⁶⁹ See Y.U.N., 1952, pp. 392-93.

¹⁷⁰ See Y.U.N., 1951, p. 575.

Sweden (A/C.3/L.373) on this question was considered by the Third Committee at its 511th and 512th meetings, on 3 and 4 November. It proposed that the Assembly request the Economic and Social Council to complete its work on this question and report to the Assembly at its next regular session.

A number of representatives, including those of Belgium, Denmark, the Dominican Republic, France, Greece, Indonesia, Israel, the Netherlands, New Zealand, Norway, the Philippines, Turkey, the United Kingdom, the United States and Uruguay, spoke in support of the joint draft resolution. They observed that the failure to enforce maintenance obligations abroad had caused many tragedies and that a remedy was urgently needed. The joint draft resolution, in their view, was designed, not to bind those voting for it to the adoption of the relevant draft conventions on the question, but merely to ask the Council to do its best to complete a task which had been outstanding for so long.

Other representatives, however, including those of Afghanistan, Iraq and Saudi Arabia, argued that the Council's agenda was heavy, and the Third Committee ought not, therefore, to keep referring matters to it with a demand for priority. The Council, they said, had long been trying to complete its work on freedom of information, the draft Covenants on Human Rights and the right of peoples and nations to self-determination, and those items were all too often crowded off its agenda. They felt that self-determination warranted priority over the enforcement abroad of maintenance obligations, as the former question affected tens of millions while the latter affected, at most, a few hundred thousand.

The representative of Syria orally proposed that the joint draft resolution be amended so as to have the Assembly request the Council to complete its work on this question "as soon as possible", rather than by the ninth session of the Assembly.

The representative of China said that the Council might not be able to complete the work on this question in time for the Assembly's ninth session. He orally proposed that the joint draft be amended so as to insert the words "if possible" after the word "complete" in order to make it more flexible. The sponsors of the joint draft agreed to accept the Chinese amendment, in consequence of which the Syrian amendment was withdrawn.

The Third Committee at its 512th meeting on 4 November adopted the joint draft resolution, as amended, by 43 votes to none, with 6 abstentions.

The representative of Afghanistan, while voting for the joint draft resolution, reserved his position on the substance of the question. The representative of Iraq declared that she had abstained because she considered that better results could be achieved through bilateral or regional action than through the United Nations.

At its 460th plenary meeting on 28 November, the General Assembly adopted the draft resolution proposed by the Third Committee (A/2573), without discussion, by 48 votes to none, with 7 abstentions, as resolution 734(VIII). It read:

"The General Assembly,

"Having noted that the question of the reciprocal recognition and enforcement abroad of maintenance obligations has been before the Economic and Social Council which, at its fifteenth session, decided to postpone consideration until its seventeenth session,

"Being aware of the urgent need to improve the situation of members of families whose legal supporters living in another country fail to comply with their maintenance obligations,

"Requests the Economic and Social Council to do its utmost to complete, if possible, its work on this question in such time as to enable it to report on the results to the General Assembly at its next regular session."

(2) Conference of Non-Governmental Organizations Interested in Migration

During the year under review, the United Nations sponsored, with the International Labour Office, the Fourth Conference of Non-Governmental Organizations Interested in Migration, which was held at Geneva from 11 to 15 August. The Conference, attended by representatives of 60 voluntary agencies active in this field, took action with respect to such questions as: the information to be given to migrants before their departure; minimum standards for the protection of migrants during the journey; legal assistance to migrants; integration of migrants into the life of countries of resettlement; resettlement of aged, sick and disabled refugees; problems of migrants in the professional categories.

The Conference took note of the programme established by the United Nations, the High Commissioner for Refugees, the International Labour Organisation and other specialized agencies, and the Intergovernmental Committee for European Migration to relieve the plight of migrant professional workers. This programme includes:

the collection and dissemination of information on the conditions of admission and employment in immigration countries and on employment opportunities for such workers in various under-developed countries;

special action to obtain employment opportunities for refugee professional workers in various under-developed countries;

employment of such workers by intergovernmental organizations in their technical assistance projects; and

training to prepare refugee professional workers for their future life and work in their own or allied professions in the new countries.

The Conference recommended that the non-governmental organizations extend their activities

on behalf of migrant professional workers, and agreed to co-operate in the implementation of the programme, particularly by surveying the social situation of refugee professional workers who have already emigrated and the development of employment opportunities for migrants in the professional categories.

R. NARCOTIC DRUGS

The Economic and Social Council, during its fifteenth and sixteenth sessions, dealt with the following subjects related to the control of narcotic substances: the United Nations narcotics laboratory, the report of the eighth session of the Commission on Narcotic Drugs, a study undertaken on the Council's request under Council resolution 436 E (XIV)¹⁷¹ on certain proposed experiments concerning the problem of the coca leaf, the report of the Permanent Central Opium Board on its work in 1952 and the report of the Secretary-General on the United Nations Opium Conference, 1953.

The first subject was considered by the Council at the 681st plenary meeting of its fifteenth session on 10 April; the remainder, at its sixteenth session, at the 246th, 247th and 249th meetings of the Social Committee on 16 and 23 July, and at the 739th plenary meeting on 28 July. In addition to the report of the Social Committee (E/2490), the Council, at its sixteenth session, had before it a statement by the Secretary-General on the financial implications of the report (E/2490/Add.1), in which he estimated the total direct costs at \$342,400.

The actions taken by the Council are indicated under the relevant headings below.

1. The United Nations Narcotics Laboratory

Under the terms of Council resolutions 159 II C (VII)¹⁷² and 246 F (IX),¹⁷³ the United Nations Secretariat continued to carry out laboratory research into the nature of opium, mainly with a view to determining by chemical and physical means the geographic origin of opium. It used laboratory facilities put at its disposal on a temporary basis by the United States Government. At its seventh session, in 1952, the Commission on Narcotic Drugs had expressed the view that methods for determining the origin of opium had now been sufficiently developed to allow of a beginning to be made in putting them to

practical use. It proposed that, when seizures of opium from the illicit traffic were under investigation, the Secretariat should be authorized, by arrangement with the authorities making the seizure, to examine samples of such opium and subsequently to notify the Commission of its laboratory findings.

The Commission referred to the fact that no extension of laboratory work would be possible in the premises used at present and expressed the opinion that the establishment of a permanent United Nations laboratory should not be further delayed. Such a step would also facilitate important research work which could not be undertaken currently, such as developing methods for the analysis of adulterated illicit narcotics and for the identification of synthetic narcotics seized in the illicit traffic.

As requested by the Council in resolution 436 F (XIV),¹⁷⁴ the Secretary-General submitted to the Council, at its fifteenth session, a report (E/2372) on the cost of preparing and equipping an adequate laboratory, preferably in the Headquarters building.

In his report, the Secretary-General stated that the United Nations would incur an expenditure of approximately \$85,000 to \$90,000 for the construction and fitting out of a laboratory plus a further \$3,000 annually for maintenance. The bulk of the costs, he emphasized, related to the basic construction entailed in opening up the 39th floor of the Headquarters building—which offered the only suitable space—to accommodate the laboratory. In addition to the establishment of a laboratory, the full work programme envisaged would eventually necessitate additional staff costs of about \$8,000 per year.

The Council considered the Secretary-General's report at its 681st plenary meeting on 10 April.

¹⁷¹ See Y.U.N., 1952, p. 525.

¹⁷² See Y.U.N., 1947-48, p. 630.

¹⁷³ See Y.U.N., 1948-49, p. 646.

¹⁷⁴ See Y.U.N., 1952, p. 527.

In addition to this report, the Council had before it a draft resolution submitted by the United States (E/L.485), a note by the Secretary-General on the financial implications of that draft resolution (E/L.485/Add.1) and amendments submitted by France (E/L.486) and by Belgium (E/L.487 & Rev.1).

The United States draft resolution proposed that the Council should take note of the Secretary-General's report, should defer decision regarding changes in the existing arrangements, and should request the Secretary-General to appoint an international committee of three chemists to evaluate the progress made in developing methods to determine the origins of raw opium by chemical or physical means and to arrive at conclusions as to whether the methods had been advanced to a point where they could be given practical application. The report was to be submitted to the Commission on Narcotic Drugs, which was to transmit its recommendations to the Council at its eighteenth session, at the latest.

The Secretary-General estimated that this proposal would involve an expenditure of \$3,000, assuming that the three chemists came from America, Asia and Europe, and that the committee met at Headquarters and sat for five days.

The French amendment would add a new paragraph to the United States draft resolution, to note with satisfaction the "work undertaken by the United Nations up to the present within the framework of the international programme of scientific research on narcotics".

The Belgian amendment proposed the addition of a clause to the effect that the report by the Commission on Narcotic Drugs would take into account the whole of the scientific work undertaken by the Secretariat in this field. It would also reverse the order of two paragraphs, so as to make clear, as the Belgian representative explained, that the United Nations was deferring its decision on the establishment of the laboratory pending fuller information from the Commission on Narcotic Drugs. In its revised form, the amendment proposed that the Council ask the Commission on Narcotic Drugs to submit a note on the cost of installing and equipping a United Nations laboratory at Geneva.

The representative of the United States accepted the Belgian and French amendments; he also accepted some other minor drafting amendments suggested by the representatives of Belgium, France and Yugoslavia. He, as well as the representatives of Australia, Belgium, Egypt, France, the United Kingdom and Yugoslavia, spoke in

support of the amended draft resolution. They felt that a further study of the question was necessary.

The representatives of Australia and the United Kingdom doubted the wisdom of entrusting Secretariat chemists with the delicate task of analysing samples of seized opium. To determine the origin of opium seized in the illicit traffic would amount, the United Kingdom representative considered, to undertaking detective work for governments which they could carry out themselves.

The Australian representative also considered that the Secretariat's work might duplicate that of national laboratories.

The representative of the United States pointed out that it was not yet possible to say whether the methods used to determine the origin of opium seized in the illicit traffic could be guaranteed as effective, and some doubts as to the value of these methods were expressed by the representatives of Belgium, France and Yugoslavia.

The representative of Egypt considered that a narcotics laboratory under the auspices of the United Nations could render useful service to countries which did not have the necessary means to undertake their own research. However, if the majority of the Council thought that such a laboratory should not be established for the moment, he would be prepared to support the United States draft resolution, as amended.

The USSR representative opposed the United States draft resolution. He considered that the control of narcotic drugs was essentially a task for governments and it was their duty to prevent any smuggling or illicit traffic. There was no provision in the Charter for creating bodies of the kind proposed and it was inadmissible, he said, that constantly increasing financial burdens should be imposed on the whole United Nations simply because one Member State or another proposed the establishment of new offices, laboratories, etc.

The Council, at its 681st plenary meeting on 10 April, adopted the amended United States draft in parts, by votes ranging from 16 to none, with 2 abstentions, to 14 to 2, with 2 abstentions. The draft resolution, as a whole, as amended, was adopted by 16 votes to 2, as resolution 477(XV). It read:

"The Economic and Social Council

"1. Takes note of the report of the Secretary-General regarding the cost of preparing and equipping a United Nations narcotics laboratory;

"2. Notes with satisfaction the work undertaken by the United Nations up to the present within the frame-

work of the international programme of scientific research on narcotics;

"3. Defers decision regarding changes in the existing arrangements;

"4. Invites the Commission on Narcotic Drugs to transmit to the Council not later than its eighteenth session its recommendations regarding the future of the United Nations narcotics laboratory, taking into account the whole of the scientific work undertaken by the Secretariat in this field;

"5. Requests the Secretary-General:

"(a) To appoint an international committee of three chemical experts with a view to evaluating the progress made in developing methods to determine the origins of raw opium by chemical or physical means, and to arrive at conclusions as to whether the methods have been advanced to a point where they can be given practical application in the international field;

"(b) To submit the above-mentioned report to the Commission on Narcotic Drugs for its consideration;

"(c) To submit to the Commission a note on the cost of installing and equipping a United Nations laboratory at Geneva."

2. Experiments on the Problem of the Coca Leaf

The United Nations Commission of Enquiry on the Coca Leaf, set up under Council resolutions 159 IV (VII)¹⁷⁵ and 246 H (IX),¹⁷⁶ had recommended the gradual suppression of coca leaf chewing. Since there were differences of opinion between the Governments chiefly concerned (those of Bolivia and Peru) and the Commission of Enquiry as to the harmful effects of chewing the coca leaf, the possibility of conducting experiments was considered by these Governments and the Commission. These experiments were to consist of observing in selected communities the reactions of individual coca-chewers after improving their living conditions, and in particular their diet. As requested in Council resolution 436 E (XIV),¹⁷⁷ the Secretary-General submitted to the Technical Assistance Committee (TAC) a paper (E/TAC/7), prepared in co-operation with the Technical Assistance Board, on the possibility of carrying out such experiments within the framework of the existing technical assistance programme. In view of the fact that TAC had not yet reported to the Council on this subject, and as certain relevant information in connexion with one of the technical assistance projects under consideration had not yet been received from Peru, the Council, at its sixteenth session, decided to postpone the consideration of the question of these experiments until its seventeenth session.

3. Report of the Commission on Narcotic Drugs on its Eighth Session

The Commission on Narcotic Drugs held its eighth session at United Nations Headquarters from 30 March to 24 April 1953. At that session, the Commission's attention was mainly devoted to the working of the current system for the international control of narcotic drugs and to the preparation of the draft single convention designed to codify the provisions of the existing treaties.

The Commission adopted its report to the Economic and Social Council by 11 votes to 2, with 1 abstention. The representative of the USSR, explaining his vote against the report, stated that the USSR had asked the Commission to decide that certain documents which, he alleged, had been illegally placed before it should be removed from the files and that passages containing insinuations against certain governments should be deleted from other documents. As the majority of the Commission had not acceded to the "wholly justified and admissible requests of his delegation", he could not approve the report or endorse its conclusions. Furthermore, he said, the Commission, by having refused to include in the report "an exact statement of the USSR representative's views", had taken an unfair and illegal decision. The representative of Poland said that he had voted against the adoption of the report for the same reasons as had the USSR representative.

The report of the Commission was considered at the 246th and 249th meetings of the Council's Social Committee, on 16 and 23 July, and at the Council's 739th plenary meeting on 28 July. A resolution was adopted by the Social Committee at its 249th meeting (E/2490) by 15 votes to 2, and by the Council, by the same vote, (resolution 505 A (XVI)) taking note, with appreciation, of the report.

The USSR representative explained that he had voted against the resolution for the reasons given by the USSR representative at the time the Commission itself adopted the report. The various subjects discussed and the action taken by the Council on them are indicated below.

a. CONTROL AND IMPLEMENTATION OF INTERNATIONAL TREATIES ON NARCOTIC DRUGS

The Commission noted that the following de-

¹⁷⁵ See Y.U.N., 1947-48, p. 634.

¹⁷⁶ See Y.U.N., 1948-49, pp. 647-48.

¹⁷⁷ See Y.U.N., 1952, p. 525.

velopments in the field of control had occurred during the year:

Two States during 1953 became parties to the Protocol,¹⁷⁸ signed at Paris on 19 November 1948, bringing under international control drugs outside the scope of the Convention of 13 July 1931 for limiting the manufacture and regulating the distribution of narcotic drugs, as amended by the Protocol signed at Lake Success, New York, on 11 December 1946: Switzerland (18 March) and the Philippines (7 December).

The Secretary-General on 9 June 1953 transmitted to States parties to the 1931 Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs and to the World Health Organization (WHO) a notification from the United States Government requesting appropriate decisions, under article 11 of the Convention, as to the status of each of the drugs 6-methyl Δ^6 -desoxymorphine and diacetyl-N-allylnormorphine and their respective salts.

On 11 December 1953, the Secretary-General transmitted, under article 11, paragraph 5, of the 1931 Convention, a notification from the Director-General of WHO containing the findings made by that body regarding the drug 6-methyl Δ^6 -desoxymorphine and its salts. In accordance with this notification, the High Contracting Parties are to apply to 6-methyl Δ^6 -desoxymorphine and its salts the regime laid down in the 1931 Convention for the drugs specified in article 1, paragraph 2, Group I, sub-group (a), thereof.

On 10 June 1953, the Secretary-General transmitted, under article 1, paragraph 1, of the 1948 Protocol, signed at Paris, a notification from the United States Government in respect of the following drugs and their respective salts:

- alpha-6-dimethylamino-4, 4-diphenyl-3-acetoxyheptane (alpha-acetylmethadol);
- alpha-6-dimethylamino-4, 4-diphenyl-3-heptanol (alpha-methadol);
- bêta-6-dimethylamino-4, 4-diphenyl-3-acetoxyheptane (bêta-acetylmethadol);
- 3-dimethylamino-1, 1-di-(2-thienyl)-1-butene;
- 3-ethylmethylamino-1, 1-di-(2-thienyl)-1-butene

On 13 November 1953, the Secretary-General transmitted, under article 1, paragraph 4, of the 1948 Protocol, a notification from the Director-General of WHO containing the findings made by that body regarding the above-mentioned drugs. In accordance with this notification, the States parties are to apply to all these drugs and their respective salts the regime laid down in the 1931 Convention for the drugs specified in article 1, paragraph 2, Group I of that Convention.

On 4 June 1953, in accordance with article 3 of the 1948 Protocol, the Secretary-General transmitted to the States parties to this Protocol, to the members of the Commission on Narcotic Drugs, and to WHO a notification from the Government of Switzerland regarding the exemption from international control of the dextrorotatory isomer of 3-hydroxy-N-methylmorphinan (dextrotrphan) and the dextrorotatory isomer of 3-methoxy-N-methylmorphinan (dextromethorphan).

The Secretary-General in 1953 communicated to governments the revised form of annual reports (E/NR.1953/Form) incorporating modifications concerning prepared opium, synthetic narcotic drugs and diacetylmorphine, made by the Commission on Narcotic Drugs at its eighth session.

Pursuant to Council resolution 436 D (XIV) of May 1952,¹⁷⁹ the first list of merchant seafarers and members of the civil air crews convicted of narcotic offences on or after 1 January 1953 was circulated in 1953 to governments (E/NM.1953/1).

In the light of information given in the annual reports of governments for 1952, etc., the Division on Narcotic Drugs of the United Nations Secretariat brought up to date a list of firms authorized to manufacture and convert narcotic drugs.¹⁸⁰ A list of names and addresses of national authorities empowered to issue import certificates and export authorizations was also issued (E/NA.1953/1 & Corr.1).

The Commission reviewed, as it does each year, the implementation of treaties concerning narcotic substances. It had before it communications furnished by governments under provisions of the treaties, annual reports,¹⁸¹ laws and regulations concerning the control of narcotics,¹⁸² and reports on seizures¹⁸³ of narcotics in the illicit traffic.

The total number of annual reports received during 1952 was as follows: 114 for 1951 (57 for Metropolitan countries and 57 for territories); fifteen for 1950 (twelve for Metropolitan countries

¹⁷⁸ For text of Protocol, see Y.U.N., 1948-49, pp. 640-42.

¹⁷⁹ See Y.U.N., 1952, p. 529.

¹⁸⁰ This document will appear as E/NF.1954/1 and will replace the former list (E/NF.1953/1).

¹⁸¹ A summary of the annual reports for 1951 received by the Secretariat by 15 November 1952 was prepared by the Secretariat: E/NR.1951/Summary.

¹⁸² A summary of these laws and regulations received by the Secretariat between 1 June 1951 and 31 May 1952 was prepared by the Secretariat: E/NL.1951/Summary.

¹⁸³ Bi-monthly summaries of these seizures are prepared by the Secretariat: E/NS.1952/Summary 1-6.

and three for territories); and two for 1949 (one for a Metropolitan country and one for a territory). In the same period, laws and regulations concerning the narcotic drugs for 30 Metropolitan countries and 29 territories were received by the Secretariat.

From 21 March 1952 to 28 February 1953, the Secretary-General received reports on 1,372 cases of seizures of narcotic drugs from the illicit traffic.

The Commission, when discussing the illicit traffic, noted problems arising from the fact that illicit manufacturers shift their establishments and skilled personnel to countries where government control is less effective. It had evidence of the existence of a large international organization. It also noted that considerable amounts of narcotics legally manufactured became available to the illicit traffickers from legal sources.

Difficulties in the international control of narcotics arising from the existence of free ports and from certain political situations were discussed in connexion with the drug situation of Tangiers and Trieste.

The Commission noted the value of regional co-operation in the fight against the illicit traffic in narcotics and decided to extend its congratulations to the Director of the Permanent Anti-Narcotics Bureau of the Arab League on the successful work reported by that Bureau.

The Commission finally requested the Secretariat to include in its periodical summaries of reports of seizures of narcotic drugs a separate section on synthetic drugs and, in the annual memorandum on the illicit traffic, a special chapter on the illicit traffic by the crews of merchant ships. It also discussed the part which members of the crew of civil aircraft played in this traffic.

b. CONTINUING PROBLEMS OF INTERNATIONAL NARCOTICS CONTROL

(1) The Question of Cannabis

The Commission on Narcotic Drugs approved the programme of studies (E/CN.7/256) relating to the question of "Indian hemp" (cannabis) and the resin of the plant, as outlined by the Secretary-General, and asked the Secretariat to carry them out, in consultation with the Food and Agriculture Organization of the United Nations (FAO) and WHO, whenever appropriate. It also decided that an additional study on the physical and mental effects of Indian hemp should be made. The representative of WHO indicated that

his organization, if requested, would consider making such a study.

Some favourable information concerning the resumption of efforts to deal with the question was reported to the Commission. The production, import, export, trade in and use of "Indian hemp" and the galenical preparations containing it had been prohibited in France (including Algeria); a Moroccan decree was in preparation banning the sale of "Kif", an Indian hemp preparation, and the Government Tobacco Monopoly of Morocco had already received orders to suspend its sale as of 1 April 1953. The Bey of Tunis had issued a decree prohibiting the harvesting, production, distribution, sale, import and export of Indian hemp and its preparation "takrouiri"; but the cultivation of the Indian hemp plant for its fibre would be permitted on licence in Tunis. The Commission was also aware of the Report of the Inter-Departmental Committee (Union of South Africa) on the Abuse of Dagga (Indian hemp), issued in 1951.

(2) The Question of Synthetic Drugs

The Commission recommended that the Council:

(1) invite WHO to undertake certain studies regarding synthetic drugs; and

(2) invite governments which had acceded to the 1948 Protocol and other important drug-manufacturing countries to furnish the Secretariat with information concerning certain aspects of these drugs.

When this question was discussed by the Council's Social Committee during the sixteenth session, the representatives of Egypt, France, the United Kingdom and the United States submitted a joint proposal (E/AC.7/L.167) which, in effect, would have the Council take the action recommended by the Commission. The representative of WHO stated that his organization would gladly co-operate with the United Nations Secretariat in preparing the requisite information. The joint draft resolution was adopted by the Social Committee by 15 votes to none, with 2 abstentions, at its 249th meeting on 23 July (E/2490), and by the Council, unanimously and without discussion, at its 739th plenary meeting on 28 July, as resolution 505 C (XVI). It read:

"The Economic and Social Council,

"Considering the increasing importance of the therapeutic use of synthetic drugs throughout the world,

"Having regard to the considerable number of aspects of the problem,

"Taking into account the report submitted by the Secretary-General to the Commission on Narcotic Drugs on the problem of synthetic drugs and the recommendations of the Commission,

"1. Invites the World Health Organization to prepare, in consultation with the United Nations Secretariat, information regarding the views expressed in the technical literature on the following problems:

"(a) The addictive properties and therapeutic advantages of synthetic narcotics as compared with natural narcotics;

"(b) The status of scientific knowledge on the relationship between the chemical structure of a drug and its addictive properties;

"(c) The relationship between the strongly analgesic qualities of a drug and its addiction-producing properties;

and to transmit this information to the Commission in order to enable it to give further consideration to the question of the studies required in this field and the method of carrying them out;

"2 Invites the governments represented on the Commission on Narcotic Drugs and those of other important drug-manufacturing countries to furnish the Secretariat with such information on the following subjects as they may be able to provide:

"(a) The question of the extent to which synthetic analgesics in general and synthetic opium alkaloids in particular are replacing, or are likely to replace in the future, natural narcotics made from opium and from poppy straw;

"(b) The question whether the manufacture of synthetic drugs is desirable only when it presents economic or therapeutic advantages, or whether such manufacture is desirable even where no such advantages exist;

"(c) Their view on the provisional measures referred to in part II, section 2, of document E/CN.7/259/Rev.1 and on the applicability or inapplicability of the control measures referred to in part III;

"(d) The question whether, having regard on the one hand to the control problems involved, and on the other hand to the relevant economic and therapeutic considerations, it is desirable:

"(i) To prohibit the use of synthetic drugs, or

"(ii) To limit their number;

"3. Requests the Secretariat to prepare compilations of the information so obtained and to submit them to the Commission for its consideration."

(3) Transport of Dangerous Goods

The Commission on Narcotic Drugs also considered the question as to whether and to what extent international regulations governing transport and communications should be designed to prevent illicit traffic in narcotics. After considering the work undertaken by the Transport and Communications Commission under Council resolution 379 E (XIII)¹⁸⁴ in respect of uniform regulations concerning the transport of dangerous goods, the Commission on Narcotic Drugs did not recommend that narcotic drugs should be included at present among the dangerous goods to which these regulations would apply.

(4) Co-operation with the Universal Postal Union

The Commission on Narcotic Drugs recommended to the Council several measures intended to promote co-operation between the United Nations and the Universal Postal Union in respect of control of narcotic drugs.

The Commission's draft resolution was adopted unanimously, by the Social Committee at its 249th meeting on 23 July, with the addition of clarifying amendments proposed jointly by France and the United States (E/AC.7/L.165). The resolution proposed by the Committee was, in turn, adopted unanimously by the Council at its 739th plenary meeting on 28 July, as resolution 505 D (XVI). It read:

"The Economic and Social Council,

"Noting that the Universal Postal Convention of Brussels (1952) and related agreements contain provisions limiting the use of the mails for the shipment of narcotic drugs,

"Recognizing the need for close co-operation between the Universal Postal Union and the United Nations on matters pertaining to the international control of narcotic drugs,

"1. Requests the Secretary-General to send to the International Bureau of the Universal Postal Union a list of the narcotic drugs, including synthetic drugs, which are now controlled by the international narcotics conventions for transmission to the members of the Universal Postal Union for their information and guidance;

"2. further requests the Secretary-General to consult the International Bureau of the Universal Postal Union as to the arrangements which should be made both as regards supplementing this list from time to time and as regards the application to all narcotics controlled by the international narcotics conventions of the existing provisions of current international postal agreements which already apply to some narcotics;

"3. Invites the Secretary-General to compile and transmit to the International Bureau of the Universal Postal Union semi-annual reports on any seizures of narcotics shipped by post that may have been effected;

"4. Considers that the question of the use of mails for the illicit traffic in narcotic drugs should be further examined, and therefore requests the Secretary-General to study this matter and report thereon to the next session of the Commission on Narcotic Drugs;

"5. Requests the Secretary-General to transmit to the Director of the International Bureau of the Universal Postal Union the summary records of the Commission's discussion of this subject and any other relevant documentation pertaining thereto."

(5) The Problem of Drug Addiction

The problem of "drug addiction" in its subjective aspects, i.e., identification, treatment and rehabilitation of drug addicts and the underlying causes of drug addiction, has been on the agenda

¹⁸⁴ See Y.U.N., 1951, pp. 440-41.

of several sessions of the Opium Advisory Committee of the League of Nations and of the Commission on Narcotic Drugs of the United Nations. It has been the subject of attention by many national authorities and organizations, but as yet no definite programme of international action has been agreed upon.

The governments represented on the Commission on Narcotic Drugs were invited by the Commission at its eighth session to furnish, for its ninth session, studies on drug addiction which had been published in their countries. The Commission requested the Secretariat to give relatively high priority to the study of this problem.

(6) Single Convention on Narcotic Drugs

The Commission informed the Council of the progress achieved with the preparation of a draft single convention to replace the existing multi-lateral treaties for the control of narcotics. During its eighth session, it reviewed in detail the following subjects covered in the draft convention:

- (a) the constitutional position and functions of the proposed International Narcotics Board, which, under the terms of the draft convention, would take the place of the Permanent Central Opium Board and the Drug Supervisory Body;
- (b) the secretarial services of the proposed International Narcotics Commission, which would take the place of the Commission on Narcotic Drugs, as well as of the International Narcotics Board;
- (c) the national control organs;
- (d) manufacture of narcotic drugs; and
- (e) international trade in narcotic drugs.

It postponed, until its ninth session in 1954, consideration of the remaining parts of the draft convention, i.e., the internal trade in narcotics, the production of agricultural raw materials (opium, opium poppy straw, coca leaf and cannabis (Indian hemp)) from which narcotic substances may be obtained, measures of domestic supervision, penal provisions concerning illicit traffickers in narcotics, the treatment of drug addicts and the final clauses.

The Commission suggested that the proposed International Narcotics Board, a semi-judicial organ, should be composed of nine members, who should measure up to the highest standards of character and technical competence and, collectively, should possess a thorough knowledge of the legal, administrative, statistical and medical aspects of narcotics control, as well as of the conditions in different countries (drug manufacturing countries, countries producing agricultural raw materials for narcotics, countries exclusively or predominantly importers and coun-

tries which are the principal victims of the illicit traffic in narcotics). The members should also be chosen on the basis of as wide a geographic distribution as would be compatible with other requirements of competence. They should be appointed by the Council, seven from a list of candidates nominated by governments and two from a list of three persons nominated by WHO. In order to ensure close co-operation between the International Narcotics Commission and the International Narcotics Board, the Commission on Narcotic Drugs decided that the revised draft convention should authorize the new International Narcotics Commission to elect the representative of one of its members (governments) to attend the sessions of the International Narcotics Board as an observer.

Provision would be made for removal of members of the International Narcotics Board who fail to fulfil the conditions required for membership. In addition, members who failed to attend sessions four times or during a full calendar year would automatically be considered to have resigned.

The Commission on Narcotic Drugs decided, in principle, that the members of the International Narcotics Board should enjoy diplomatic privileges and immunities and that the new convention should provide for adequate remuneration to them.

The proposed International Narcotics Board would take over the functions of the Permanent Central Opium Board and the Drug Supervisory Body. It would, therefore, critically review the estimates of drug requirements to be furnished by all governments on behalf of all territories for each following year, a review currently undertaken by the Drug Supervisory Body. The new Board would, if necessary, change such estimates with the consent of the government concerned and establish estimates for territories on behalf of which they had not been furnished. These estimates would, as at present, be binding, i.e., determine the amount of narcotics which each country or territory would be permitted to manufacture and import.

Under the terms of the proposed new convention, the post factum review of the narcotics situation in each country, currently undertaken by the Permanent Central Opium Board, would also be carried out by the proposed International Narcotics Board. Its powers would be considerably larger than those of the Permanent Central Opium Board and the Drug Supervisory Body. Under the existing conventions, the date by which estimates and statistical returns must be furnished is fixed

by treaty provisions; the new International Narcotics Board would have the authority to fix the date by which estimates must be furnished, because of the relation these estimates would have to the sowing and harvesting of agricultural crops, which are undertaken at different times of the year in different hemispheres and climates.

Furthermore, under the existing system, the items on which governments must furnish estimates and statistics are enumerated in the texts of the conventions. The new International Narcotics Board, however, would be entitled to request governments to supply information which it might consider necessary to supplement information on subjects listed in the new convention. The new International Narcotics Commission would also have the right to amend, on recommendation of the International Narcotics Board, the list in the new convention of subjects on which governments would have to supply information. Such amendments and other decisions of the new International Narcotics Commission would be subject to review by the Economic and Social Council.

The Commission on Narcotic Drugs expressed the view that the powers of the proposed International Narcotics Board should be strengthened, and it proposed that this board be authorized to undertake, with the consent of the government concerned, local inquiries in territories in which the drug situation required clarification. The new convention would also provide for import and export embargoes which could not only be recommended, but also be imposed, by the new International Narcotics Board. In the latter case, parties to the new convention would be bound legally to obey the embargo order and an appeal would be permitted to a permanent committee, to be appointed by the International Court of Justice for a period of five years. The Commission also proposed that the new convention contain a general clause authorizing the proposed International Narcotics Board to perform "other functions necessary or useful for the application of the Convention".

The Commission on Narcotic Drugs decided to provide for a separate secretariat of the semi-judicial organ, i.e., of the International Narcotics Board. The secretariat of the new International Narcotics Commission, on the other hand, would form an integral part of the United Nations Secretariat.

The new convention, it was decided, should, in agreement with the existing treaties, require governments to maintain special machinery for the control of narcotic drugs, which should either concentrate the various functions in this field

or at least co-ordinate the efforts of various governmental organs. The domestic control of the manufacture of narcotic drugs would, at the choice of the government concerned, be ensured either by a licensing system or by the establishment of a national monopoly.

Similarly, in respect of the control of the international trade, parties to the new convention would have the choice of establishing a monopoly of the foreign trade in narcotics or of securing such control by a licensing system.

In view of the close interdependence of all the sections of the new convention, the Commission decided that the further revision of the text should be postponed until it had examined in detail all the provisions of the draft.

(7) **Other Measures Including** Priorities

Under Council resolution 159 II B (VII),¹⁸⁵ the governments concerned were requested to report annually to the Secretary-General on the progress of suppression of opium smoking. Accordingly, the Commission on Narcotic Drugs at its eighth session examined certain reports of governments (E/CN.7/244 & Add.1-3) for 1950, 1951 and 1952. It recommended for adoption by the Council a draft resolution, one paragraph of which would have the Council express the view that no good reason could be adduced to justify the continued existence of opium smoking and that no excuse could henceforth be regarded as acceptable in this field.

When the recommendation was considered in the Council's Social Committee, an amendment was proposed jointly by the United Kingdom and India (E/AC.7/L.170) aimed at allowing for the practice of furnishing opium-smoking addicts with diminishing quantities to ensure their disintoxication. The joint amendment proposed to substitute for this paragraph a statement that the evil of opium smoking should be suppressed as speedily as possible.

The amendment was adopted by the Social Committee at its 249th meeting on 23 July by 15 votes to none, with 2 abstentions, and the amended draft resolution was adopted unanimously both by the Committee (E/2490) at the same meeting, and by the Council at its 739th plenary meeting on 28 July, as resolution 505 B (XVI).

In this resolution, the Council noted the legislative and other progress made in certain areas towards the abolition of opium smoking; expressed the desire to simplify the task of governments in carrying out their obligations in respect of the

¹⁸⁵ See Y.U.N., 1947-48, p. 635.

international control of narcotic drugs; and stated the view that the evil of opium smoking should be suppressed as speedily as possible. It therefore repeated its invitation to governments to suppress the practice of opium smoking as soon as possible and requested them, in the future, to include information on this subject in their annual reports to the Secretary-General under the narcotics conventions rather than in separate reports.

The Commission on Narcotic Drugs examined a preliminary list of the basic narcotic drugs (E/CN.7/247) prepared by the Secretariat in accordance with Council resolution 49(IV).¹⁸⁶ It asked the Secretariat to complete the list, to include the synonyms for those names used in various countries in the licit and illicit traffic, and to send a copy of the preliminary list to the governments mentioned therein for any necessary corrections or additions. The Commission also considered the question of the list of preparations coming under the international narcotic treaties, which was being compiled by the Secretariat under resolution 49(IV), and recommended to the Council that this should be discontinued.

The Council adopted a joint French-United Kingdom draft resolution (E/AC.7/L.166) based on the Commission's recommendation, with the addition of a Swedish amendment (E/AC.7/L.171) to state that the discontinuance should be "for the time being." The amended draft resolution was adopted by 15 votes to none, with 2 abstentions, at the Social Committee's 249th meeting on 23 July (E/2490), and by the Council at its 739th plenary meeting on 28 July, by 16 votes to none, with 2 abstentions.

In this resolution (505 E (XVI)), the Council noted with satisfaction the progress made in the preparation of the list of basic drugs. Bearing in mind more urgent projects, it requested the Secretary-General to discontinue for the time being work on the publication of the list of preparations and pharmaceutical specialties containing narcotic drugs and not to make further requests for information to governments in this respect.

The Commission recommended the following order of priority for the work of the Division of Narcotic Drugs:

- (1) Performance of functions directly related to the implementation of the international treaties on narcotic drugs;
- (2) The proposed single convention on narcotic drugs;
- (3) Drug addiction;
- (4) The study of the problem of synthetic drugs;
- (5) The problem of Indian hemp;
- (6) The assay, characteristics, composition and origin of opium;

- (7) The problem of the coca leaf; and
- (8) Abolition of opium smoking.

4. Report of the Permanent Central Opium Board on its Work in 1952

At its sixteenth session, the Council reviewed the annual report for 1952 (E/OB/8) submitted to it by the Permanent Central Opium Board in accordance with article 27, as amended, of the International Opium Convention of 19 February 1925.

The Board presented a survey of the current state of narcotics control throughout the world. It noted with approval the general trend towards lower consumption of diacetylmorphine and the growing inclination of governments to prohibit the use and manufacture of this drug. The report included, as it does annually, synoptic statistical tables, with information for 1951. The Board enumerated the outstanding characteristics of the current situation as follows:

- insufficiency of the statistical returns of the principal opium-producing countries;
- impossibility of determining the production of coca leaves;
- the increasing number of narcotic drugs;
- the steady and "remarkable" increase in the consumption of codeine; and
- the increasing use of synthetic narcotics without any corresponding significant decline in the use of opium derivatives.

The Board called special attention in this report to the fact that it was an executive and not a recommending body, that its activities were prescribed by treaty provisions and had to be performed within a given time, and that, consequently, its budgetary requirements were not as susceptible of reduction or adjustment as might be the case with bodies whose activities were less definitely prescribed. The Board also expressed the view that at each stage when the budgetary estimates submitted by it were considered by the competent organs of the United Nations, it should be enabled to present its views to those organs including, if necessary, the General Assembly. The Board referred also to the fact that its members and those of the Drug Supervisory Body performed their functions, involving a continuously growing workload, without compensation. The Board considered that, if the current state of affairs were to continue, the future of these bodies might be jeopardized and concluded that the whole question of the remuneration of members of these bodies should be reviewed.

¹⁸⁶ See Y.U.N., 1946-47, p. 534.

A draft resolution proposed jointly by France and the United Kingdom (E/AC.7/L.168) was adopted in three parts, the first two parts being adopted unanimously both by the Social Committee at its 249th meeting on 23 July and by the Council at its 739th meeting on 28 July, and the third part by 15 votes to none, with 2 abstentions, by the Social Committee and by 16 votes to none, with 2 abstentions, by the Council at the same meetings.

In the first part of this resolution (505 F. I (XVI)), the Council took note with appreciation of the report. In the second part (505 F. II (XVI)), it noted the Board's statement regarding budgetary and administrative matters and invited the Secretary-General to continue to consult with the Board from time to time regarding the arrangements necessary for its organization and working. In the third part of the resolution (505 F. III (XVI)), the Council recommended to the General Assembly that the matter of adequate remuneration of the members of the Board and Supervisory Body be given favourable consideration.

The question of the remuneration of members of the Permanent Central Opium Board and the Drug Supervisory Body was considered by the General Assembly at its eighth session, at the 403rd meeting of the Fifth Committee on 6 November. The Committee had before it a report (A/2509) by the Secretary-General and observations thereon by the Advisory Committee on Administrative and Budgetary Questions, in its tenth report (A/2528) to the eighth session.

In his report, the Secretary-General gave a resume of the considerations leading to the Council's recommendation and also reviewed the practices and principles covering payments to members of other organs of the United Nations.

The Advisory Committee summarized the considerations which led the Board and the Supervisory Body to submit the matter to the Council. It expressed agreement with a proposal by the Secretary-General that he should undertake, during 1954, a full study of the question and of its relation to other United Nations bodies and that he should submit proposals to the General Assembly at its ninth session.

The representatives of Egypt and Pakistan expressed the view that, in any review of existing allowances, account should be taken of the special position of members of United Nations bodies serving in an expert capacity who are not officials of their governments and who are obliged to devote much of their time to such service.

On the proposal of the Chairman, the Fifth Committee, without objection, adopted a draft resolution (A/2571) which was adopted by the General Assembly, also without objection, at its 458th plenary meeting on 27 November as resolution 775(VIII). It read:

"The General Assembly,

"Noting resolution 505 F. III (XVI), adopted by the Economic and Social Council on 28 July 1953, concerning the question of the remuneration of members of the Permanent Central Opium Board and the Drug Supervisory Body,

"Noting also the intention of the Secretary-General to undertake, during 1954, a comprehensive study of the system of allowances to members of commissions, committees and other subsidiary bodies of the General Assembly or other organs of the United Nations, and to submit proposals to the General Assembly at its ninth session,

"Requests the Secretary-General to circulate his proposals, together with the comments of the Advisory Committee on Administrative and Budgetary Questions, to all Members four weeks before the opening of the ninth session of the General Assembly."

5. The United Nations Opium Conference, 1953

In accordance with Council resolution 436 A (XIV),¹⁸⁷ the Secretary-General convened the United Nations Opium Conference "to draft and adopt a protocol relating to the limitation of the production of opium." He invited to the Conference all Members of the United Nations, the non-member States Parties to the international conventions concerning narcotic drugs, and representatives of the specialized agencies, of the Permanent Central Opium Board (PCOB) and of the Drug Supervisory Body, in accordance with his note (E/2348 & Add.1) submitted to the Council at its resumed fourteenth session. The Council, at its 676th plenary meeting on 2 April, during the fifteenth session, adopted resolution 478(XV) requesting the Secretary-General to send invitations to Libya, Nepal, the Republic of Korea and Spain. Accordingly, these States were invited.

The Secretary-General submitted for the use of the Conference

(1) a draft protocol (E/2186, annex) for regulating the production of international and wholesale trade in and use of opium;

(2) provisional rules of procedure (E/Conf.14/13 and Corr.1 and 2);

(3) a compilation (E/Conf.14/1 & Addenda, & E/Conf.14/2) of observations of governments and of the PCOB and Drug Supervisory Body on the draft protocol;

¹⁸⁷ See Y.U.N., 1952, p. 524.

(4) technical papers (E/Conf.14/3 to 12 with certain addenda and corrigenda) on the following subjects: quasi-medical use of opium; the abolition of opium smoking, the occurrence of the opium alkaloids in opium and the poppy plant, artificial opium alkaloids, manufacture of morphine from poppy straw, legal provisions concerning national opium agencies in opium-producing countries, illicit traffic in opium, historical survey of attempts to achieve the international limitation of opium production, the status of multilateral conventions (concerning narcotic drugs), and a general note on the opium poppy; and

(5) a paper on statistics on opium, the manufacture of morphine and of synthetic narcotic drugs, for the years 1946-51 (E/Conf.14/14 & Corr.1 & Add.1 (Add.1 contains statistics for 1952)), prepared by the secretariat of PCOB.

Thirty-four¹⁸⁸ States were represented at the Conference, which was held at the United Nations Headquarters from 11 May to 18 June 1953, and seven¹⁸⁹ States sent observers, without the right to vote. Observers, without the right to vote, were also sent by WHO, PCOB and the Drug Supervisory Body.

The Conference adopted a Protocol for Limiting and Regulating the Cultivation of the Poppy Plant, the Production of, International and Wholesale Trade in, and Use of Opium (E/NT/8), which was opened for signature on 23 June 1953.

The Protocol, under the terms of its article 16, remained open for signature until 31 December 1953.¹⁹⁰

States which had not signed by this date might become Parties by way of accession in accordance with article 18. The Protocol, in accordance with its article 21, was to come into force on the 30th day after the latest date of deposit of the instrument of ratification or accession of at least 25 States including at least: (1) three of the following opium-producing States—Bulgaria, Greece, India, Iran, Turkey, USSR and Yugoslavia; and (2) three of the following drug manufacturing States—Belgium, France, the Federal Republic of Germany, Italy, Japan, the Netherlands, Switzerland, the United Kingdom and the United States.

The Final Act (E/NT/8) was signed by the representatives or observers of the following States: Belgium, Burma, Cambodia, Canada, Chile, China, Costa Rica, Denmark, Dominican Republic, Ecuador, Egypt, France, Federal Republic of Germany, Greece, India, Iraq, Israel, Italy, Japan, Republic of Korea, Lebanon, Liechtenstein, Mexico, Monaco, Netherlands, Pakistan, Philippines, Spain, Sweden, Switzerland, Turkey, United Kingdom, United States, Vietnam and Yugoslavia.

The United Nations Opium Conference sought to fill two serious gaps in the existing system of

international narcotics control. Under the existing narcotics treaties limitations restricting narcotic substances to the amounts needed for medical and scientific purposes had been realized in respect of manufactured drugs but hitherto it had not been possible in respect of opium, coca leaves and cannabis (Indian hemp). Consequently a considerable volume of excess production, particularly of opium, flowed into the illicit trade and became available to clandestine manufacturers of narcotic drugs derived from opium.

Secondly, while the existing narcotics treaties limited the use of manufactured narcotic drugs to medical and scientific purposes, it had not, hitherto, been possible to incorporate the prohibition of the non-medical use of opium, coca leaves and cannabis in treaty provisions for the international control of narcotics. This was principally due to the fact that the non-medical use of these substances was widespread in large parts of the world and not condemned until recently by public opinion.

The Protocol adopted by the Conference is based on two guiding ideas: (1) free trade in opium should be maintained in so far as this is compatible with the limitation of production and with the maintenance of effective government control; (2) the methods applied for controlling the manufacture of, and trade in manufactured narcotic drugs should also be applied to opium in so far as this is consistent with the nature of opium as an agricultural product.

The provisions of the Protocol may be summed up as follows:

(1) The production of opium would be limited with a view to reducing the amounts harvested to the amounts needed for medical and scientific purposes. Indirect means are adopted to achieve this aim. Different levels of maximum opium stocks are set depending on the position of a State as exporter of opium produced in its territory, as

¹⁸⁸ Belgium, Burma, Cambodia, Canada, Chile, China, Denmark, Dominican Republic, Ecuador, Egypt, France, Federal Republic of Germany, Greece, India, Iran, Iraq, Israel, Italy, Japan, Republic of Korea, Lebanon, Liechtenstein, Mexico, Monaco, Netherlands, Pakistan, Philippines, Spain, Switzerland, Turkey, United Kingdom, United States, Vietnam and Yugoslavia.

¹⁸⁹ As of that date the following States had signed the Protocol: Cambodia, Canada, Chile, China, Costa Rica, Denmark, Dominican Republic, Ecuador, Egypt, France, Federal Republic of Germany, Greece, India, Iran, Iraq, Israel, Italy, Japan, Lebanon, Liechtenstein, Monaco, Netherlands, New Zealand, Pakistan, Panama,

¹⁹⁰ Argentina, Bolivia, Costa Rica, Haiti, Indonesia, Turkey, Union of South Africa, United Kingdom, United States, Venezuela, Vietnam and Yugoslavia.

manufacturer or importer of narcotic drugs. Each State would be required not to hold opium stocks in excess of the maximum amount to be established in accordance with the rules applying to the particular group of States to which it belongs. The maximum amount would, in the case of the opium exporting countries listed in the following paragraph, be equal to two and a half years' requirements for manufacture of opium alkaloids and export of opium, in the case of any other country, which manufactures opium alkaloids to its "normal" requirements for a period of two years, and in the case of all the other countries to the total amount of opium consumed during the preceding five years. Opium held by, or under the control of the government for military purposes, would not be considered in the computation of these maxima (article 5).

(2) The number of States which would be permitted to export opium produced in their own territories would be limited to seven, i.e., Bulgaria, Greece, India, Iran, Turkey, USSR and Yugoslavia. However, each country would be authorized to produce opium for its domestic needs (article 6).

(3) The use of opium would be limited to medical and scientific needs. The Protocol provides, however, for temporary exceptions in favour of countries which do not have sufficient medical facilities and which permit the use of opium without medical assistance mainly for the relief of pain (quasi-medical use of opium). A time limit of fifteen years is set after which such use of opium would have to be discontinued. The Protocol would also permit opium smoking by people, not minors, who are addicted to this practice and who would be registered to this end on 30 September 1953 (articles 2 and 19).

(4) The Protocol provides for control measures as follows:

(a) On the national level: Governments which would permit the cultivation of the opium poppy for the production of opium, would be required to establish a governmental machinery which would amount to a national monopoly of the production of, and international and wholesale trade in, opium. Only licensed farmers would be permitted to cultivate the poppy for the production of opium. Each licence would fix the acreage on which such cultivation is permitted (article 3).

States which permit the cultivation of the poppy for other purposes than for the production of opium (e.g., for seeds or oil) would be called upon to ensure that opium is not produced from such poppies and that the extraction of alkaloids from poppy straw is adequately controlled (article 4).

The import and export of opium would require previous authorization by the government which would not, in particular, issue an export authorization unless

the exporter substantiates that the government of the importing country has authorized the shipment. The import of opium from States not Parties to the Protocol would be prohibited (article 6).

(b) On the international level: A system of estimates of the area to be cultivated with the opium poppy for the production of opium, of the opium harvest and opium requirements should enable the Drug Supervisory Body to advise the governments concerned as to the desirable size of the opium crop and thus as to the acreage to be cultivated. A system of statistical returns would in addition enable PCOB to supervise the execution by governments of important provisions of the Protocol (articles 8 and 9).

If the Board has reasons to assume that a gravely unsatisfactory opium situation exists in a country, it would also be authorized to arrange a local inquiry but only with the express consent of the government concerned. In general, the execution of the Protocol relies on the good faith of the Parties and on the strength of public opinion resulting from criticism by the Board. In very extreme cases the Board would, however, be authorized to recommend or impose an import and/or export embargo of opium. The rights of the country concerned are protected by procedural guarantees such as the right to be heard, and in the case of the imposition of an embargo, by the right of appeal to a special appeal body to be appointed, in principle, by the President of the International Court of Justice. The President of the Court has agreed to undertake this function (articles 11 and 12).

(5) The Protocol adopts, in agreement with the existing narcotics conventions, the principle of universality. In respect of States, not Parties to the Protocol or of territories to which the Protocol would not apply, the PCOB would accordingly be authorized to adopt measures provided for in the Protocol and intended to appeal to public opinion and, in the very extreme cases referred to above, to recommend or impose an opium embargo (article 13).

The United Nations Opium Conference also adopted seventeen resolutions which were incorporated in the Final Act referred to above. Most of them (resolutions II to XIII) interpreted provisions of the Protocol or made suggestions as to its implementation. Resolution XV recommended, in the main, to governments to prevent restrictive business practices in the opium trade in so far as they are not required by the aims of the Protocol. Resolution XVI, in addition, stated that such restriction of the free opium trade as would be required by the provisions of the Protocol should not be considered as a precedent for restrictions of the freedom of activity in international trade.

Three resolutions (I, XIV and XVII) requested Council action. The first of these was adopted without discussion by the Council's Social Committee, at its 249th meeting on 23 July, by 15 votes to none, with 2 abstentions, and by the

Council at its 739th plenary meeting on 23 July, by 16 votes to none, with 2 abstentions.

In accordance with this resolution (505 G (XVI)), the Council recommended: (1) that all the Members of the United Nations and all the non-member States, referred to in article 16 and 18 of the Protocol, sign and ratify or accede to the Protocol as soon as possible; and (2) that all States implement as far as may be possible the provisions of the Protocol pending its coming into force or their adherence.

Resolution XIV proposed by the Conference was adopted with the addition of a Chinese amendment (E/AC.7/L.173), adopted at the 249th meeting of the Social Committee on 23 July, by 15 votes to none, with 2 abstentions, to provide that the Commission on Narcotic Drugs might draw up a "commentary" as well as a code for the application of the Protocol. The representative of the United Kingdom, in particular, spoke in favour of this amendment. The amended draft resolution was adopted by the Committee at the same meeting by 15 votes to none, with 2 abstentions, and by the Council, at its 739th plenary meeting on 28 July, by 16 votes to none, with 2 abstentions.

In this resolution (505 H (XVI)), the Council requested the Commission on Narcotic Drugs to draw up, for the guidance of governments, a model code and commentary for the application of the Protocol.

Resolution XVII recommended by the Conference was adopted at the same meeting of the Social Committee and the Council, by 15 votes to none, with 2 abstentions, and by 16 votes to none, with 2 abstentions, respectively.

In this resolution (505 I (XVI)), the Council recommended to the General Assembly to approve the assumption of the functions and responsibilities assigned to organs of the United Nations by the Protocol and to include this Protocol among the multilateral treaties relating to the control of narcotic drugs for the purpose of assessing, in accordance with resolution 455(V) of the General Assembly, non-member States which are parties to such treaties, for their fair share of the expenses borne by the United Nations in connexion with the international control of narcotic drugs. It also proposed that the General Assembly include this recommendation in the provisional agenda of the eighth regular session of the General Assembly.

The representative of Argentina explained that her delegation had been unable to express a final opinion on the Protocol since it had not received

the documents in time. She had voted in favour of the resolutions because her Government approved of their purpose, but Argentina, she emphasized, must give notice that it would cultivate the papaver somniferum for medical and scientific purposes if it was unable to obtain the requisite products elsewhere.

The question of the assumption by organs of the United Nations of functions and responsibilities assigned to them under the terms of the Opium Protocol, and of the financial burdens resulting therefrom, as proposed by the Council, was considered by the General Assembly at its eighth session at the 403rd meeting of the Fifth Committee on 6 November. The Committee had before it a report by the Secretary-General (A/2516), together with the eleventh report of the Advisory Committee on Administrative and Budgetary Questions to the eighth Assembly session (A/2529).

The Secretary-General reported that the President of the International Court of Justice informed the Secretary-General that he was willing to undertake the responsibility of appointing the members of the Appeals Committee provided for under article 12 of the Protocol. In this connexion, the Advisory Committee observed that no provision was included in the Protocol for an award of costs against an appellant State in cases where the Appeals Committee affirmed the decision of the Board, and that the advisability of including such a provision should be considered in future whenever the establishment of machinery for hearing appeals was contemplated in a protocol or other similar instrument.

With regard to the financial obligations which would result from the assumption by organs of the United Nations of responsibilities assigned to them under the Protocol, the Committee was informed, in the reports of the Secretary-General and of the Advisory Committee, that the position would be as follows:

(1) Responsibilities assigned to the Secretary-General, the Economic and Social Council and the Commission on Narcotic Drugs could be assumed without additional budgetary provision, with the possible exception of the costs of reproduction of annual reports. The Advisory Committee considered that any such additional requirement was likely to be slight.

(2) The financial implications of the additional responsibilities assigned to the Permanent Central Opium Board (PCOB) and the Drug Supervisory Body were to be examined by the Board and the Supervisory Body at future sessions. It was considered that these additional responsibilities would not be unduly heavy, though they might call for some addition to the staff of the Board when the Protocol came into force. The Advisory Committee was therefore of the opinion that

action under the Protocol need not be delayed pending the submission of the relevant supplementary estimates and that any additional costs arising thereunder should, in the meantime, be absorbed within the appropriations relating to the work of the PCOB that were administered as a single unit.

(3) While it was not expected that the Appeals Committee would meet until there was a likelihood of actual cases arising, any funds required for such a purpose should be withdrawn from the Working Capital Fund, with the concurrence of the Advisory Committee, as an unforeseen or extraordinary commitment.

The Fifth Committee agreed to inform the General Assembly that approval of the Economic and Social Council's recommendation would involve financial obligations as indicated above, and decided, by 27 votes to none, with 6 abstentions, to recommend to the General Assembly the adoption of the draft resolution proposed by the Council.

The draft resolution proposed in the Fifth Committee's report (A/2570) was adopted by the

Assembly, without discussion, at its 458th plenary meeting on 27 November, by 54 votes to none, with 5 abstentions, as resolution 774(VIII). It read:

"The General Assembly,

"Having regard to resolution 505 I (XVI) adopted by the Economic and Social Council on 28 July 1953,

"Decides:

"1. To approve the assumption by organs of the United Nations of the functions and responsibilities assigned to them by the Protocol, adopted by the United Nations Opium Conference (1953), for Limiting and Regulating the Cultivation of the Poppy Plant, the Production of, International and Wholesale Trade in, and Use of Opium;

"2. To include this Protocol among the multilateral treaties relating to the control of narcotic drugs for the purpose of assessing, in accordance with General Assembly resolution 455(V) of 16 November 1950, non-member States which are Parties to such treaties for their fair share of the expenses borne by the United Nations in connexion with the international control of narcotic drugs."

S. CULTURAL QUESTIONS

1. International Co-operation on Cartography

In pursuance of Council resolution 261(IX),¹⁹¹ the Secretary-General submitted to the Council's fifteenth session a report on international co-operation on cartography (E/2362 & Corr.1 & Add.1). He reported that his communication to governments concerning the calling of regional meetings on cartography, to be attended by representatives of governments having a common interest in a specific region, resulted in replies from the Governments of twenty Members and six non-members. No opposition to the proposal was registered while many suggestions and favourable comments were set forth. India, he said, offered to act as the host country for the proposed Asia and Far East conference, subject to the approval of the neighbouring countries.

The Secretary-General also submitted to the fifteenth session of the Council a progress report (E/2366, annex III) on the efforts made by the Secretary-General and by the President of the Central Bureau, International Map of the World on the Millionth Scale, for the purpose of effecting the transfer to the United Nations of the functions and assets of that Bureau, as recommended by the Council in resolution 412 B (XIII). He informed the Council that all the countries which subscribed to the International Map since the end of the Second World War had agreed to the

transfer and that the detailed arrangements were being negotiated with the Central Bureau.

The Council also had before it a report by the Secretary-General on means for furthering the completion of the International One-Millionth Map of the World (E/2376 & Add.1), prepared pursuant to Council resolution 412 A II (XIII)¹⁹² of September 1951. The report was based on the findings of international organizations directly concerned with the International Map and on the views of experts in various parts of the world. The Secretary-General proposed to continue maintaining close liaison with the responsible national cartographic agencies and the interested international scientific organizations in order to further the completion of the International Map and, in agreement with the findings of the latter, to prepare proposals for amending the existing specifications governing the publication of the Map.

The three reports were considered by the Council at its 676th and 677th plenary meetings on 2 and 6 April. The Council also had before it two draft resolutions, one proposed by the United States (E/L.480), with an Indian amendment to it (E/L.482); and the other proposed by the United Kingdom (E/L.481).

The United States representative accepted the Indian amendment, which provided that the Sec-

¹⁹¹ See Y.U.N., 1948-49, pp. 663-64.

¹⁹² See Y.U.N., 1951, p. 592.

retary-General, in addition to continuing consultations on the holding of regional cartographic conferences, should continue consultations on the adoption of a standard method of writing geographical names on maps.

The Council, at its 677th plenary meeting on 6 April, adopted the United States draft, as amended, by 15 votes to 2, with 1 abstention (resolution 476 A (XV)) and the United Kingdom draft by the same vote (resolution 476 B (XV)).

The USSR representative stated that his Government would not consider itself bound legally or financially by these decisions. He argued that cartographic work did not fall within the competence of the United Nations, but was the responsibility of each State. In addition, the absorption of the Central Bureau of the International Map of the World on the Millionth Scale in the United Nations did not seem to him to be legally justifiable. Some elucidation on that point seemed to be necessary, he said, before the Council could approve a transfer of functions which was not provided for in the Charter.

The Council, in resolution 476 A (XV), took note, with satisfaction, of the report on international co-operation on cartography, and in particular, of the efforts made by governments to stimulate the accurate surveying and mapping of their territories, and requested the Secretary-General to continue the consultations with governments and interested intergovernmental organizations on the holding of regional cartographic conferences, and on the adoption of a standard method of writing geographical names on maps. He was requested to submit, in due course, a report to the Council on the result of such consultations.

In resolution 476 B (XV), the Council took note with satisfaction of the report on means for furthering the completion of the International One-Millionth Map of the World, together with the progress report on the transfer of the Central Bureau, International One-Millionth Map of the World, to the United Nations, and requested the Secretary-General, upon completing the transfer, to take appropriate steps to further the completion of the map on the lines indicated in the report.

On 23 July 1953 the Protocol of transfer was signed in London. In accordance with this Protocol, the United Nations Cartographic Office assumed, as of 30 September 1953, the functions hitherto carried out by the Central Bureau, includ-

ing, inter alia, serving as liaison between governments for the exchange of information, assisting in co-ordinating the publication of the map and rendering advice on the fair drawings of the map sheets before publication.

Working liaison was established during the year between the Secretariat and some of the national cartographic agencies concerned.

2. Teaching About the United Nations

During 1953, the Department of Public Information of the United Nations, through its network of 765 volunteer educational centres and speakers units in 86 countries, reached some five million people. A large number of requests were received by these centres, mainly from educators, teachers and adult education groups, in the preparation of United Nations exhibits, the showing of United Nations films and filmstrips, the organizing of study groups and seminars on teaching about the United Nations, and the promoting of special talks on the United Nations. As a result of a questionnaire sent to all these centres, a report was prepared on their work in helping to disseminate information on the United Nations entitled "The Role Played by Volunteers in the Building of Peace". Some 250 non-official publications on teaching about the United Nations were collected through these volunteer centres and the United Nations Information Centres and an exhibit of them placed on display during the Geneva session of the Economic and Social Council, held from 30 June to 5 August 1953.

A workshop for teachers, at which 125 elementary and secondary schools in New York City and the vicinity were represented, met monthly at the United Nations Headquarters.

The United Nations also co-operated with UNESCO in a fellowship programme to promote teaching about the United Nations. In 1953, six UNESCO fellows came to the United Nations Headquarters to study the work and activities of the United Nations; fifteen fellows from the Ford Foundation also spent several weeks studying and doing research work at Headquarters.

Material was also published concerning the work of the United Nations for the use of schools, and speakers were provided for educational groups in several regions of the United States. Educators and students visiting Headquarters were also provided with lectures and guidance on the subject of the United Nations in the school curricula.

T. QUESTIONS OF CO-ORDINATION AND RELATIONS WITH SPECIALIZED AGENCIES

The Economic and Social Council at its sixteenth session, at the 740th and 741st plenary meetings on 29 July, reviewed the development of co-ordination between the United Nations and the specialized agencies. It had before it the twelfth and thirteenth reports of the Administrative Committee on Co-ordination (ACC) (E/2340 & E/2446 & Corr.1), the annual reports of the commissions of the Council, as well as information on their programmes provided by the United Nations International Children's Emergency Fund (UNICEF), the United Nations Korean Reconstruction Agency (UNKRA) and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and a communication from the Advisory Committee on Administrative and Budgetary Questions (E/2483).

During the Council's discussion, general satisfaction was expressed with the progress which had been made in the past year towards more effective co-ordination of the work of the United Nations and the specialized agencies. Several members commended the emphasis laid upon programme matters in the reports, while some, in particular the representatives of France and the United States, considered that further information was desirable on the progress of co-ordination, together with suggestions on any specific problems which might merit the Council's attention.

Members noted with satisfaction that the ACC had continued to give careful consideration to financial and personnel questions, including those relating to the development of common services, to the co-ordination of services and to external audit procedures.

The Council, at its 741st plenary meeting, adopted resolutions 497 A and B (XVI). The first resolution, adopted by 17 votes to none, with 1 abstention, took note, with satisfaction, of the reports of the ACC and of the communication from the Advisory Committee. The second, adopted unanimously, expressed satisfaction with the progress made in the past year towards more effective co-ordination of the work of the United Nations and the specialized agencies, and urged continued efforts in this direction.

The General Assembly at its eighth session also considered a number of questions relating to co-ordination between the United Nations and the

specialized agencies. The action taken is described below.

1. Programme and Substantive Matters

a. PROGRAMME REVIEW AND PRIORITIES

In accordance with the procedure laid down by the Economic and Social Council at its fourteenth session,⁹⁵ the Council at its sixteenth session, at the 740th and 741st plenary meetings on 29 July, discussed the action taken by the functional and regional commissions and by the specialized agencies regarding the annual review of work programmes and the establishment of priorities.

In the thirteenth report of the ACC to the Council (E/2446) the main emphasis was placed on programmes and priorities. The ACC stated that an important part of international programmes now consisted of assistance to governments in carrying out national and local projects and it was for this kind of work that the Council priorities seemed to be designed. In such assistance, experience had shown that the most important priorities were those which each government itself established in allocating available national and international resources.

In its general observations (E/2483), the Advisory Committee on Administrative and Budgetary Questions noted that because of its schedule, it would be unable to offer comments on the administrative and budgetary implications of the 1954 programmes of the specialized agencies until after the sixteenth session of the Council. The Committee therefore limited itself to preparing a memorandum on matters of general policy.

At the Council's sixteenth session, several representatives, in particular those of Belgium and the United States, noted with satisfaction the progress which had been made by commissions and specialized agencies in complying with the requests made in the resolutions of the Council and the General Assembly regarding priorities, though it appeared that some of the functional commissions had not been as successful as the regional commissions in this regard. The information concerning programmes submitted by UNICEF, UNKRA and UNRWA was also received with appreciation.

⁹⁵ Resolution 451 A (XIV). See Y.U.N., 1952, pp. 539-41.

The representative of France endorsed the observations made by the ACC concerning the application of priorities. In his view, those observations brought out both the importance and the limitations of the Council's efforts to fix priority programmes.

The representative of Australia took the general view that any change in the priorities established by the Council at its fourteenth session should be resisted unless there were strong reasons to the contrary. The purpose of establishing long-term priorities, he argued, would be defeated if they were altered before the programmes had been completed.

At the conclusion of its discussion, the Council, at its 741st plenary meeting, unanimously adopted resolution 497 C (XVI). This resolution noted the progress made by commissions of the Council, the operating agencies of the United Nations in the economic and social fields and the specialized agencies in reviewing as appropriate their programmes for 1954, in accordance with the requirements of Council resolutions 324(XI), 402 B (XIII) and 451 A (XIV). It also requested the commissions of the Council and the operating agencies of the United Nations in the economic and social fields, and invited the specialized agencies to review their programmes for 1955 in the light of the resolutions referred to above, and to include in a special section of their next reports to the Council a description of the progress made in so concentrating their efforts.

b. ANNUAL REPORTS OF THE SPECIALIZED AGENCIES¹⁹⁴

(1) International Labour Organisation (ILO)

The Economic and Social Council considered the annual report of the International Labour Organisation (E/2462) at its 708th and 709th plenary meetings on 2 July and heard a statement by the Director-General of that organization. Most members expressed appreciation of ILO's work, in particular the continuing attention which it had given to increasing the productivity of labour, combating under-employment, and increasing the emphasis on practical operational and technical assistance activities, while still pursuing its traditional objective of the improvement of labour standards. While ILO was commended for its judicious use of technical assistance funds and for having stabilized its budget, some representatives, in particular those of India, Venezuela and Yugoslavia, expressed concern that budgetary restrictions might prevent the implementation of specific programmes already approved.

The representative of Belgium considered that, while the promotion of international labour legislation was one of ILO's main tasks, the time had come for the organization to consolidate the gains already made. An analytical study showing how far conventions which had been ratified were actually in application, he said, would give a clearer picture of the progress made.

The representative of Poland considered that the report indicated that ILO's achievements were not satisfactory, good relations between capital and labour being still far from achievement. In order to fulfil its aims, ILO, in his view, should change its structure and methods, establishing much closer ties with trade unions and workers' organizations, and thus becoming more closely acquainted with the real needs of the working masses.

The representative of Argentina took exception to certain recommendations contained in the report of the Governing Body's Committee on Freedom of Association. He argued, *inter alia*, that the distinction made in Argentina between recognized trade unions and other trade union organizations did not violate any ILO convention. Under Argentina's revised constitution, workers, he said, were guaranteed the right to form trade unions and to participate in all legitimate activities in defence of their interests, and the Government was bound to prevent any interference with the exercise of that right.

At its 709th plenary meeting, the Council adopted, by 16 votes to none, with 2 abstentions, resolution 498(XVI) taking note, with appreciation, of the report.

(2) Food and Agriculture Organization of the United Nations (FAO)¹⁹⁵

The Council considered the annual report of the Food and Agriculture Organization of the United Nations (E/2432 & Add.1 & 2) at its 709th and 710th plenary meeting on 2 and 3 July 1953 and heard a statement from the representative of FAO. In resolution 488(XVI), adopted by 16 votes to none, with 2 abstentions, the Council took note of the report of FAO with appreciation and noted with approval the continued emphasis on the carrying out of operational activities in the field.

¹⁹⁴ For an account of the activities of the specialized agencies during 1953, see Part Two of this Yearbook, under their respective headings.

¹⁹⁵ See under Co-ordinated Action for Increased Food Production.

(3) **United Nations Educational, Scientific and Cultural Organization (UNESCO)**

In view of the fact that the report of UNESCO had not been made available to the members of the Council before the beginning of the sixteenth session, the Council, at its 706th plenary meeting on 30 June, decided, by 12 votes to none, with 6 abstentions, to postpone consideration of the report until the seventeenth session, scheduled to convene on 30 March 1954.

(4) **International Civil Aviation Organization (ICAO)**

The Council considered the annual report of the International Civil Aviation Organization (E/2417 & Add.1) at its 716th plenary meeting on 8 July and heard a statement by the representative of that organization. Most members noted with satisfaction the part played by ICAO in promoting and encouraging international action to ensure the sound growth of international civil aviation. They further commended the organization's continuing efforts to improve the safety and reliability of aircraft, noting the part it had played in negotiating the Rome Convention on Damage Caused by Foreign Aircraft to Third Parties on the Surface, and in acting as mediator in a disagreement between India and Pakistan, as a result of which an air corridor over Pakistan's territory had been provided for the use of the Indian air services.

The representatives of Belgium and France, however, considered that ICAO could take more effective action on such problems as economic competition and commercial rights in air transport; they felt that ICAO might have left too much international responsibility in this sphere to a non-governmental organization, the International Air Transport Association (IATA). The representative of France drew attention to the difficulties which seemed to result from uncontrolled competition between different modes of travel, and to the apparent need for a conference of United Nations Members on the co-ordination of air, rail and river transport.

The Council at its 716th plenary meeting adopted, by 16 votes to none, with 2 abstentions, resolution 489 (XVI) taking note, with appreciation, of the report.

(5) **International Bank for Reconstruction and Development and International Monetary Fund¹⁹⁶**

The Council considered the annual report of the International Bank for Reconstruction and Development (E/2360 & Add.1) at its 684th and 685th plenary meetings on 14 April and that of

the International Monetary Fund (E/2351 & Add.1) at its 682nd and 683rd plenary meetings on 13 April. The President of the Bank and the Managing Director of the Fund made statements before the Council. The Council at its 685th meeting on 14 April and at its 683rd meeting on 13 April adopted, by 16 votes to none, with 2 abstentions, resolutions 466(XV) and 467(XV) taking note, respectively, of the reports of the Bank and the Fund.

(6) **World Health Organization (WHO)**

The Council considered the annual report of the World Health Organization (E/2416 & Add.1-5) at its 707th and 708th plenary meetings on 1 and 2 July, and heard a statement by the Deputy Director-General of that organization. Most members expressed general appreciation of the work done by WHO, in particular the concentration on the strengthening of national health services, the continued emphasis given to the education and training of qualified personnel and to programmes for combating such diseases as malaria and tuberculosis. The opinion was expressed by, among others, the representatives of China, Egypt, India, the Philippines and Yugoslavia, that the regional organizations of WHO, developed as a result of the organization's policy of decentralization, were producing valuable results. The representative of France emphasized, however, the necessity for regional programmes to be examined in detail by a central body.

The representatives of, in particular, India and Yugoslavia voiced apprehensions that the World Health Assembly's reductions in the 1954 budget might affect the organization's future programmes. The representative of the United Kingdom, on the other hand, was gratified that budget stability had been achieved. While it was recognized that it was difficult to impose limits on expenditure on such matters as efforts to combat and control disease, several representatives, including those of Australia and the United States, considered that resources in the sphere of WHO's activities were limited not so much by funds as by trained personnel and facilities. The representative of France suggested that, in order to balance the budget, it might be advisable to reduce the number of meetings.

The Council at its 708th meeting on 2 July adopted, by 16 votes to none, with 2 abstentions, resolution 499(XVI), taking note, with apprecia-

¹⁹⁶ For Council's consideration of these reports see above under Economic Development of Under-Developed Areas and World Economic Situation, respectively.

tion, of the report, and noting with approval the continued emphasis given to the development of effective public health services and programmes for the training of public health workers.

(7) Universal Postal Union (UPU)

The Council considered the annual report of the Universal Postal Union (E/2383) at its 715th plenary meeting on 7 July and heard a statement by the Director of that organization.

The value of the work of UPU in its own technical field was emphasized and it was noted that the XIIIth Universal Postal Congress, which had met in Brussels in 1952, had revised the Postal Convention. With regard to the resolution adopted by the Congress concerning the relationship of the United Nations Postal Administration and UPU to any proposals by other specialized agencies to undertake postal activities, it was pointed out by the representative of the United States, which had sponsored that resolution, that the resolution was not intended to apply to arrangements between a specialized agency and a host government for the issue of over-printed or special stamps by that national postal administration.

The Council adopted, by 17 votes to none, (one member being absent when the vote was taken) resolution 490(XVI), taking note, with appreciation, of the report.

(8) International Telecommunication Union (ITU)

In view of the fact that the report of the International Telecommunication Union had not been made available to the members of the Council before the beginning of the sixteenth session, the Council, at its 706th plenary meeting on 30 June, decided, by 11 votes to none, with 7 abstentions, to postpone consideration of the report until the Council's seventeenth session.

(9) World Meteorological Organization (WMO)

The Council considered the annual report of the World Meteorological Organization (E/2428) at its 715th and 716th plenary meetings on 7 and 8 July. Members noted with appreciation that the secretariat of WMO had succeeded in completing the organizational stage of its development in a comparatively short time, and that administrative work was being superseded by technical activities. Tribute was paid to WMO's co-ordination of meteorological services through co-operation among the expert technical commissions, the regional associations and the secretariat. It was emphasized by the representative of the United States, in particular, that the essential

task of WMO was to bring together the work of other bodies engaged in the field, rather than to disperse its own activities, and satisfaction was expressed at the fact that hundreds of meteorologists had co-operated in the preparation of material for WMO meetings, thereby enabling the organization to achieve a great deal at small cost. The representative of Yugoslavia suggested that, in future, more meetings of the technical commissions might be held in Europe. The representatives of India and Yugoslavia considered that countries in which meteorological services had not yet reached full development might well be granted technical assistance in improving the equipment and techniques of the national services.

The Council, at its 716th meeting on 8 July, unanimously adopted resolution 491(XVI) taking note, with appreciation, of the report.

c. FORM OF REPORTS OF THE SPECIALIZED AGENCIES TO THE UNITED NATIONS

At its sixth session, the Council had adopted resolution 128 A (VI)¹⁹⁷ which took note of the articles of the Agreements with the specialized agencies providing for the transmission of reports to the United Nations, and of General Assembly resolution 125(II); it requested the specialized agencies to submit to the Council, not later than 15 May of each year, such reports as appropriate under the terms of their respective agreements, specifying certain detailed information which should be given on the organization and activities of the agency for the past year.

The Council during its sixteenth session, at its 740th and 741st plenary meetings on 29 July, discussed the possible revision of the operative part of this resolution in the light of the experience of the last few years. Some members, in particular the representative of the United States, expressed the view that regular information on the basic problems peculiar to each agency was of special interest to the Council; that, however, it was no longer necessary to receive such organizational details as had previously been requested; and that, in future, the form of the reports might be simpler, concentrating on the major developments and dealing primarily with matters of specific interest to the Council. While the Council did not wish to restrict the information supplied by the specialized agencies, account was taken of the fact that the agencies themselves would welcome steps to simplify the reporting required of them.

¹⁹⁷ See Y.U.N., 1947-48, p. 677.

The representative of France suggested the possibility of the agencies reporting biennially. Others, including the representatives of Sweden, the United Kingdom and Uruguay, thought that it was desirable to attain some standardization in the form of reports. It was generally agreed that the whole problem of reporting by the agencies required review, that this was a matter on which the views of the agencies themselves should be taken into account, and that meanwhile it was desirable to establish interim arrangements to simplify the next reports of the agencies to the Council.

The Council at its 741st meeting, by 17 votes to none, with 1 abstention, adopted resolution 497 D (XVI), requesting specialized agencies, in addition to the background information contained in their annual reports, to give particular attention in their next reports to the Council to:

(1) the major developments in their programmes during the past year, the current year and those planned for the ensuing year, with an indication of priorities established, and of any major shifts of emphasis in these programmes;

(2) the extent and nature of participation in co-operative projects and activities with the United Nations and other specialized agencies;

(3) major developments in their relations with the United Nations and with other specialized agencies;

(4) specific actions taken pursuant to recommendations of the General Assembly and the Council;

(5) any other actions taken or contemplated in implementation of their agreements with the United Nations; and

(6) a list of meetings held or contemplated with an indication of their purpose.

At the same time the ACC was requested to review all aspects of the problem of reporting by the specialized agencies to the United Nations, including the question of the frequency, length, content and method of presentation of their reports, in the light of this resolution and of the Council's discussions, and to submit its observations to the Council at its seventeenth session.

d. INTERGOVERNMENTAL ORGANIZATIONS

The Council, during its fifteenth session, at the 676th plenary meeting on 2 April, considered the 1953 edition of the Council's List¹⁹⁸ of intergovernmental organizations in the economic, social, cultural, educational, health and related fields which have responsibilities similar to those of the United Nations and the specialized agencies, as prepared by the Secretary-General (E/2361 & Corr.1). This list covered 49 organizations. It also considered information on thirteen additional organizations (E/2361/Add.1 & Corr.1) (see

below) which had been submitted for consideration for possible incorporation in the Council's List. In addition, reports by the Secretary-General on eight, and by FAO on three, particular inter-governmental organizations were before the Council (E/2366 & Corr.1), as requested by the Council in resolution 412(XIII).

The Council confirmed the inclusion in its List of the various organizations listed by the Secretary-General (E/2361 & Corr.1) with the exception of the Central Bureau, International One-Millionth Map of the World,¹⁹⁹ and of the International Penal and Penitentiary Commission, which the Secretary-General had proposed to omit from future editions of the List, their having been terminated and their functions absorbed by the United Nations.

In connexion with the International Office of Epizootics, the Director-General of FAO was requested to keep the Council informed at intervals, through the Secretary-General, of the progress made towards developing an integrated world-wide programme of animal disease control and prevention, and of any action which the General Conference of FAO might ultimately take on the question of integration of this organization. The Director-General of FAO was further requested to report to the Council through the Secretary-General at a session in 1956 on the extent of co-operation between FAO and the International Seed-Testing Association and on the progress of negotiations for closer integration of the work of the two organizations. States members of both FAO and the International Commission for the Scientific Exploration of the Mediterranean Sea were urged to bring about complete exchange of information between the two organizations, in order to avoid duplication, and the Director-General of FAO was asked to report to the Council in 1956, through the Secretary-General, on steps which might be taken to develop

¹⁹⁸ The Council in resolution 262 Q (IX) of 10 August 1949 had decided to maintain the List as a standing document, to be revised periodically for consideration by the Council. The purposes of the List were originally stated in Council resolution 171(VII) of 29 August 1948, in which the Council had expressed the belief that it was desirable that Member Governments should re-examine possible duplication or dispersion of effort between intergovernmental organizations, on the one hand, and the United Nations and specialized agencies, on the other. The Council has examined from time to time (1) the relationship which might be established between listed organizations and the United Nations or the specialized agencies, and (2) the possible termination, absorption or integration of any of these organizations into the United Nations or the specialized agencies.

¹⁹⁹ For the discussion of international co-operation on cartography see under that heading, above.

a single integrated fisheries programme in the Mediterranean area.

The Council further decided to include in its List the thirteen additional organizations (E/2361/Add.1) as follows:

the Council of Europe, the General Fisheries Council for the Mediterranean, the Intergovernmental Committee for European Migration, the Contracting Parties to the General Agreement on Tariffs and Trade, the International Materials Conference, the Consultative Committee on Economic Development in South and South East Asia, the Commission for Technical Co-operation in Africa South of the Sahara, the Organization of American States, the Organization of Central American States, the Brussels Treaty Organization (Western Union), the Organization for European Economic Co-operation, the Council for Mutual Economic Aid, and the League of Arab States.

e. OTHER SUBSTANTIVE QUESTIONS
CONSIDERED BY THE ACC

(1) Productivity

In its thirteenth report to the Council (E/2446 & Corr.1), the ACC stated that one aspect of the problem concerning increased production of goods other than food to which particular attention had been given and which called for continuing action was that of productivity. In general, as industry developed, a good climate of industrial relations was essential to foster the co-operative efforts of labour, management and government needed to raise productivity. The existence of a free and strong trade union movement, the practice of collective bargaining and the development of good worker-employer relations in industry were of the greatest importance in this connexion. ILO, said the ACC, had been giving special consideration to these factors and would shortly report fully to the Council.

The ACC noted with interest the establishment of a European Productivity Agency. The United Nations, in collaboration with ILO, FAO and UNESCO, the ACC reported, was considering a request by the Central American governments to determine a programme of inter-related projects, including the setting up of an Institute of Industrial Technological Research to deal with the problem of raising productivity in that region.

(2) International Trade

The ACC stated in its thirteenth report (E/2446) that discrimination and restrictions in international trade and balance of payments continued to exist on a wide scale, and, indeed, had been reintroduced in a few major trading countries. Involved in the problem of an effective solution were, for example, questions of fiscal, monetary and commercial policies; the international move-

ment of capital; the prices of primary products entering into international trade; and the adequacy of international monetary reserves.

The United Nations and the specialized agencies concerned, the ACC said, had a major responsibility in helping to promote the highest practicable level of world trade on a multilateral basis. The ACC called the Council's attention to the importance of any steps which could be taken to this end, and assured the Council that the agencies concerned would continue to give high priority to this and related problems.

(3) Refugees

The ACC drew attention (E/2446) to the importance of the refugee problem, in regard to which the United Nations had assumed certain direct responsibilities as the result of the establishment of the Office of the United Nations High Commissioner for Refugees. A permanent solution for the refugees who had not been re-established, the ACC declared, required the prompt and co-ordinated action of all United Nations agencies and of Member States. The continuing aspect of the problem made it necessary to look beyond such temporary measures as the provision of emergency aid, and to seek permanent solutions. It would be necessary, said the ACC, to promote the integration of large numbers of destitute refugees who were not likely to qualify for overseas resettlement schemes and who had not yet been assimilated into the economies of their countries of residence.

(4) Migration

The migration programmes for 1953 of the various international organizations concerned were reviewed in February 1953 at a meeting convened by ILO under the auspices of the ACC. The United Nations High Commissioner for Refugees, the Intergovernmental Committee for European Migration, the Organization for European Economic Co-operation and the Council of Europe were represented at the meeting. The ACC again drew attention to the need for even more effective co-ordination of the migration activities of the international agencies within and outside the United Nations.

Note was taken by the ACC (E/2446) of the conclusions and recommendations of the ILO Latin American Manpower Technical Conference, which was held at Lima, Peru, in December 1952. The Conference, among other things, called attention to the possibilities of technical assistance by ILO in connexion with the establishment of national machinery for carrying out migration operations.

The Inter-Agency Regional Co-ordination Committee on Migration in Latin America, the ACC reported, had taken steps to establish or strengthen relations with national organizations interested in migration problems. Preliminary arrangements had been agreed upon for a survey in a limited number of countries of migrants belonging to the professional categories, with a view to absorbing them in immigration countries.

(5) Long-Range Activities for Children

Inter-agency consultations on long-range activities for children, the ACC said (E/2446), had been continued. A technical report on the improvement of child nutrition, particularly in under-developed areas, had been jointly prepared by the agencies concerned, and arrangements for its publication were being considered.

The ACC agreed on the importance of joint planning by government officials and the competent international organizations for the purpose of encouraging the development of appropriate services and programmes in countries which would ensure:

- (a) suitable measures to provide adequate supplies of local foods of high nutritive value;
- (b) the distribution of such foods to infants and children through supplementary feeding programmes;
- (c) the dissemination among the people of a sound knowledge of nutrition and of good feeding practices in the home; and
- (d) an increase in the number of professional and auxiliary personnel trained in nutrition.

(6) Promoting and Encouraging Respect for Human Rights

A great effort had been made, the ACC reported, to implement the mandate of the General Assembly to disseminate more fully the Universal Declaration of Human Rights. Among other things, the Secretary-General had maintained the closest collaboration with UNESCO which had made education in human rights a vital part of its programme.

Among the methods open to the United Nations to promote universal respect for and observance of human rights, the ACC listed the following:

annual reports by governments on developments in the field of human rights—these, it suggested, could be prepared with the assistance of national or local human rights committees and could form the basis for recommendations to governments;

surveys of various aspects of human rights throughout the world—specialized agencies as well as non-governmental organizations could co-operate in these surveys;

a satisfactory solution of the problem of handling communications concerning human rights; and

advisory services, regional seminars, scholarships and fellowships in the field of human rights.

2. Administrative and Servicing Matters

a. ADMINISTRATIVE BUDGETS OF SPECIALIZED AGENCIES

In considering the question of financial implications of requests made to the specialized agencies by United Nations organs, the ACC, in its thirteenth report (E/2446) to the Economic and Social Council, stated that Council resolution 324 B (XI) called for inter-agency consultations to be made through the ACC in connexion with "all proposals for surveys, meetings or programmes which concern more than one organization . . . prior to their adoption by the competent commissions, Councils or Assemblies concerned". In addition, the majority of agreements between the United Nations and the specialized agencies, the ACC pointed out, contain an article on financing of special services, which provides for consultations to determine the most equitable manner in which substantial extra expense should be borne, as a result of any request which the United Nations might make for special reports, studies or assistance on the part of the agency concerned. The ACC felt that a more meticulous observance of the provisions of Council resolution 324 B (XI), prior to the approval of projects calling for joint inter-agency action, would be desirable.

The ACC also drew attention again to the difficulties and problems raised by the large number of reports and studies on closely related economic and social subjects requested of the United Nations and the specialized agencies for consideration by the different international and regional bodies examining these questions, thereby diverting resources from the practical implementation of the programmes. The burden involved, it said, would be greatly lightened if the preparation of periodic reports of this character were spaced out at larger intervals.

In its communication to the Economic and Social Council (E/2483), the Advisory Committee on Administrative and Budgetary Questions noted, among other things, that the budgets of certain specialized agencies showed a continuous expansion, which was the more striking when considered together with the fact that technical assistance funds had been made available to agencies for supplementary programmes during those years. The Committee expressed the opinion that technical assistance projects should receive advance consideration by legislative bodies, if only in broad outline, and that a review of projects should

be made at periodic intervals. It noted that the joint administrative costs of the technical assistance programme were not submitted for review to any budget-approving body. The Advisory Committee also commented on the burden imposed by the large number of reports and studies on closely related economic and social subjects and called attention to the problems arising out of the creation of new international machinery outside the framework of the United Nations.

In resolution 497 A (XVI) the Council took note with satisfaction of the reports of the ACC and of the communication from the Advisory Committee.

The question of administrative and budgetary co-ordination between the United Nations and the specialized agencies was considered at the General Assembly's eighth session, at the 425th and 428th meetings of the Fifth Committee on 7 and 8 December. The Committee had before it the 26th report of the Advisory Committee to the eighth session (A/2582) and the information annex II (A/2383/Add.1) to the budget estimates for the financial year 1954.

In its report, the Advisory Committee stated that, while certain of the figures were estimates, the aggregate of expenditure proposed for 1954 in the United Nations and the specialized agencies, nevertheless, continued to show a marked increase in certain items, notably in official travel of staff and consultants. Even where, as in the case of printing, an actual increase was not recorded, the total still remained extremely high. Pointing out that budgets of the United Nations and the specialized agencies were adopted, according to the constitutional processes of the several organizations, by independent legislative bodies, the Advisory Committee stated that it therefore fell to governments to examine individually, in connexion with each separate budget, the problem of relative priority among major fields of activity. This process, the Committee considered, might be greatly facilitated if intergovernmental discussions were held at a central point.

The Advisory Committee again drew attention to the desirability of achieving a reasonable degree of uniformity in the presentation and form of budgets among the United Nations and the specialized agencies. It declared that it was the clear duty of a secretariat, whenever a large economy could be made, to lay alternative procedures before the legislative body concerned. A certain basic presentation, it considered, could be developed, to which would be added, where necessary and as requested by legislative bodies, additional informative material in the form of annexes.

The Advisory Committee urged the legislative bodies of the specialized agencies to give special attention to the problem of documentation, and stressed the need for a stricter editorial control of United Nations publications.

Information Annex II to the budget estimates for the financial year 1954 contained an analysis of United Nations and specialized agencies budget appropriations or estimates, an analysis of the financial status of the United Nations and the specialized agencies, and a statement of extra-budgetary funds administered by the United Nations and the specialized agencies in the economic and social fields.

The Chairman of the Advisory Committee, in introducing his Committee's report to the Fifth Committee, made it clear that no attempt had been made to present a detailed or exhaustive analysis of agency budgets or budget estimates for 1954. These, he said, had been or would be examined by the competent bodies in each of the specialized agencies and, where appropriations had already been voted, there existed a record of the deliberations of the appropriate General Conference or Assembly, together with other pertinent material. With respect to technical assistance activities, he informed the Fifth Committee that the Advisory Committee during its first session in 1954 would conduct a review of the administrative expenditures of the Technical Assistance Board and of the participating organizations financed from the Special Account and also of their administrative procedures.

The Fifth Committee unanimously adopted a draft resolution proposed by the Committee Chairman (A/2619), which was adopted, without objection and without discussion, by the General Assembly, at its 471st plenary meeting on 9 December, as resolution 779(VIII).

By it, the Assembly took note of the Advisory Committee's report concerning the administrative budgets of the specialized agencies for 1954, and invited the attention of the specialized agencies to the recommendations and suggestions made in that report.

b. CONFERENCE PATTERN

The General Assembly on 20 December 1952 adopted resolution 694(VII), by which it, *inter alia*, decided that a regular pattern of conferences should be established for a period of four years from 1 January 1954, under which sessions of all Headquarters-based bodies should be held in New York and sessions of all Geneva-based bodies should be held in Geneva, with certain exceptions.

Among the exceptions was the summer meeting of the Economic and Social Council, which could be held each year in Geneva. The Secretary-General was requested to transmit to all organs of the United Nations and to the specialized agencies a conference pattern based on the above principles.

The ACC, in its thirteenth report to the Council (E/2446), stated that on several occasions it had drawn attention to the desirability of a long-term pattern of international conferences which would enable the various organizations to make their arrangements for such conferences with adequate knowledge of the plans of other organizations. It noted with satisfaction that such a pattern had been approved by the General Assembly for a period of four years, and expressed the hope that this pattern would be maintained. It emphasized, however, that the proposed regular pattern could only fulfil its purpose if it were strictly adhered to by all the organs concerned.

In accordance with an instruction of the Fifth Committee, the Advisory Committee on Administrative and Budgetary Questions reviewed (A/2501) the question. The Advisory Committee surveyed the developments which had led to the establishing of a fixed pattern of conferences. It stated that the Secretary-General had taken provisional action to implement the above decision of the Assembly, and that organs of the United Nations had arranged their 1954 sessions in accordance with a pattern presented by the Secretary-General which had also been examined by several specialized agencies. The Advisory Committee pointed out that the proposals to distribute in a more rational way the conference work-load between Headquarters and Geneva in themselves occasioned expenditure, and still left unsolved the question of the most profitable use of Headquarters conference space, for which maintenance costs would continue. When judged in relation to the heavy conference costs of previous years, which had been incurred on the basis of ad hoc decisions because of the absence of a pattern, strict adherence to the fixed pattern would result in distinct administrative and budgetary advantages, it stated.

At the General Assembly's eighth session, during the Fifth Committee's general discussion on budget estimates for the financial year 1954, particularly at its 397th and 398th meetings on 27 and 28 October, most representatives supported the views of the Advisory Committee concerning the necessity of adhering strictly to Assembly resolution 694(VII).

The representative of the United Kingdom submitted a draft resolution (A/C.5/L.246), which

would have the Assembly stress the need to adhere to the fixed pattern and would invite the specialized agencies to give it due consideration in drawing up their own programme of meetings. The United Kingdom representative explained that, given the importance of this question, his delegation considered that the Committee should adopt a recommendation rather than merely express an opinion. The draft resolution, he stated, was intended to meet the desire of the Fifth Committee for economy and efficiency.

Some representatives, including those of Argentina, Belgium, Brazil, Israel and the Netherlands, while not denying the importance of adhering to the pattern of conferences, saw no point in requesting the General Assembly to confirm a decision it had so recently taken. They were of the opinion that there was the danger of a precedent in this connexion which might lead to an impression that other decisions which were not subsequently confirmed ceased to be valid. The draft resolution appeared to them to contain no new elements, for it was an understood thing that any modification of the programme would need special authorization by the General Assembly.

Certain other representatives, however, including those of Egypt, Denmark, Pakistan, Syria and the United States, believed that confirmation by the General Assembly of its previous decision would be desirable because already, since the adoption of the resolution on programme of conferences, several organs had asked for an exception to be made in their case. Adoption of the United Kingdom draft resolution, they believed, would forestall any attempt to modify the pattern of conferences which had been accepted as an appropriate means for making the best use of the staff and resources of the United Nations. They considered that the General Assembly might, with advantage, confirm a previous decision in order to give it added weight, and there had been instances of such action in the past which had clearly not raised the point of precedent.

The Fifth Committee, at its 398th meeting on 28 October, adopted the United Kingdom draft resolution by 21 votes to 1, with 23 abstentions. The resolution recommended by the Committee (A/2622) was adopted unanimously, without discussion, by the Assembly at its 471st plenary meeting on 9 December, as resolution 790(VIII).

By it, the Assembly noted the recommendations of the Administrative Committee on Co-ordination (E/2446) in its thirteenth report to the Economic and Social Council to the effect that the regular four-year pattern of conferences approved by the Assembly in 1952 could only fulfil its purpose if

it was strictly adhered to by all the organs concerned. It also noted the opinion of the Advisory Committee (A/2501) to the effect that it regarded the programme as firmly fixed for the period of 1954 to 1957 and that any variations would presumably be authorized only by a special decision of the Assembly.

The Assembly then endorsed the opinion of the Advisory Committee and reaffirmed its recommendation that all organs of the United Nations arrange their meetings in accordance with the dates and places set forth in the pattern presented by the Secretary-General, and that the specialized agencies concerned be invited to give due consideration to this pattern in drawing up their own programmes of meetings.

c. REVIEW OF AUDIT PROCEDURES OF THE UNITED NATIONS AND THE SPECIALIZED AGENCIES

The General Assembly on 20 December 1952 adopted resolution 672 B (VII),²⁰⁰ *inter alia*, inviting the Secretary-General and the executive heads of the specialized agencies to review in the Administrative Committee on Co-ordination (ACC) the audit procedures and arrangements of the United Nations and the specialized agencies. Reports were called for by the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions.

The Secretary-General reported (A/2479) that the existing audit procedures and arrangements had been reviewed by the ACC (E/2446) at its sixteenth session, held from 25 to 27 May 1953. He stated his agreement with the conclusion reached by the ACC that there did not appear to be at present any need for a general change in the type of audit arrangements. He thought that any change in the existing audit system could be dealt with more satisfactorily in connexion with the more general question of the reorganization of the Secretariat and suggested postponing the question to the ninth session of the Assembly.

The Advisory Committee in its report (A/2546) endorsed the proposed postponement and expressed the hope that nothing would be done in the course of the review of the question to weaken the principle that had inspired, during 1948-49, the establishment of a Joint Panel of Auditors and the formulation of a common set of principles for the audits.

Both reports were considered by the Fifth Committee at its 405th meeting on 16 November. The observation of the Advisory Committee was endorsed by the representatives of Argentina and

the Netherlands, in particular. The representative of Argentina also supported the opinion expressed by the ACC to the effect that any full-time staff that might be set up to deal with questions of external audit should not replace the existing Board of Auditors and thereby impair the accepted principle that final responsibility for external audit rested with governmental auditors.

The Fifth Committee adopted, without objection, a recommendation proposed by the Committee Chairman (A/2566), and the General Assembly, at its 458th plenary meeting on 27 November, without objection and without discussion, adopted the Committee's recommendation, as resolution 768(VIII).

By it, the Assembly, after taking note of the Secretary-General's report and the observations on it by the Advisory Committee, postponed consideration of this item until its ninth session.

d. AUDIT REPORTS RELATING TO EXPENDITURE BY SPECIALIZED AGENCIES OF TECHNICAL ASSISTANCE FUNDS ALLOCATED FROM THE SPECIAL ACCOUNT

The General Assembly in resolution 519 A (VI)²⁰¹ of 12 January 1952 called on the specialized agencies participating in the Expanded Programme of technical assistance to provide in their regular budget documents, information concerning their estimates for the expenditure of technical assistance funds and to transmit to the General Assembly, for examination and approval, the audit reports relating to expenditure of technical assistance funds allocated from the Special Account after approval by the appropriate body of the agencies.

Accordingly, the Secretary-General, in a note (A/C.5/546) dated 7 October 1953, transmitted to the Assembly the reports submitted by the specialized agencies participating in the Expanded Programme. These reports comprised for each agency financial statements covering operations under the Expanded Programme in the form prescribed by the Technical Assistance Board (TAB), accompanied by the Certificate of the External Auditors and, where applicable, by such further comments on technical assistance matters as the auditors had included in their reports to the general conference or equivalent authority of the agency concerned. The Secretary-General's note was also accompanied by a combined statement showing the status of allocations to the

²⁰⁰ See Y.U.N., 1952, p. 543.

²⁰¹ See Y.U.N., 1951, pp. 400-401.

participating organizations under the Expanded Programme as of 31 December 1952, and summarizing the separate audited financial statements submitted by the agencies, as well as similar information regarding the transactions of the United Nations under the same Programme.

With one exception, the audit reports had been approved by the general conference (or equivalent authority) of the agency concerned. In the case of FAO, the audit reports were to be considered by the FAO Conference in November 1953.

Total allocations during the period under review amounted to \$25,372,377, of which \$23,905,388 was spent or obligated up to 31 December 1952.

In its report to the Assembly (A/2545), the Advisory Committee on Administrative and Budgetary Questions stated that strict adherence to the letter of resolution 519 A (VI)—in respect of prior approval of the reports by the general conferences—would produce an unreasonable delay, with the possibility that General Assembly consideration might have to be deferred until some four years after certain of the audited transactions had been effected.

In connexion with the accounts of FAO, special attention was drawn to the fact that the external auditor had questioned an amount of approximately \$125,000 recorded as an obligation at 31 December 1952 in respect of certain fellowships. The Advisory Committee understood that had this obligation been omitted from the 1952 accounts (in accordance with the definition of obligations adopted by the Technical Assistance Board in respect of fellowships), the amount available for redistribution during 1953 among participating organizations (including FAO) would have been correspondingly increased. Consequently, not only was the authority of TAB involved, but also the interest of other agencies participating in the Expanded Programme.

The Advisory Committee observed that the External Auditor of ICAO called attention to the fact that participating organizations had not yet agreed upon a policy to govern pension scheme obligations (if any) to technical assistance personnel.

The Secretary-General's report and the comments on it by the Advisory Committee were considered by the Fifth Committee at its 405th meeting on 16 November. Referring to the comments of the Advisory Committee regarding entitlement of project personnel to pension rights under the Joint Staff Pension Fund, the representative of Australia inquired as to what would be the effect of the decision of TAB to introduce, as from 1

January 1954, revised conditions of service, under which project personnel appointed for one year or more to continuing posts (that is, posts normally expected to continue for at least five years) would receive appointments governed by the basic conditions of service applied to regular staff members, including eligibility for admission to the Pension Fund. He suggested that the admission as participants in the Fund of any considerable number of such personnel might conceivably have actuarial implications with respect to which the Joint Staff Pension Board should perhaps be consulted.

The Fifth Committee adopted, without objection, a draft resolution proposed by the Committee Chairman and amended by the representative of Australia (A/2567), which was likewise adopted, without objection and without discussion, by the General Assembly at its 458th plenary meeting on 27 November, as resolution 769(VIII).

By it, the Assembly took note of the audit reports relating to expenditure by specialized agencies of technical assistance funds allocated from the Special Account, for the year ended 31 December 1952, and of the observations on them by the Advisory Committee.

e. COMMON SERVICES AND CO-ORDINATION OF SERVICES

The ACC, in its thirteenth report to the Economic and Social Council (E/2446 & Corr.1), stated that, in pursuance of Assembly resolution 672 A (VII) concerning the co-ordination of administrative procedures and services between the United Nations and the specialized agencies, studies had been initiated on such questions as: library co-ordination; co-ordination of public information services; co-ordination of printing services; and the establishment of a joint purchasing and a common supply service in Geneva.

f. TELECOMMUNICATION FACILITIES

In the field of telecommunication facilities, the ACC stated that it was studying such questions as: the circumstances in which the urgency or importance of the telecommunications of the specialized agencies warrants special treatment for their telegrams or telephone calls; the possibility of changing the Convention on the Privileges and Immunities of the Specialized Agencies as it concerns the question of government privileges for telegrams and telephone calls; and the question of the use by the specialized agencies of the United Nations point-to-point telecommunication network when such use competes with existing commercial telecommunication networks.

U. RELATIONS WITH NON-GOVERNMENTAL ORGANIZATIONS

1. Application of the Headquarters Agreement to Representatives of Non-Governmental Organizations in Consultative Status with the Economic and Social Council

In accordance with Economic and Social Council resolution 288(X)²⁰² of 27 February 1950 concerning consultative arrangements with non-governmental organizations, the Women's International Democratic Federation (WIDF), a non-governmental organization in consultative relationship with the Council in category B, designated Mrs. Margarette Rae Luckock as its representative to attend the seventh session of the Commission on the Status of Women, which was to convene at United Nations Headquarters on 16 March 1953. After the Commission was informed that Mrs. Luckock had not been granted an entry visa to the United States to enable her to come to United Nations Headquarters, it adopted a resolution (E/2386) regretting this fact, and calling the Council's attention to the situation. The Council was requested to examine the question at its fifteenth session which was then in progress in order to take appropriate measures.

Accordingly, the Economic and Social Council, at its 673rd plenary meeting on 31 March 1953, decided to add to its agenda for its fifteenth session the item: "Admission of the representative of the Women's International Democratic Federation for participation in the Commission on the Status of Women in accordance with the resolution adopted by the Commission".

The Council considered the matter at its 675th to 677th, 679th, 686th, 687th, 694th, 701st, 702nd and 704th plenary meetings, on 1, 2, 6, 9, 15, 21, 27 and 28 April.

At the Council's 679th meeting on 9 April, the representative of the United States informed the Council that his Government had refused visas to Mrs. Luckock, the representative of WIDF, to attend the seventh session of the Commission on the Status of Women and the fifteenth session of the Council, and to Jan Dessau, the representative of the World Federation of Trade Unions (WFTU), a non-governmental organization in category A, to attend the same session of the Council, in the exercise of the right to safeguard its security which it reserved to itself in section 6 of the Joint Resolution (Public Law 357) of the 80th Congress, which authorized the United States

to enter into the Headquarters Agreement with the United Nations.

On the proposal of the representative of Sweden, which was supported by the representative of France, the Council decided to ask the Legal Department of the United Nations Secretariat for an opinion on the legal aspects of the decision taken by the United States Government.

The Legal Department accordingly submitted a memorandum (E/2397) on the question, which concluded that the persons falling within the classes referred to in section 11 of the Headquarters Agreement²⁰³ were entitled to transit to and from the Headquarters District, and that this right of transit had not been made the subject of any reservation. The memorandum stated that, should the United States adhere to its position, it was clear that there would then exist a dispute between the United Nations and the United States concerning the interpretation or application of the Headquarters Agreement. In such event, the memorandum continued, the Council would note that section 21 of the Headquarters Agreement provided for negotiations, and, if necessary, arbitration.

At the Council's 686th meeting on 15 April, the United States representative stated that the Legal Department's memorandum showed that there was a difference of opinion between that Department and the United States Government. His Government, he said, recognized the validity of the Headquarters Agreement and of the Joint Resolution (Public Law 357) of the 80th Congress and would co-operate with the Secretary-General in whatever negotiations the latter might arrange to discuss the problem. He considered that little would be gained by embarking on a discussion of the matter in the Council at the moment and he therefore suggested that the negotiations, to which he had referred, should be started as soon as possible.

The representatives of Poland and the USSR stated that the failure to permit entry of the representatives of WFTU and WIDF was incompatible with the specific obligations assumed by the United States Government under the Headquarters Agreement. They argued that the Council must make every effort to ensure attendance at its current session of the duly accredited representatives of WIDF and WFTU. They should be permitted to enjoy the consultative status granted them in accordance with the Charter.

²⁰² See Y.U.N., 1950, pp. 658-59.

²⁰³ See Y.U.N., 1947-48, pp. 199-204.

The representative of Sweden remarked that the memorandum had helped to clarify the issue. As the United States representative had indicated the readiness of his Government to enter into negotiations at the earliest opportunity, it was very possible that the problem would be solved amicably, and he therefore orally proposed that the Council should take no further action for the time being.

Most of the representatives, including those of Australia, Belgium, Egypt, France, India, the Philippines, Turkey, the United Kingdom, Uruguay, Venezuela and Yugoslavia, supported the Swedish proposal. They strongly favoured the suggestion that the Secretary-General and the United States Government should immediately enter into negotiations and, if necessary, into arbitration, as provided under section 21 of the Headquarters Agreement. It was essential, they said, that the work of the United Nations and its organs should be allowed to proceed in an orderly manner consistent with the provisions of the Charter and of the Agreement, and that no obstacles should arbitrarily be placed in their way.

The Council, at its 687th plenary meeting on 15 April, unanimously approved an Indian oral proposal to adjourn discussion of the matter in order to create a favourable atmosphere for immediate negotiations.

The United States Government and the Secretary-General then entered into negotiations. Since the negotiations had not been concluded at the close of the session, the Council, at its 704th plenary meeting on 28 April, decided to include on the agenda of its sixteenth session the item: "The question of access to Headquarters of representatives of non-governmental organizations in consultative status: report by the Secretary-General on the result of his negotiations with the United States Government."

At the Council's sixteenth session, the question was discussed at the 743rd and 745th plenary meetings, on 31 July and 1 August.

The Secretary-General presented a progress report (E/2492) and an oral statement (subsequently distributed as document E/2501) on the negotiations with the United States concerning the interpretation of the Headquarters Agreement. In additional oral comments, he stated that it was his view that the negotiations had been completed in the sense that the principles involved had been reaffirmed and the area of disagreement delimited. At the same time, they were not completed and should remain incomplete in the sense that they could be continued in respect of any concrete cases which might arise in the future.

The Council had before it three draft resolutions on the question: one by Poland (E/L.493/Rev.1), one by Cuba (E/L.560) and one by India (E/L.561).

The Polish draft resolution, *inter alia*, would have the Council request the Secretary-General to continue negotiations with the United States. In the event that such negotiations did not yield positive results by 1 November 1953, the Secretary-General would then be requested to submit the problem to arbitration in accordance with the Headquarters Agreement.

The Cuban draft resolution would have the Council: (1) note the report of the Secretary-General on the question; and (2) trust that any remaining questions would be resolved satisfactorily in the "application of the Headquarters Agreement or in further negotiations".

The Indian draft resolution would have the Council: (1) take note of the Secretary-General's report; (2) express satisfaction at the progress achieved; and (3) request the Secretary-General to submit a further report at the Council's seventeenth session.

In submitting his draft resolution, the representative of Poland said that his delegation attached great importance to the question of access to the United Nations Headquarters of representatives of non-governmental organizations in consultative status. The problem, he submitted, was much larger than the title of the item on the agenda indicated. It concerned, not only the simple question of access of representatives, but also the adequate functioning of the United Nations, the proper interpretation of the Charter and of the various agreements with Member States, the independence of the United Nations and the question of equality of treatment of persons having and desiring to exercise the right to certain relationships with the United Nations. While believing that a satisfactory solution could be found in the near future, his delegation considered, however, that the discussions should not be prolonged indefinitely, with a debate in the Council when a fresh case arose. A time limit was therefore proposed in the Polish draft, he explained, at the expiry of which the United Nations should resort to other means than consultation, as was provided in the Headquarters Agreement.

The representative of Cuba, explaining his draft resolution, said that his delegation sought an impartial and objective approach to the question. In view of the Secretary-General's belief that any remaining questions would be satisfactorily solved, it was undesirable, he stated, to go into the substance of the question or to discuss matters of principle or of law. Any legal analysis of the Headquarters Agreement, he argued, would merely introduce confusion, instead of helping the Secretary-General to safeguard United Nations interests; it would also raise questions of international

law which were possibly not within the competence of the Council and, in any case, could not be dealt with at short notice. In view of the optimistic tone of the Secretary-General's progress report, and of the importance of not taking any action that might be interpreted by the United States Government as affecting its right to safeguard its own security, Cuba had drafted its resolution.

The representative of India said that the issue, although arising out of a few specific cases, was of great importance, and that it might even be maintained that the success of the United Nations activities at Headquarters depended on its satisfactory solution. The first two paragraphs of his draft resolution, he explained, were not likely to arouse any opposition, since they merely took note of the Secretary-General's report and expressed satisfaction at the progress made. The third paragraph, calling for the submission of a further report, he said, had been inserted because the Council was involved, and had asked the Secretary-General to submit a report.

The representative of the United States congratulated the Secretary-General on his personal conduct of the negotiations with the United States Government on the question under discussion, which involved some difficult points of law and practice. He expressed great satisfaction at the progress achieved in those negotiations and was confident that the understanding reached would eliminate any future difficulties in the matter. He stated that the United States Government stood ready, in direct consultations with the Secretary-General, to resolve any further questions should they arise.

The USSR representative said that no one disputed the sovereign rights of the United States Government, or of any other government, to safeguard its own security. That was not the question at issue; what was involved was a question of disagreement on the interpretation of the Headquarters Agreement. For that reason, his delegation supported the Polish draft resolution. In his view, there were no substantial differences between the three draft resolutions before the Council, and it ought therefore to be possible for the representatives of Cuba, India and Poland to find some common ground and submit a joint draft resolution.

The representative of Yugoslavia also stated that, despite the doubts expressed in the discussion, there was considerable unanimity of opinion, and he therefore urged that there should be one text and one unanimous vote.

Most of the representatives on the Council, including those of Australia, Belgium, China,

Egypt, France, the Philippines, Sweden, the United Kingdom, the United States, Uruguay and Yugoslavia, supported wholeheartedly or with certain reservations the Cuban draft resolution. They agreed that the broader issue underlying the discussion was one of fundamental importance. The particular question of access to Headquarters of representatives of non-governmental organizations in consultative status was, and would continue to be, of interest to the Council because of the Council's responsibilities under the Charter, its day-to-day work, in which representatives of non-governmental organizations participated, and its right to determine which organizations it would admit to a special consultative relationship. They shared the Secretary-General's optimism as to the outcome of the negotiations in progress, and believed that the imposition of a time limit for the achievement of a particular aim would be undesirable.

The Cuban representative agreed to amend his proposal in accordance with various suggestions made during the discussion. Thus, he accepted, *inter alia*, a suggestion by the French representative to refer to the Secretary-General's statements in addition to his report and a suggestion by the representatives of India and Uruguay to delete in the operative part of the draft the reference to "further negotiations". It was stated that the implication of that phrase was that negotiations could be carried on outside the framework of the Headquarters Agreement.

The draft resolution, as amended, was adopted unanimously by the Council at its 745th plenary meeting on 1 August, as resolution 509(XVI). It read:

"The Economic and Social Council

"1. Notes the report of the Secretary-General and his oral statements of 31 July and 1 August 1953 on negotiations with the United States of America concerning the interpretation of the Headquarters Agreement on the question of access to Headquarters of representatives of non-governmental organizations in consultative status;

"2. Trusts that any remaining questions will be satisfactorily and expeditiously resolved within the provisions of the Headquarters Agreement."

2. Granting of Consultative Status²⁰⁴

Twenty applications or reapplications were considered and reported on by the Council Committee on Non-Governmental Organizations during the fifteenth session of the Economic and Social Coun-

²⁰⁴ For list of non-governmental organizations in consultative status with the Council as of 31 December 1953, see below, pp. 506-507.

cil, at the Committee's 123rd, 124th and 127th meetings on 19 February and 22 April 1953.

On the basis of two reports from the Council NGO Committee (E/2368 & E/2411) the Economic and Social Council, at its fifteenth session, in resolution 480 I.A.1 (XV), adopted at its 678th plenary meeting on 6 April, decided that the following organizations be placed in category B (voting on individual organizations is shown in parentheses below):

Inter-American Press Association (17 votes to none, with 1 abstention)

International Society of Social Defence (15 votes to 2, with 1 abstention)

International Union for Inland Navigation (16 votes to 2)

Pan-Pacific Women's Association (unanimously)

The Council, in resolution 480 I.A.2 (XV), adopted at its 678th plenary meeting on 6 April, and by resolution 480 I.B. (XV), adopted at its 702nd plenary meeting on 27 April, decided that the following organizations, at that time on the register of non-governmental organizations, be transferred to category B:

Confédération internationale du crédit populaire (16 votes to 2)

International Federation of Journalists (16 votes to 2)

International Movement for a Brotherly Union of Races and Peoples (16 votes to 2)

international Union of Producers and Distributors of Electric Power (16 votes to 2)

World Federation of Catholic Young Women and Girls (9 votes to 3, with 6 abstentions)

The Council, at its 678th plenary meeting on 6 April, adopted resolution 480 I.A.3 (XV), in which it requested the Secretary-General to place the following organizations on the register of non-governmental organizations:

Centre of International Relationships for Wholesale Trade (16 votes to 2)

Federation of International Furniture Removers (15 votes to 3)

International Confederation of Professional and Intellectual Workers (16 votes to 2)

World Calendar Association, International (14 votes to 2, with 2 abstentions)

The Council, at its 678th plenary meeting on 6 April, by 16 votes to 2, adopted resolution 480 I.A.4 (XV), requesting the NGO Committee to reconsider at the Council's seventeenth session the request for reclassification from the register to category B of the International Federation of Free Journalists.

The Council, at the same meeting, by 16 votes to 2, adopted resolution 480 I.A.5 (XV), taking note that the International Federation of Unions

of Employees in Public and Civil Services and the International Transport Workers' Federation were both prepared to give up their consultative status in category B and to carry on their consultative relationship with the Council through the International Confederation of Free Trade Unions, and deciding to withdraw consultative status in category B from these two organizations.

3. Review of Non-Governmental Organizations in Consultative Relationship

The Council, in resolution 480 II (XV), adopted by 14 votes to 2, with 2 abstentions, at its 704th plenary meeting on 28 April, decided to undertake at its seventeenth session a general review of all non-governmental organizations admitted to consultative status in category B at or before the thirteenth session of the Council; it also requested the Secretary-General to undertake preparation of the necessary documentation.

4. Consultative Arrangements with Regional Economic Commissions

Economic Commission for Latin America (ECLA): At its fifth session, ECLA, by resolution 71(V), decided to amend its rules of procedure regarding consultative relations with non-governmental organizations in accordance with the Council's recommendations (Council resolution 414 C.1 (XIII)).

5. Operating Consultative Arrangements

a. HEARINGS OF NON-GOVERNMENTAL ORGANIZATIONS

The following organizations were heard in connexion with the subjects shown opposite their names, by the Economic and Social Council or its Committees at the fifteenth session under rule 86²⁰⁵ of its rules of procedure.

International Chamber of Commerce: Economic development of under-developed countries.

International Confederation of Free Trade Unions: World economic situation; Procedure for the convening of study groups and international commodity confer-

²⁰⁵ This rule states that the Council Committee on Non-Governmental Organizations is to make recommendations to the Council as to which organizations in category A should be heard by the Council or by one of its committees and the items on which they should be heard. It also lays down the conditions under which such organizations may be heard.

ences; Expanded Programme of Technical Assistance; Allegations regarding infringements of trade union rights received under Council resolution 277(X);²⁰⁶ Slavery.

International Co-operative Alliance: Economic development of under-developed countries.

International Federation of Christian Trade Unions: World economic situation.

World Federation of Trade Unions: World economic situation; Economic development of under-developed countries; Allegations regarding infringements of trade union rights received under Council resolution 277(X); Admission of the Representative of the Women's International Democratic Federation for participation in the Commission on the Status of Women.

World Federation of United Nations Associations: Report of the International Bank for Reconstruction and Development.

The following organizations were heard by the Council Committee on Non-Governmental Organizations at the fifteenth session under rules 84 and 85.²⁰⁷

Anti-Slavery Society (United Kingdom): Slavery.

International Commission against Concentration Camp Practices (formerly: International Commission against Forced Labour Camps); Rights of defence: measures to be taken to ensure legal guarantees for individual freedom.

International Council of Women: International action for conservation and utilization of non-agricultural resources; Expanded Programme of Technical Assistance; Slavery; United Nations Narcotics Laboratory.

The following organizations were heard by the Economic and Social Council or its Committees at the sixteenth session under rule 86.

International Chamber of Commerce: Economic development of under-developed countries; Restrictive business practices.

International Confederation of Free Trade Unions: Full employment; Economic development of under-developed countries; Restrictive business practices; Technical assistance; Report of the Social Commission (ninth session); Reports of the Executive Board of the United Nations International Children's Emergency Fund; Allegations regarding infringements of trade union rights received under Council resolutions 277(X)²⁰⁸ and 474(XV).²⁰⁹

International Cooperative Alliance: Restrictive business practices.

International Federation of Christian Trade Unions: Full employment; Economic development of under-developed countries; Allegations regarding infringements of trade union rights received under Council resolution 277(X) and 474(XV).

World Federation of Trade Unions: Full employment; Economic development of under-developed countries; Restrictive business practices; Programme of concerted practical action in the social field of the United Nations and the specialized agencies; Prevention of discrimination and protection of minorities; Allegations regarding infringements of trade union rights received under Council resolutions 277(X) and 474(XV); Question of

access to Headquarters of representatives of non-governmental organizations in consultative status.

World Federation of United Nations Associations: Economic development of under-developed countries; Technical assistance; Reports of the Executive Board of the United Nations International Children's Emergency Fund.

The following organizations were heard by the Council Committee on Non-Governmental Organizations at the sixteenth session under rule 85.

Catholic International Union for Social Service: Programme of concerted practical action in the social field of the United Nations and the specialized agencies; Report of the Social Commission (ninth session).

Co-ordinating Board of Jewish Organizations: Report of the Commission on Human Rights (ninth session); Annual report of the United Nations High Commissioner for Refugees.

International Council of Women: Technical assistance; Programme of concerted practical action in the social field of the United Nations and the specialized agencies; Report of the Social Commission (ninth session); Report of the Commission on Human Rights (ninth session); Prevention of discrimination and protection of minorities.

Pax Romana: Economic development of under-developed countries; Annual report of the Economic Commission for Europe; Report of the Social Commission (ninth session); Report of the Commission on Human Rights (ninth session); Annual report of the United Nations High Commissioner for Refugees.

World Jewish Congress: Report of the Commission on Human Rights (ninth session); Prevention of discrimination and protection of minorities.

The Committee also heard briefly each organization having category A consultative status on each item of the agenda on which they were later heard by the Council. Many non-governmental organizations were heard by the commissions of the Council, in particular by the Commission on Human Rights, the Commission on the Status of Women, the Social Commission and the Transport and Communications Commission.

b. WRITTEN STATEMENTS BY NON-GOVERNMENTAL ORGANIZATIONS

During 1953, a total of 82 written statements from 30 non-governmental organizations were circulated as documents under the arrangements for consultation. The majority of these statements were directed to the Commissions of the Council, in particular to the Commission on Human Rights,

²⁰⁶ See Y.U.N., 1950, pp. 539-40.

²⁰⁷ These rules lay down the procedure under which the Council Committee on Non-Governmental Organizations consults with non-governmental organizations in categories A and B concerning matters within their competence.

²⁰⁸ See Y.U.N., 1950, pp. 539-40.

²⁰⁹ See pp. 400-402.

the Social Commission, the Commission on the Status of Women and the regional economic commissions. Five additional written statements were submitted jointly by a number of consultative non-governmental organizations. In accordance with the recommendation of the Council Committee on Non-Governmental Organizations, the Secretary-General circulated lists of these documents (E/C.2/263/Add.4 & Add.5/Rev.1).

c. AGENDA ITEMS PROPOSED BY NON-GOVERNMENTAL ORGANIZATIONS

The following items were proposed for the provisional agenda of the Council by non-governmental organizations in category A:

(1) Reconversion after the rearmament period: item proposed by the International Confederation of Free Trade Unions (ICFTU).

At its meeting on 22 April, the NGO Committee decided to recommend to the Council "that it place the item proposed by the ICFTU on the provisional agenda of its sixteenth session in the form of a sub-item to the item 'Full Employment'".

The Council then decided that the sub-item should be included in the agenda of the sixteenth session (E/2421).²¹⁰

(2) Measures to be taken for the application of a progressive social policy throughout the world, particularly for the defence, improvement and extension of social security: item proposed by the World Federation of Trade Unions (WFTU).

At its meeting on 23 April the NGO Committee decided "to postpone consideration of the request submitted by the WFTU until the series of meetings of the Council Committee on Non-Governmental Organizations to be held during the sixteenth session of the Council, provided the organization submits further documentation on the subject to the Committee in time to reach members of the Committee not later than four weeks before the opening of the sixteenth session of the Council".

The Council then decided that the WFTU memorandum, previously issued as document E/C.2/R.17, would be included in the basic documentation (E/2422) for item 10 of the provisional agenda for the sixteenth session, which dealt with the programme of concerted practical action in the social field of the United Nations and the specialized agencies.

6. Union of International Associations

The Council, at its sixteenth session, received a report of its Committee on Non-Governmental Organizations (E/2489) which referred to resolution 334 B (XI) in which the Council had decided that the United Nations should not publish a Yearbook of International Organizations, in view of the intention of the Union to do so, and expressed the hope that the Secretary-General would co-operate with the Union. The Committee

noted that the co-operation had given complete satisfaction and pointed out the value of the work done by the Union in the field of international non-governmental organizations. The Committee unanimously expressed its appreciation of the value and usefulness of the Yearbook and members voiced the hope that the work of the Union would become better known to Member States and that its continuation would be secured.

7. List of Non-Governmental Organizations in Consultative Status as of 31 December 1953

As of 31 December 1953, a total of 115 organizations in consultative status (in categories A and B) were listed. Of this number, nine were in category A and 106 in category B, as shown below. With the exception of eight, the titles of which are followed by the name of a State, all these organizations are international. The organizations granted consultative status at the fifteenth session are marked with an asterisk (see also above).

Category A

International Chamber of Commerce
International Confederation of Free Trade Unions²¹¹
International Co-operative Alliance
International Federation of Agricultural Producers
International Federation of Christian Trade Unions
International Organization of Employers
Inter-Parliamentary Union
World Federation of Trade Unions
World Federation of United Nations Associations

Category B

Agudas Israel World Organization
All India Women's Conference (India)
All Pakistan Women's Association (Pakistan)
Anti-Slavery Society, The (United Kingdom)
Carnegie Endowment for International Peace (United States)
Catholic International Union for Social Service
Commission of the Churches on International Affairs,
The
* Confédération internationale du crédit populaire
Consultative Council of Jewish Organizations
Co-ordinating Board of Jewish Organizations for Consultation with the Economic and Social Council of the United Nations
Friends World Committee for Consultation
Howard League for Penal Reform (United Kingdom)
Indian Council of World Affairs (India)
Inter-American Council of Commerce and Production

²¹⁰ See p. 325ff.

²¹¹ Represents also eighteen International Trade Secretariats.

- Inter-American Federation of Automobile Clubs²¹²
 * Inter-American Press Association
 Inter-American Statistical Institute
 International Abolitionist Federation
 International African Institute
 International Air Transport Association
 International Alliance of Women—Equal Rights,
 Equal Responsibilities
 International Association of Independent Enterprises,
 Trades and Crafts
 International Association of Juvenile Court Judges
 International Association of Penal Law
 International Automobile Federation²¹³
 International Bureau for the Suppression of Traffic in
 Persons
 International Catholic Child Bureau
 International Catholic Migration Commission
 International Catholic Press Union
 International Commission against Concentration Camp
 Practices
 International Committee of Schools of Social Work
 International Committee of Scientific Management
 International Committee of the Red Cross
 International Conference of Catholic Charities
 International Conference of Social Work
 International Congresses for Modern Architecture
 International Co-operative Women's Guild
 International Council for Building Documentation
 International Council of Women
 International Criminal Police Commission
 International Federation for Housing and Town Plan-
 ning
 International Federation for the Rights of Man
 International Federation of Business and Professional
 Women
 International Federation of Friends of Young Women
 * International Federation of Journalists
 International Federation of Newspaper Publishers
 (Proprietors) and Editors
 International Federation of Settlements
 International Federation of University Women
 International Fiscal Association
 International Institute of Administrative Sciences
 International Institute of Public Finance
 International Islamic Economic Organization
 International Labour Assistance
 International Law Association, The
 International League for the Rights of Man, The
 * International Movement of Friendly Relations among
 Races and Peoples
 International Organization for Standardization
 International Road Federation
 International Road Transport Union
 International Shipping Federation Ltd.
 International Social Service
 International Society for Criminology
 International Society for the Welfare of Cripples
 * International Society of Social Defence
 International Statistical Institute
 International Touring Alliance²¹⁴
 International Union for Child Welfare
 * International Union for Inland Navigation
 International Union for the Protection of Nature
 International Union for the Scientific Study of Popu-
 lation
 International Union of Architects
 International Union of Family Organizations
 International Union of Local Authorities
 International Union of Marine Insurance
 International Union of Official Travel Organizations
 * International Union of Producers and Distributors of
 Electric Power
 International Union of Railways
 International Union of Socialist Youth
 Liaison Committee of Women's International Organi-
 zations
 Lions International—The International Association of
 Lions Clubs
 National Association of Manufacturers (United States)
 Nouvelles Equipes Internationales—Union des démo-
 crates chrétiens
 * Pan-Pacific Women's Association
 Pax Romana—International Catholic Movement for
 Intellectual and Cultural Affairs²¹⁵
 Pax Romana—International Movement of Catholic
 Students²¹⁵
 Permanent International Association of Navigation
 Congresses
 Rotary International
 Salvation Army, The
 Society of Comparative Legislation (France)
 South American Petroleum Institute
 Women's International Democratic Federation
 Women's International League for Peace and Freedom
 World Assembly of Youth
 World Confederation of Organizations of the Teach-
 ing Profession
 World Council for the Welfare of the Blind
 * World Federation of Catholic Young Women and
 Girls
 World Jewish Congress
 World Movement of Mothers
 World Power Conference
 World's Alliance of Young Men's Christian Associ-
 ations
 World's Woman's Christian Temperance Union
 World's Young Women's Christian Association
 World Union for Progressive Judaism
 World Union of Catholic Women's Organizations
 World Veterans Federation
 Young Christian Workers
- As of 31 December 1953, an additional 124
 organizations²¹⁶ were on the Register of the
 Secretary-General for ad hoc consultations in ac-
 cordance with resolution 288 B (X).²¹⁷ All ex-
 cept one are international.

²¹² Consultative status in category B was granted on condition that this organization work out arrangements with the International Automobile Federation and the International Touring Alliance, by which they may be consulted jointly by the Council.

²¹³ To be jointly represented with the International Touring Alliance.

²¹⁴ To be jointly represented with the International Automobile Federation.

²¹⁵ Both Pax Romana movements represented jointly.

²¹⁶ For list, see Official Records of the General Assembly, Eighth Session, Supplement No. 3, pp. 119 and 120 with one addition: Permanent International Committee on Canned Foods.

²¹⁷ See Y.U.N., 1950, pp. 658-59.

IV. Questions Concerning Non-Self-Governing Territories and the International Trusteeship System

A. INFORMATION ON NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73e OF THE CHARTER

In accordance with General Assembly resolution 218(III) of 3 November 1948,¹ Members responsible for the administration of Non-Self-Governing Territories transmitted during 1953 information under Article 73e of the Charter with respect to the following Non-Self-Governing Territories:

Australia	Hong Kong
Papua	Jamaica
Belgium	Kenya Colony and Protectorate
Belgian Congo	Leeward Islands Colony
Denmark	Malaya, Federation of
Greenland	Mauritius
France	New Hebrides (Anglo-French Condominium)
Comoro	Nigeria
French Equatorial Africa	North Borneo
French Somaliland	Northern Rhodesia
French West Africa	Nyasaland Protectorate
Madagascar	Pitcairn Island
Morocco	St. Helena
New Hebrides (under Anglo-French Condominium)	Sarawak
Tunisia	Seychelles
Netherlands	Sierra Leone Colony and Protectorate
Netherlands New Guinea	Singapore
New Zealand	Swaziland
Cook Islands	Trinidad and Tobago
Niue Islands	Uganda Protectorate
Tokelau Islands	Windward Islands
United Kingdom	Zanzibar Protectorate
Aden Colony and Protectorate	United States
Bahamas	Alaska
Barbados	American Samoa
Basutoland	Guam
Bechuanaland Protectorate	Hawaii
Bermuda	Puerto Rico
British Guiana	Virgin Islands
British Honduras	
British Solomon Islands Protectorate	
British Somaliland Protectorate	
Brunei	
Cyprus	
Falkland Islands and Dependencies	
Fiji	
Gambia	
Gibraltar	
Gilbert and Ellice Islands Colony	
Gold Coast Colony and Protectorate	

On the basis of information transmitted during 1953, the Secretary-General, in accordance with Assembly resolution 218(III), prepared a number of summaries and analyses (A/2407, A/2408, A/2409, A/2410 & Add.1, A/2411 & Add.1, A/2413 & Add.1-8, A/2414 & Add.1 & 2).²

Summaries and analyses were considered by the sixteen-member Committee on Information from Non-Self-Governing Territories set up for this purpose by General Assembly resolution 332(IV)³ of 2 December 1949 and renewed by General

¹ See Y.U.N., 1948-49, p. 722.

² The information on Cook and Niue Islands under New Zealand administration was summarized but not produced as a document. These summaries are included in Vol. II of the Secretary-General's Summaries and Analyses of Information Transmitted during 1953 (the 1953 "Green Book").

³ See Y.U.N., 1948-49, pp. 751-52.

Assembly resolution 646(VII) of 10 December 1952. The Committee held seventeen meetings, from 18 August to 8 September. The Committee's report to the Assembly (A/2465) contained, among other things, sections dealing with: educational conditions in Non-Self-Governing Territories; the cessation of the transmission of information under Article 73e of the Charter; participation of representatives from the Non-Self-Governing Territories in the work of the Committee; social and economic conditions; and international collaboration in respect of economic, social and educational conditions, including technical assistance.

The report was considered during the General Assembly's eighth session, at the 331st to 339th meetings of the Fourth Committee, from 12 to 21 October, and at the 459th plenary meeting of the Assembly on 27 November. The Assembly's consideration of particular aspects is dealt with below under subject headings.

Generally speaking, representatives in the Fourth Committee considered that the report had made a good contribution to the study of conditions in the Non-Self-Governing Territories and that the special study on educational conditions supplemented earlier studies by the Committee on Information from Non-Self-Governing Territories on economic and social conditions. The representatives of Argentina, Brazil, the Dominican Republic, France, Guatemala, Haiti, Indonesia, Iran, Saudi Arabia and Uruguay were among those who praised the Committee's report.

In the Committee on Information from Non-Self-Governing Territories and in the General Assembly, statements reserving the position of their Governments in regard to sovereignty over and the transmission of information on Netherlands New Guinea (Irian) were made by the representatives of Indonesia and the Netherlands. Reservations were made in regard to sovereignty over British Honduras (Belize Territory) by the representatives of Guatemala and the United Kingdom. The representative of Mexico stated that if the constitutional status of British Honduras were changed the rights of Mexico over a part of that Territory would have to be taken into account. Reservations were also made in regard to sovereignty over the Falkland Islands (Islas Malvinas) by the representatives of Argentina and the United Kingdom, and over Aden by the representatives of the United Kingdom and Yemen.

Formal declarations were made by the representatives of Iraq, Lebanon, Saudi Arabia and Syria to the effect that their participation in the

discussion on information relating to Morocco and Tunisia was without prejudice to the recognition by their Governments of the sovereign status of these two Territories which were bound only by treaty obligations to France.

1. Conditions, Development and Policies in the Non-Self-Governing Territories

a. GENERAL CONDITIONS

During the Fourth Committee's general debate on information from Non-Self-Governing Territories transmitted under Article 73e of the Charter, the representatives of Australia, Belgium, Denmark, France, the United Kingdom and the United States assured the Committee that they were carrying out policies aimed at the achievement of self-government or independence for the Territories, but they stressed that real and enduring progress could not be made too rapidly.

Some representatives, including those of Haiti, India, Indonesia, Liberia, Pakistan, Venezuela and Yugoslavia, felt that insufficient progress was being made in the Non-Self-Governing Territories. The representatives of Venezuela and Yugoslavia emphasized that peace was indivisible and stated that failure to meet the aspirations of the indigenous inhabitants would endanger world peace. They and the representatives of Brazil, Egypt, Indonesia, Liberia, Mexico and the Philippines called for the co-operation of both Administering and non-administering Members in seeking a solution of the problems of the Non-Self-Governing Territories. The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR maintained that the Administering Members were not fulfilling their obligations under the Charter; that they were failing to carry out the recommendations of the General Assembly; and that, in pursuance of their colonial policies, they were exploiting the indigenous inhabitants, and were attempting to conceal the real conditions which prevailed in the Non-Self-Governing Territories.

At the 335th meeting of the Fourth Committee, during the general debate, the representative of Guatemala asked the Chairman of the Fourth Committee to arrange for the communication from Reverend Michael Scott, dated 15 October, and his letter to the Secretary-General, dated 5 May 1953, to be circulated to the Committee.

The communication asked the General Assembly to include in its agenda an examination of the proposed Central African Federation of Northern

Rhodesia, Southern Rhodesia and Nyasaland. At its 337th meeting on 19 October, the Committee decided, without dissentient vote, that the letter (A/C.4/241) should be circulated; the representative of the Union of South Africa asked that the reservations of his Government be recorded.

In his letter, Mr. Scott said that he had been asked to present the observations of 83 Chiefs of the Nyasaland Protectorate, of African members of the Legislative Assembly of Northern Rhodesia, and of members of the Northern Rhodesian African Congress. These observations, he claimed, indicated that no adequate consideration of the economic, social and educational problems of Nyasaland and Northern Rhodesia could be undertaken without an understanding of the constitutional changes which were taking place in those Territories, to the prejudice of the large majority of inhabitants.

The Chiefs also stated that the proposed Federation would obstruct the progress of the African people, reinforce colour barriers which they said already existed in Southern and Northern Rhodesia, and relegate Africans to a position of subordination. They asked that the United Nations refer the question to the International Court of Justice or another appropriate organ to determine whether the proposed Federation would not be contrary to the Charter.

During the general debate on information from Non-Self-Governing Territories, the representatives of the Byelorussian SSR, Czechoslovakia, Egypt, France, Guatemala, India, Poland and Syria, among others, made references to the question of the Federation. The representatives of the Byelorussian SSR, Czechoslovakia, Egypt, Guatemala, India, Poland and Syria were among those who stated that the question should be considered by the Committee. The opposition to the scheme shown by Africans justified an examination, these representatives felt. The representatives of the Byelorussian SSR, Czechoslovakia and Poland said that the Federation was an attempt to enforce the colonial regime and to oppress the indigenous inhabitants. They also felt that rights of self-determination were being endangered and that the problem of racial discrimination would be extended by the scheme.

At the 342nd meeting the representative of India, referring to the communication which had been circulated to the Committee, formally proposed that the Committee should not close the debate on the item of the agenda under discussion.

The representatives of France and the United Kingdom, on the other hand, opposed inclusion

of such an item in the agenda. Moving closure of the debate on the agenda item concerning information from Non-Self-Governing Territories, the representative of the United Kingdom stated that the General Assembly had no authority to examine certain aspects of the political situation in Central Africa. Petitions could be considered from Trust Territories but not from Non-Self-Governing Territories and the United Kingdom, although prepared to co-operate, could not concede that its record be examined in the light of communications from individuals without competence in the matter. Moreover, an examination of the question was untimely since the Central African Federation was already in being.

The United Kingdom motion for closure of the debate was rejected by 25 votes to 17, with 11 abstentions.

Speaking against the motion for closure, the representative of India said that two of the Territories involved in the Federation were Non-Self-Governing Territories on which information concerning educational, economic and social conditions was furnished to the United Nations. Members of the Committee would be anxious to know how these two Territories would be affected. She asked for assurances from the United Kingdom representative that the constitutional changes contemplated by the Central African Federation had the support of the African people and that the Act constituting the Federation did not violate the treaties granting to the African Chiefs the protection of the United Kingdom Government.

She recalled that information on Nyasaland transmitted to the Secretary-General in 1952 had shown the beginnings of social and economic progress and development and said that the Committee could ask for information on the future of plans and programmes outlined in that information in view of the new constitutional status which would be inaugurated during 1954.

The representative of India said that the Committee could not ignore the just fears of the Africans that the scheme would prevent the political evolution of the people of Nyasaland. That Territory had 5,000 white settlers and two million indigenous inhabitants, and, under the federation plan, the white settlers would be answerable to no one outside the area. Existing safeguards were illusory and provision should be made for securing African interests, she said. The consequences of the federation would include territorial segregation of Indians and Africans, increased European migration and a halt to Asian migration, she maintained.

The representative of India proposed the adjournment of the debate on the understanding that delegations would be able to revert to the item later.

By 25 votes to 4, with 22 abstentions, the Committee adopted the Indian proposal.

At the 395th meeting of the Fourth Committee on 7 December, the Chairman recalled that, at the request of India, the Committee had decided to keep open the agenda item.

The representative of India made a statement, alleging that certain political and administrative measures were jeopardizing the welfare of the people of some Non-Self-Governing Territories in Africa and retarding their political, economic, social and educational advancement.

Communications from the Nyasaland Chiefs to the Secretary-General, she said, revealed the fears regarding the proposed Central African Federation. Newspapers reported violence, repression and general dissatisfaction. Africans felt that the proposed federation would check progress towards freedom under the protection of the United Kingdom administration, she said. The Committee was justified in asking for an assurance that the United Kingdom Government would be able to continue the guarantees against disabilities of the Africans already laid down in the Royal Instructions. India, she said, asked further assurance that the freely expressed wishes of the people would be taken into consideration before the changes were finalized.

The representative of India also referred to the situation in Kenya and Uganda, and asked for assurances that the change in the political state of the protectorates would not leave them outside the scope of Article 73e of the Charter and that the educational setback following the closing of schools in Kenya would be halted.

The representative of the United Kingdom said that he would not comment on the statement made by the representative of India as the substance of her statement was outside the scope of the Committee. The basic views of his delegation had already been stated on this matter in the Fourth Committee, he said, and he had nothing to add to those views.

The Committee then closed the debate.

b. EDUCATIONAL CONDITIONS

In accordance with Assembly resolutions 333(IV)⁴ and 565(VI)⁵ the Committee on Information from Non-Self-Governing Territories paid special attention during 1953 to educational

conditions in the Territories. A special section of the Committee's report (A/2465) was devoted to this subject.

In view of the fact that the Committee was to pay special attention to education, studies had been prepared dealing both with a review of the aspects of education to which special attention had been given during 1950, including literacy (A/AC.35/L.123 & A/AC.35/L.136), use of indigenous languages (A/AC.35/L.137), equal treatment (A/AC.35/L.130), participation of inhabitants in educational policies and programmes (A/AC.35/L.127), as well as other aspects of education not previously treated in detail, which included compulsory education (A/AC.35/L.128 & A/AC.35/L.143), education of girls (A/AC.35/L.133), vocational education (A/AC.35/L.132 & A/AC.35/L.141), the financing of education (A/AC.35/L.122 & Add.1). In addition, the Committee had before it, for reference, the special report on education prepared in 1950 and a report by the United Nations Educational, Scientific and Cultural Organization (UNESCO) on its activities in Non-Self-Governing Territories. Special advisers on education were included in the delegations of France, the Netherlands, the United Kingdom and the United States.

The Committee also had before it a brief account of the action taken by the Members concerned to bring the reports of the Committee to the attention of the authorities responsible in the Territories for the implementation of educational, economic and social policies (A/AC.35/L.140).

While it was generally agreed by members of the Committee on Information from Non-Self-Governing Territories that most of the technical problems of education were common to all countries, it was considered by some representatives that certain aspects had particular application to Non-Self-Governing Territories. In the main, these concerned the objectives of educational policy and practice, the type and content of the education provided and the attitude adopted toward the indigenous culture. The Committee on Information from Non-Self-Governing Territories established a sub-committee to prepare a special report on educational conditions. This Sub-Committee, composed of the representatives of Brazil, China, France, India, the Netherlands and the United Kingdom, held six meetings from 27 August to 3 September and its report was unanimously approved by the full Committee.

⁴ See Y.U.N., 1948-49, p. 753.

⁵ See Y.U.N., 1951, pp. 629-30.

The special report on education which formed part 2 of the report of the Committee on Information from Non-Self-Governing Territories (A/2465) stated, among other things, that the importance of educational advancement had been increasingly advanced in the Non-Self-Governing Territories and that there had been an appreciable increase in the educational facilities obtainable in many of them. Available information, it stated, on progress in school enrolment in 59 Non-Self-Governing Territories showed that between 1945-46 and 1951 the number of children enrolled in schools increased from over 5,000,000 to over 7,000,000. The advance in university education during recent years, said the report, was another test of progress. In 1952, in Territories under United Kingdom Administration, there were 3,234 full-time students in the new or restored territorial university institutions while, on 1 January 1953, over 6,000 students were attending such institutions in the United Kingdom and in the Irish Republic, compared with under 4,000 on 1 January 1950. The increase in enrolment at French Metropolitan universities by students from overseas Territories had also been marked, the number reaching by mid-1952 a total of 2,012, comprising indigenous and non-indigenous students from North Africa and 1,760 from the other overseas Territories. Higher education in the Territories had expanded at the same time. In North Africa, for instance, the institutes of higher studies had a total enrolment of 3,392 students, and that of French West Africa a total of 297 students. In the Territories under United States administration, there were over 20,000 students in university institutions.

The expenditure on the various forms of education had generally increased both absolutely and as a percentage of general expenditure. In seven African Territories under United Kingdom Administration (Gold Coast, Kenya, Nigeria, Northern Rhodesia, Nyasaland, Sierra Leone, Uganda), 1946 recurrent expenditure on African education amounting to £2,100,000 increased to £6,100,000, according to the latest figures (1950, 1951 or 1952). In French Equatorial Africa, the recurrent budget for education for 1952 was 1,495 million metropolitan francs and, in French West Africa, the budget of the various Territories, excluding grants from the Metropolitan country, was 7,420 million metropolitan francs. In Madagascar, the budget for education rose from 1,373 million metropolitan francs in 1951 to 1,955 million in 1952. In Morocco and Tunisia, the budgets for recurrent expenditures, excluding capital outlay, amounted in 1953 to 7,814 million and 6,131

million metropolitan francs, respectively. In the Belgian Congo, the corresponding 1948 budget figure of 188 million francs was reported to have increased to 482 million francs by 1952. Expressed in the terms of local currencies, 20,500 thousands of units were spent on education in the Federation of Malaya and Singapore in 1948 and 92,872 in 1951; in Jamaica, 780 in 1948 and 1,578 in 1950.

Figures such as the above, the report said, should be read in conjunction with many other facts which showed how much remained to be done. The figures on the increase in school enrolment had to be balanced by the situation in many parts of Africa where less than one tenth of the children were attending school; they did not show that there and elsewhere a large proportion of the children enrolled failed, or were unable, to remain at school for anything approaching the minimum period required for the laying of the first foundation of a literate education. There were, in general, fewer girls than boys in primary schools and still fewer in secondary schools. Again, while the proportion of government revenue spent on education was from 15 to 20 per cent or more of territorial revenue in a number of Territories, it fell far below 10 per cent in many others. In general, the opportunities for school attendance were far below the demands and the needs of the peoples of the Territories.

When the wider aspects of education were considered, the call for accelerated action was all the more striking, the report said. Not only was there too little education, with too few schools and too short a period of schooling, but in most cases the quality of education was open to criticism. The need for education had increased, the problems had become even more complex, and the whole process of aiding the peoples of the Non-Self-Governing Territories to attain self-government was hindered by inadequacies in their education. Even though the Administering Members had, in their various Territories, done much to introduce and to develop education, sometimes with spectacular results, the education which was being provided did not yet satisfy the needs of the peoples either in quantity or in quality.

In the Non-Self-Governing Territories, the objectives of education were stated in the special report to be:

(1) to develop moral and civic consciousness and responsibility among the peoples, and to enable them to take an increasing share of responsibility in the conduct of their own affairs;

(2) to raise the standards of living of the people by helping them to improve their economic productivity and standards of health;

(3) to promote the social progress of the Territories, taking into account the basic cultural values and the aspirations of the peoples concerned;

(4) to secure the extension of the intellectual development of the peoples so as to provide for them access to all levels of culture.

Education was thus an integral part of general progress, reaching the adults as well as the children and aiming at the highest possible development of the individual in the changing society of which he forms part. In the Non-Self-Governing Territories, this process would include familiarity and training in the use of tools of economic, social and political advancement so that a full measure of self-government could be attained.

Following approval of the report (A/AC.35/L.149), the members of the Sub-Committee presented to the Committee on Information from Non-Self-Governing Territories a joint draft resolution (A/AC.35/L.151), which would have the General Assembly approve the report on educational conditions in Non-Self-Governing Territories as a supplement to the report approved in 1950, and invite the Secretary-General to communicate it to the Members of the United Nations responsible for the administration of Non-Self-Governing Territories, to the Economic and Social Council, to the Trusteeship Council and to the specialized agencies concerned, for their consideration. The draft resolution was approved unanimously by the Committee (A/2465 A).

This resolution was considered by the Fourth Committee during its discussion of the report of the Committee on Information from Non-Self-Governing Territories. Although representatives referred to individual aspects of education in the Non-Self-Governing Territories, principal attention was given to general educational policies and programmes in the Territories.

A number of amendments were submitted to the draft resolution approving the special report on education.

At the 339th meeting of the Fourth Committee on 21 October, Poland submitted an amendment (A/C.4/L.284) which, in effect, would have the General Assembly note the report without formally approving it. This amendment, which was supported by the representatives of the Ukrainian SSR and the USSR, and opposed by the representatives of Australia, Colombia, France, Guatemala, Indonesia, Iraq, Lebanon, Mexico, New Zealand, Thailand and Venezuela, was rejected by the Committee at its 341st meeting on 22 October by 41 votes to 5, with 1 abstention.

Guatemala submitted amendments (A/C.4/L.280) which sought a number of additions to the

recommendations by the Committee on Information from Non-Self-Governing Territories, including a declaration by the Assembly of the aims of education in those Territories. In terms of the amendment, the Assembly would declare, as the Committee on Information from Non-Self-Governing Territories had done in its report (see above), that such education should be designed to familiarize the inhabitants with and train them in the use of the tools of economic, social and political progress, with a view to the attainment of a full measure of self-government. The Guatemalan amendment would also have the General Assembly enunciate and emphasize the objectives of education in the Non-Self-Governing Territories as stated in the special report.⁶

In addition, it would have the Assembly recommend to the Administering Members that in order to carry out these objectives and, in general, to solve the educational problems of the Non-Self-Governing Territories, they should make the greatest possible use of the facilities of United Nations technical assistance and of the specialized agencies, especially those of UNESCO and the International Labour Organisation (ILO).

Support for the Guatemalan amendments, with or without reservations, was expressed by the representatives of Bolivia, Brazil, Burma, Canada, Chile, China, Colombia, Cuba, Ecuador, Egypt, Indonesia, Iraq, Lebanon, Liberia, Mexico, the Philippines, Thailand and Venezuela.

Colombia presented an amendment (A/C.4/L.286) to the Guatemalan proposal, seeking the redrafting of the amendment, but later withdrew its proposal.

Brazil also submitted an amendment (A/C.4/L.287 & Corr.1) to the Guatemalan draft which would delete the recommendation that Administering Members should make the greatest possible use of the facilities of the United Nations technical assistance and the specialized agencies, replacing it with the text: "they should seek the technical advice of the United Nations Technical Assistance Administration and make the greatest possible use of the facilities of the specialized agencies".

Guatemala accepted the Brazilian proposal, and, in addition:

(1) at the request of Australia, agreed to a redrafting which, among other things, would have the Assembly affirm that education should be planned in accordance with the four stated objectives of education in the Non-Self-Governing Territories; and

⁶ See A/2465, Part 2; see also above.

(2) at the request of Australia, India and the USSR agreed to avoid specific mention of UNESCO and ILO in a reference to aid by the specialized agencies which Administering Members would be urged to seek.

All the Guatemalan amendments were adopted by the Committee at its 341st meeting on 22 October, by votes ranging from 50 to 1 to 42 to 1, with 7 abstentions.

Egypt had also submitted an amendment (A/C.4/L.281/Rev.1) which would add to the Guatemalan amendment a paragraph recommending further to the Administering Members that they make the greatest possible use of offers made to them by other Member States, through the Secretary-General or the specialized agencies concerned or in other appropriate ways, to aid educational advancement of the Non-Self-Governing Territories, in such ways as by making available fellowships, scholarships and internships to qualified students from these Territories.

The representatives of Brazil, Colombia, Guatemala, Indonesia, Iraq, Lebanon, Thailand and Venezuela supported the Egyptian amendment, stating that it was in the best interests of the dependent peoples that full advantage be taken of available opportunities; it was adopted by 41 votes to 1, with 8 abstentions.

The remaining paragraphs of the draft resolution recommended by the Committee on Information from Non-Self-Governing Territories were adopted, in votes ranging from 50 to none to 45 to none, with 5 abstentions. The amended draft resolution, as a whole, was adopted by the Fourth Committee by 51 votes to none.

At its 459th plenary meeting on 27 November, the General Assembly adopted the resolution recommended by the Fourth Committee (A/2556 II) unanimously. Resolution 743(VIII) lead:

"The General Assembly,

"Considering that, by resolution 445(V) adopted on 12 December 1950, it approved the special report on education drawn up in 1950 as a brief but considered indication of the importance of educational advancement and of the problems still to be faced in the Non-Self-Governing Territories,

"Noting the further report prepared in 1953 by the Committee on Information from Non-Self-Governing Territories on educational conditions in these Territories,

"1. Approves this further report of the Committee on Information from Non-Self-Governing Territories as a supplement to the report approved in 1950;

"2. Emphasizes that the objectives of education in Non-Self-Governing Territories are:

"(a) To develop moral and civic consciousness and responsibility among the peoples, and to enable them to

take an increasing share of responsibility in the conduct of their own affairs;

"(b) To raise the standards of living of the peoples by helping them to improve their economic productivity and standards of health;

"(c) To promote the social progress of the Territories, taking into account the basic cultural values and the aspirations of the peoples concerned;

"(d) To secure the extension of the intellectual development of the peoples so as to provide for them access to all levels of culture;

"3. Affirms that, in accordance with the above objectives, the process of education should be designed to familiarize the inhabitants with and train them in the use of the tools of economic, social and political progress, with a view to the attainment of a full measure of self-government;

"4. Recommends to the Administering Members that, in order to carry out the said objectives and in general to solve the educational problems of the Non-Self-Governing Territories, they should seek the technical advice of the United Nations Technical Assistance Administration and make the greatest possible use of the facilities of the specialized agencies;

"5. Recommends further to the Administering Members that they similarly make the greatest possible use of offers that may be made to them by other States Members of the United Nations through the Secretary-General or through the specialized agencies concerned or in other appropriate ways, for the purpose of facilitating the educational advancement of the Non-Self-Governing Territories by such means as making available fellowships, scholarships and internships to qualified students from these Territories;

"6. Invites the Secretary-General to communicate the report on education and the present resolution to the Members of the United Nations responsible for the administration of Non-Self-Governing Territories, to the Economic and Social Council, to the Trusteeship Council and to the specialized agencies concerned for their consideration."

c. ECONOMIC CONDITIONS

Both in accordance with the provisions of its work set out in resolution 333(IV) and with resolution 564(VI), wherein the General Assembly approved the special report of the Committee in 1951 on economic conditions and problems of economic development in Non-Self-Governing Territories, the Committee on Information from Non-Self-Governing Territories had before it the Secretary-General's summaries and analyses of information concerning economic conditions and the consideration of any questions arising out of the special report adopted by the General Assembly in 1951 (A/AC.35/L.134, 135 & Corr.1, and A/AC.35/L.140).

The representatives of Brazil, India and Pakistan expressed their concern about the effects that the fall in the world market prices of raw materi-

als was having on the economic conditions in Non-Self-Governing Territories.

The representatives of France and the United Kingdom gave an account of the various solutions which had been devised in order to meet such a situation. These included the establishment of reserve funds sustained by increases in direct and indirect taxation and the operations of marketing boards, wherever there was a large production of staple crops.

The representatives of Brazil, India and Iraq held the view that the economic policy in the Non-Self-Governing Territories was not directed primarily to the benefit of the indigenous inhabitants. They pointed out that in many Territories the production of raw materials for export was at the expense of food crops and that to a large extent Territories were dependent on the metropolitan countries both for commercial activities and for consumer goods. The representative of India felt that export and import prices should be stabilized by means of international commodity agreements.

The representatives of France and the United Kingdom answered some of these criticisms by pointing out that capital investment in Non-Self-Governing Territories entailed many risks and often did not yield immediate returns. They stressed the fact that the Territories benefited from the development of their resources, since profits largely remained in the Territories through the medium of capital formation, salaries, wages and local purchases. The representative of the United Kingdom stated that in the majority of the Territories under the administration of his Government most of the agricultural production was in the hands of indigenous producers. He felt that it would be expedient to draw up international agreements on raw materials so as to protect certain Territories whose whole economy could be upset by the fluctuations in prices. The representative of France cited the various advantages derived by the Non-Self-Governing Territories from their connexion with the metropolitan country. In order to illustrate these statements, particular references were made to economic conditions in the Federation of Malaya, Northern Rhodesia, Morocco and Tunisia.

Neither the Committee on Information from Non-Self-Governing Territories nor the Fourth Committee made any specific recommendations concerning economic conditions in Non-Self-Governing Territories. Various points were raised with a view to drawing the Committee's attention to them when it discusses economic conditions at its next session. Among such points were the

question of land distribution, the participation of the indigenous inhabitants in the economic life of the Territories and the extent to which development programmes ensured the economic and social well-being of the local inhabitants.

d. SOCIAL CONDITIONS

In conformity with resolution 333(IV), setting out its work, and with resolution 643(VII),⁷ approving the special report of the Committee in 1952 as a brief but considered indication of social conditions in Non-Self-Governing Territories and of the problems of social development, the Committee on Information from Non-Self-Governing Territories had before it information on social conditions prepared by the Secretary-General and questions arising out of the special report approved by the General Assembly in 1952 (A/-AC.35/L.131 & 140).

The representative of India pointed out that the movement of people from rural to urban areas had led to a tragic aggravation of the social problems of most Territories. Furthermore, he said, the information revealed that drastic reductions had been made in the expenditures on social development. Racial discrimination was still prevalent in many Non-Self-Governing Territories, while the status of women was still an inferior one and corporal punishment was still practised, particularly in many Territories under United Kingdom administration.

The representative of Iraq recognized the importance of the financial aspect of the problem of social development. He acknowledged that the Administering Members, and more particularly the United Kingdom and France, had contributed considerable amounts of money to the development of their Territories, but he stressed the fact that these States were in a position to dispose of the resources of the Territories under their administration. He drew the attention of the Committee to the lack and insufficiency of the statistical data available to the Committee.

The representative of the United Kingdom referred to the Committee's report of 1952 on social development. He gave various examples of how the social problems dealt with in that report had been treated in a practical manner in different Territories under United Kingdom administration, including such questions as the training of medical personnel, housing programmes, especially the aided self-help schemes, and the development of trade unions.

⁷ See Y.U.N., 1952, p. 570.

The representative of France reviewed the progress of social conditions which had been carried out in French Territories and answered some of the criticisms made by the representative of Iraq in respect to social conditions in Morocco and Tunisia, with particular reference to the wages of agricultural workers in Morocco and membership of trade unions, which he stated was open to Moroccans.

In the Fourth Committee, the representatives of Haiti, Indonesia, Iraq, Liberia, Poland, Uruguay, the Ukrainian SSR and the USSR were among those who criticized the continued existence of racial discrimination in the Non-Self-Governing Territories. The representatives of Haiti, Indonesia and Liberia stressed the need for an improvement in human relations and equality of opportunity in those Territories, particularly in the field of education. Several representatives drew attention to the low standards of living in the Non-Self-Governing Territories and the need for more adequate social services. They emphasized the inter-relationship of progress in the economic, social and educational fields, and pointed out that such progress was essential to achieve the objectives laid down in the Charter, namely the welfare of the inhabitants and the attainment of a full measure of self-government. The General Assembly, however, did not give separate consideration to the social conditions in Non-Self-Governing Territories.

e. INTERNATIONAL COLLABORATION IN RESPECT OF ECONOMIC, SOCIAL AND EDUCATIONAL CONDITIONS IN THE NON-SELF-GOVERNING TERRITORIES

In accordance with General Assembly resolutions 331(IV), 336(IV), 444(V) and 445(V)⁸ the Secretary-General had prepared a memorandum (A/AC.35/L.138) giving details of international collaboration in regard to economic, social and educational conditions and of technical assistance accorded to Non-Self-Governing Territories by the United Nations and the specialized agencies and memoranda concerning activities in their respective fields of interest to Non-Self-Governing Territories were submitted by FAO (A/AC.35/L.145), UNESCO (A/AC.35/L.139), and the World Health Organization (WHO) (A/AC.35/L.129).

In the Committee on Information from Non-Self-Governing Territories, the representatives of Australia, France, the Netherlands, New Zealand, the United Kingdom and the United States outlined the collaboration existing between them and the Territories under their administration, with

each other and with specialized agencies, in regional commissions and conferences, as well as the technical assistance being afforded to their Territories from both Metropolitan and international sources.

Further references to international collaboration and technical assistance were made during the Committee's other discussions on economic, social and educational conditions; however, neither the Committee on Information from Non-Self-Governing Territories nor the Fourth Committee discussed this item separately.

2. Closer Association of Non-Self-Governing Territories with the Work of the United Nations

a. ASSOCIATION OF REPRESENTATIVES FROM THE NON-SELF-GOVERNING TERRITORIES AND OF SPECIALIST ADVISERS IN THE WORK OF THE COMMITTEE ON INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

In resolution 647(VII),⁹ the General Assembly recalled resolution 566(VI)¹⁰ and recognized that direct participation of the Non-Self-Governing Territories in the work of the Committee on Information from Non-Self-Governing Territories could be of further assistance in promoting the progress of those Territories and their peoples towards the goals set forth in Chapter XI of the Charter. It invited the Committee on Information from Non-Self-Governing Territories to study further the question of the direct participation, in its discussions on economic, social and educational conditions, of representatives of those Territories, the inhabitants of which had attained a wide measure of responsibility for economic, social and educational policies. The Committee was asked to include recommendations on this question in its report to the General Assembly at its eighth session.

The Committee also had before it a memorandum by the Secretary-General (A/AC.35/L.126) indicating changes which had occurred in connexion with constitutional and other provisions for associate membership or participation of Non-Self-Governing Territories in certain international bodies.

Brazil, Cuba, Ecuador, India and Pakistan presented in the Committee on Information from

⁸ See Y.U.N., 1948-49, pp. 748, 749 & Y.U.N., 1950, pp. 697, 692-93.

⁹ See Y.U.N., 1952, pp. 578-79.

¹⁰ See Y.U.N., 1951, p. 629.

Non-Self-Governing Territories a joint draft resolution (A/AC.35/L.152) by which Member States administering Non-Self-Governing Territories would be invited to attach to their delegations—as members of the delegations, but duly qualified to act as spokesmen of their local governments—indigenous representatives from Non-Self-Governing Territories, the inhabitants of which had attained a large measure of responsibility for economic, social and educational policies. The draft would also invite the Administering Powers to accredit such spokesmen for the Territories, when informing the Secretary-General of the composition of their delegations.

The sponsors emphasized that they were motivated by a desire to meet, as far as possible, the main objections of the Administering Members, more particularly with respect to the principle of unity of representation. Furthermore, they had sought to conciliate divergent opinions and merely wished to establish the principle.

The representative of Iraq expressed his support for the joint draft resolution, although he did not find it far-reaching enough.

The representative of France, while commending the spirit of compromise and conciliation which had inspired the sponsors of the joint draft resolution, expressed strong doubts regarding the possibility of its implementation in practice. He pointed out that his delegation could not countenance the possibility that indigenous representatives from the Non-Self-Governing Territories might express before the Committee views not in accordance with the lines of policy laid down by his Government. Accordingly he proposed (A/AC.35/L.153): (1) to amend the first operative paragraph to invite Administering Powers to attach to their delegations as members of their delegations indigenous experts possessing suitable qualifications in economics, social affairs and education; and (2) to delete the second operative paragraph inviting the Administering Powers to accredit the spokesmen for the Territories.

The representative of the United Kingdom, while recognizing the value of the participation of representatives from the Non-Self-Governing Territories, expressed doubts as to the feasibility of such a policy. However, he stated, his delegation would accept the invitation conveyed in the joint draft resolution, reserving, nevertheless, the full right of his Government to make appointments to its delegations as it wished. The United States representative commended the sponsors of the joint draft resolution on the spirit that had motivated them, especially in having incorporated the principle of unity of representation. Never-

theless, he found it necessary to submit certain amendments (A/AC.35/L.154).

In the light of statements made by various representatives the sponsors revised the wording of the draft resolution (A/AC.35/L.152/Rev.1) so that the text of the operative part would read: "Invites the Member States administering Non-Self-Governing Territories, the inhabitants of which have attained a large measure of responsibility for economic, social and educational policies, to attach to their delegations specially qualified indigenous representatives to speak for the Territories on these matters". The representative of France maintained his amendments to the revised text.

The Committee voted on the draft resolution by paragraphs. In the course of voting it adopted an oral Brazilian drafting amendment to one of the United States amendments and an oral drafting amendment by the United Kingdom. The Committee rejected the first French amendment (see above) by 8 votes to 7 and adopted the second by the same vote. The amended draft resolution was adopted (A/2465 B) by 12 votes to 1, with 2 abstentions.

In its final form, this draft resolution proposed that the General Assembly should invite the Member States administering Non-Self-Governing Territories, the inhabitants of which had attained a large measure of responsibility for economic, social and educational policies, to attach to their delegations, without prejudice to the principle of unity of representation, indigenous representatives specially qualified to speak on these matters as they related to these Territories.

At the 341st meeting of the Assembly's Fourth Committee on 22 October, the representative of Poland formally introduced his amendments (A/C.4/L.284) to the draft resolution proposed by the Committee on Information from Non-Self-Governing Territories, which, he stated, did not provide for the true representatives of the dependent Territories but only for the association in the work of the Committee of persons selected by the Administering Powers. He therefore proposed the deletion of those clauses which, in effect, excluded the direct participation by independent representatives by maintaining the principle of unity of representation. This amendment, however, was rejected by 33 votes to 11, with 10 abstentions.

The representative of Venezuela, on the other hand, felt that the main defect of the draft resolution on the association of representatives from Non-Self-Governing Territories in the work of

the Committee was that it seemed too final. As a further step forward it was acceptable; but if it was intended to be a last step, it would be a very dangerous one, in fact a concealed step backwards. He proposed amendments (A/C.4/L.285) which would make it quite clear that it did not represent the Assembly's final action on the question. This amendment would request the Committee on Information from Non-Self-Governing Territories to continue, in accordance with General Assembly resolution 647(VII), the study of means of securing a progressive increase in the participation of duly qualified representatives of the peoples of the Non-Self-Governing Territories in its work.

The amendment was adopted by 41 votes to 9, with 4 abstentions, by the Fourth Committee at its 341st meeting on 22 October. The Committee adopted the individual paragraphs of the draft resolution, in votes ranging from 36 to 5, with 9 abstentions, to 44 to none, with 10 abstentions, and adopted the draft resolution, as a whole, as amended, by 36 votes to 8, with 10 abstentions.

The resolution proposed by the Fourth Committee (A/2556 III) was, in turn, adopted by the General Assembly, without discussion, at its 459th plenary meeting on 27 November, by 43 votes to 8, with 7 abstentions, as resolution 744(VIII). It read:

"The General Assembly,

"Whereas the direct association of the Non-Self-Governing Territories in the work of the United Nations and of the specialized agencies has been considered as an effective means of promoting the progress of the populations of these Territories towards a status of equality with the States Members of the United Nations,

"Whereas it has been recognized that the direct association of the Non-Self-Governing Territories in the work of the Committee on Information from Non-Self-Governing Territories can be of further assistance in promoting the progress of these Territories and their peoples towards the goals set forth in Chapter XI of the Charter of the United Nations,

"Whereas the Administering Members have been invited to make possible the association of qualified representative inhabitants of the Territories in the work of the Committee,

"Considering the technical difficulties advanced by the Administering Members on the question of accepting the collaboration in the work of the Committee of Non-Self-Governing Territories as "associate members",

"Considering that the principle of unity of representation must be maintained,

"Noting that the Member States administering Non-Self-Governing Territories have from time to time attached representative inhabitants of the Territories to their delegations,

"Considering that this practice should be stimulated and developed,

"1. Invites the Member States administering Non-Self-Governing Territories, the inhabitants of which have attained a large measure of responsibility for economic, social and educational policies, to attach to their delegations, without prejudice to the principle stated in the fifth paragraph of the preamble, indigenous representatives specially qualified to speak on these matters as they relate to these Territories;

"2. Requests the Committee on Information from Non-Self-Governing Territories to continue, in accordance with General Assembly resolution 647(VII) of 10 December 1952, the study of means of securing a progressive increase in the participation of duly qualified representatives of the peoples of the Non-Self-Governing Territories in its work."

At the 338th meeting of the Fourth Committee on 20 October, the representative of the United Kingdom submitted a further draft resolution (A/C.4/L.282) concerning representation on the Committee on Information from Non-Self-Governing Territories, which was adopted by the Fourth Committee at its 341st meeting on 22 October, by 47 votes to none, with 7 abstentions.

At its 459th plenary meeting on 27 November the General Assembly, also without discussion, adopted the draft recommended by the Fourth Committee (A/2556 IV) by 48 votes to none, with 8 abstentions, as resolution 745(VIII). It read:

"The General Assembly,

"Noting that the work of the Committee on Information from Non-Self-Governing Territories, particularly in relation to the special studies of certain functional fields initiated under General Assembly resolution 333 (IV) of 2 December 1949, has been materially assisted by the action of States members of the Committee, including certain non-administering Members, in associating with their delegations persons with special qualifications in the functional fields studied by the Committee,

"Considering that this is a practice which might be extended with advantage to the work of the Committee, in that the pooling and exchange of knowledge and experience thus achieved will enable it more efficaciously to assess the economic, social and educational problems of Non-Self-Governing Territories in the light of the solutions being found to those problems elsewhere in the world,

"1. Commends the action of those Members which have included specialist advisers in their delegations to the Committee;

"2. Expresses the hope that those Members which have not hitherto found it possible to do so, will find it appropriate to associate with their delegations persons specially qualified in the functional fields within the Committee's purview."

b. EMPLOYMENT OF INTERNATIONAL STAFF FROM NON-SELF-GOVERNING TERRITORIES

At the 340th meeting of the Fourth Committee on 21 October, Egypt, Iraq, Liberia, Pakistan,

Saudi Arabia and Syria submitted a joint draft resolution (A/C.4/L.283/Rev.1) on the employment of international staff from Non-Self-Governing and Trust Territories, according to which the General Assembly would:

(1) recommend to the Secretary-General the desirability of substantially increasing the recruitment of suitably qualified inhabitants of the Non-Self-Governing and Trust Territories in the Secretariat of the United Nations as soon as possible; and

(2) invite the Secretary-General to draw the attention of the specialized agencies to this resolution with a view to a similar policy being followed as far as possible in the secretariats of those agencies.

The representative of Pakistan, clarifying the purposes of the joint draft resolution, stated that its adoption would ensure that such recruitment would be on a proper geographical basis and would be responsible for the advancement of the inhabitants of Non-Self-Governing and Trust Territories. As to the mechanics of implementation, it was in no way intended to fetter the discretion of the Secretary-General nor to suggest that he should take any specific measures in this direction. He recalled that paragraph 3 of Article 101 of the Charter provided that "due regard shall be paid to the importance of recruiting staff on as wide a geographical basis as possible". On this latter basis, he had no doubt, the Committee would agree that the Non-Self-Governing and Trust Territories deserved a certain amount of representation, which the sponsors of the joint draft resolution did not consider adequate at the moment. They were convinced that the desired goal could be achieved without any difficulty through appointments to posts which would ordinarily fall vacant from time to time in an organization like the United Nations Secretariat.

A statement was read to the Committee on behalf of the Secretary-General, in which he questioned whether it was desirable to put the matter in the form of a resolution and whether perhaps it did not more properly come within the sphere of the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee, rather than that of a substantive committee like the Fourth Committee. He assured the Fourth Committee that he had taken good note of the Committee's wishes and was aware of the importance of the question. He hoped that it would be apparent that no resolution on the subject was necessary and that the joint draft resolution would not be pressed.

Following this statement, the sponsors of the joint draft resolution revised the text (A/C.4/L.283/Rev.1) to have the Assembly recommend that the Secretary-General consider the desirability

of increasing the recruitment of suitably qualified inhabitants of Non-Self-Governing and Trust Territories in the Secretariat of the United Nations. An oral drafting amendment and an oral amendment to add to the six-Power draft a reference to the statement made by the Secretary-General, presented by India, were accepted by the sponsors.

Representatives who expressed support of the draft resolution, maintaining that the collaboration of dependent peoples would aid the work of the Secretariat and that adoption of the resolution would in no way infringe on the discretionary powers of the Secretary-General, included those of Mexico, Syria and Yugoslavia.

On the other hand, reservations were expressed by the representatives of Australia, Belgium, Canada, Colombia, Cuba, Denmark, New Zealand and the Philippines. Most of these representatives stated that, while they sympathized with the intention of the draft resolution, they feared that its effect might abridge the discretion of the Secretary-General or create a precedent. They also pointed out that the Secretary-General was currently undertaking a review of Secretariat matters.

The joint draft resolution, as revised and amended, was adopted by the Committee by 34 votes to 11, with 7 abstentions.

When the resolution recommended by the Fourth Committee (A/2556 V) was considered by the General Assembly at its 459th plenary meeting on 27 November, the Secretary-General stated that the most satisfactory way of meeting the wishes expressed in the resolution would be, in the first instance, to provide arrangements for training courses and training service. The possibility of such arrangements would be studied and the results reported to the General Assembly for consideration in its Fifth Committee as the body competent in questions of personnel policy.

Without further discussion, the General Assembly adopted the resolution recommended by the Committee (A/2556 V), by 39 votes to 15, with 6 abstentions, as resolution 746(VIII). It read:

"The General Assembly,

"Considering that the paragraph 3 of Article 101 of the Charter of the United Nations, regarding the employment of the staff of the United Nations, states that, in addition to the necessity of securing the highest standards of efficiency, competence and integrity in employment of Secretariat staff, due regard should be paid to the importance of recruiting the staff on as wide a geographical basis as possible,

"Having regard to the objectives set forth in Chapters XI and XII of the Charter in respect of the advance-

ment of the inhabitants of Non-Self-Governing and Trust Territories,

"Considering that the services of individuals from Non-Self-Governing and Trust Territories in the Secretariat of the United Nations will contribute to a wider geographical coverage in the recruitment of staff,

"Considering the statement made by the Secretary-General that he has already taken note of the wishes expressed in the Fourth Committee on this matter,

"1. Recommends that the Secretary-General consider the desirability of continuing and increasing the recruitment of suitably qualified inhabitants of Non-Self-Governing and Trust Territories for the Secretariat of the United Nations;

"2. Invites the Secretary-General to draw the attention of the specialized agencies to the present resolution with a view to a similar policy being followed as far as possible in the secretariats of those agencies."

B. FACTORS WHICH SHOULD BE TAKEN INTO ACCOUNT IN DECIDING WHETHER A TERRITORY IS OR IS NOT A TERRITORY WHOSE PEOPLE HAVE NOT YET ATTAINED A FULL MEASURE OF SELF-GOVERNMENT

In 1946, the General Assembly enumerated (resolution 66(I)) Territories falling within the scope of Chapter XI of the Charter. In 1949, by resolution 334(IV),¹¹ the Assembly noted the cessation of transmission of information under Article 73e in respect of certain of these Territories, and called for an examination by the Committee on Information from Non-Self-Governing Territories of the factors which should be taken into account in deciding whether a Territory is or is not a Territory whose peoples have not yet achieved a full measure of self-government. By resolution 567(VI),¹² adopted on 18 January 1952, the Assembly appointed a ten-member Ad hoc Committee on Factors (Non-Self-Governing Territories) to undertake a further study. This Committee reported to the General Assembly at its seventh session, and by resolution 648(VII),¹³ adopted on 10 December 1952, the Assembly appointed an Ad hoc Committee, comprising Australia, Belgium, Burma, Cuba, Guatemala, Iraq, the Netherlands, the United Kingdom, the United States and Venezuela, to continue and carry out a more thorough study. The Committee was invited to take into account the list of factors prepared in 1952 by the Ad hoc Committee and the views of governments.

The Ad hoc Committee met at the Headquarters of the United Nations from 21 to 30 July 1953.

In its report (A/2428) to the General Assembly, the Ad hoc Committee recalled that it had been agreed that no list of factors could serve as more than a guide in determining whether any particular Territory had attained a full measure of self-government. Moreover, as stated in resolution 648(VII), each concrete case should be considered and decided in the light of the particular circumstances of that case. Taking these circumstances into consideration, it might be thought that, while a further refining and clari-

fication of the list of factors would still be possible, a stage might have been reached in the studies of the subject which made unnecessary any immediate action, since the current list was sufficient to serve as a guide in the sense indicated in resolution 648(VII), permitting the full consideration of each concrete case.

The Ad hoc Committee nevertheless amended the list of factors before it and, in particular, divided the factors into three categories indicative of:

(1) the attainment of independence or of other separate systems of self-government;

(2) the attainment of other systems of self-government in continuing association with the Metropolitan country or in other forms; and

(3) the free association of a Territory with the Metropolitan or other country as an integral part of that country.

The question of factors was considered by the General Assembly at the 322nd to 331st meetings of its Fourth Committee, from 1 to 12 October, and at its 459th plenary meeting on 27 November. The representative of Iraq, Chairman of the Ad hoc Committee, formally introduced the report to the 317th meeting on 25 September.

During the general discussion on this item, representatives presented the views of their Governments¹⁴ on individual factors listed by the Committee. In their general observations, a number of representatives, among them those of Argentina, Bolivia, Burma, Denmark, the Dominican Republic, France, Greece, Haiti, India, Indonesia, Israel, Saudi Arabia, Syria, Thailand and the United States, emphasized that any list of factors could serve only as a guide in individual cases.

¹¹ See Y.U.N., 1948-49, p. 732.

¹² See Y.U.N., 1951, pp. 608-10.

¹³ See Y.U.N., 1952, pp. 563-65.

¹⁴ For views of governments, see also report of the Ad hoc Committee on Factors (A/2428).

Among those representatives who emphasized the importance of the right of self-determination of peoples as a paramount consideration in deciding the question of whether a Territory had become fully self-governing were those of Afghanistan, Burma, the Dominican Republic, Ecuador, Egypt, Israel, Lebanon, Saudi Arabia, the USSR and Yugoslavia.

A number of representatives stressed the need for reconciliation of divergent views between Administering and non-administering Members. These representatives included those of Brazil, Canada, Cuba, Norway, Pakistan, the Philippines, Sweden, Venezuela and Yugoslavia.

At the 325th meeting of the Committee on 6 October, the representative of Brazil presented a draft resolution (A/C.4/L.272). He said that his proposal was designed to reconcile the views of the majority of delegations and was based on a study of what he called "the arithmetic of voting" on the four-year-old question. No substantial improvement on the work already accomplished could be achieved by the Committee; rigid rules could not be applied and the list of factors approved by the Ad hoc Committee could only serve as a guide in considering individual cases, he said. His proposal, accordingly, would have the Assembly:

- (1) take note of the conclusions of the report of the Ad hoc Committee;
- (2) approve the list of factors contained in that report;
- (3) recommend that the annexed list of factors should be taken by the Administering Members and the General Assembly as a guide and applied in the light of all relevant circumstances pertinent to each particular situation, in determining whether any Territory, due to changes in its constitutional status, is or is no longer within the scope of Chapter XI of the Charter, in order that, in view of the documentation provided under resolution 222(III),¹⁵ a decision might be taken on the continuation or cessation of the transmission of information required by Chapter XI of the Charter;
- (4) recommend that in the study of each case paramount consideration should be given to the evidence which might indicate that the people concerned had exercised its rights to self-determination;
- (5) reaffirm that the factors, while serving as a guide in determining whether the obligations as set forth in Article 73e of the Charter shall exist, should in no way be interpreted as a hindrance to the attainment of a full measure of self-government by a Non-Self-Governing Territory;
- (6) further reaffirm that, for a Territory to be deemed self-governing in economic, social or educational affairs, it was essential that its people should have attained a full measure of self-government as referred to in Chapter XI of the Charter;
- (7) further instruct the Committee on Information from Non-Self-Governing Territories to study any sub-

sequent documentation concerning cessation of transmission of information in the light of the list of factors approved by the current resolution, among other relevant considerations which might arise from each concrete case of cessation of information; and

(8) recommend that the Committee on Information from Non-Self-Governing Territories should take the initiative of proposing to the General Assembly revisions and interpretations of, or additions to, the list of factors whenever, due to difficulties of application or the arising of new circumstances, the Committee found it so advisable.

The Committee took this draft resolution as the basis of its discussions. Support for the Brazilian draft resolution was expressed by the representatives of Ethiopia, Pakistan, Peru, Sweden, Thailand and Yugoslavia.

Joint amendments (A/C.4/L.273) to the Brazilian draft were proposed by Bolivia, Egypt, Guatemala, Indonesia, Iraq, Mexico, Saudi Arabia, Syria, Venezuela, Yemen and Yugoslavia.

The ten-point amendment would, among other things (see below), add a statement asserting the competence of the General Assembly to consider the principles that should guide the United Nations and Member States in the implementation of obligations arising from Chapter XI (Declaration on Non-Self-Governing Territories) of the Charter and to make recommendations in connexion with such principles. It would also ask the Assembly to adopt a revised list of factors.

These revisions formed part of a second 24-point amendment by the same countries (A/C.4/L.274)¹⁶, which would insert additional factors, among them factors concerning national defence, voluntary limitation of sovereignty, change of political status, geographical considerations, ethnic and cultural considerations, freedom to modify status and the right to change political status in the light of the consideration whether that Territory is or is not subject to any claim or litigation on the part of another State.

Opposition to the eleven-Power amendments was expressed by the representatives of Belgium, Denmark, France, New Zealand, the Union of South Africa and the United Kingdom, among others. These representatives felt that no changes should be made in the list of factors approved by the Ad hoc Committee. The representative of the United Kingdom claimed that the additional factors which the amendments would insert were of parochial significance.

Following the presentation of the amendments, discussion in the Fourth Committee centred on

¹⁵ See Y.U.N., 1948-49. p. 724.

¹⁶ See pp. 524-26.

the competence of the General Assembly to decide whether or not a Territory had become fully self-governing.

Among those representatives who felt that the General Assembly had the competence were those of Argentina, Bolivia, Brazil, Burma, the Byelorussian SSR, Chile, China, Colombia, Cuba, Czechoslovakia, Ecuador, Egypt, Ethiopia, Greece, Guatemala, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Pakistan, the Philippines, Saudi Arabia, Syria, the Ukrainian SSR, the USSR, Uruguay, Venezuela and Yugoslavia.

Among representatives who denied the Assembly's competence in this respect and considered that the Administering Member alone was competent to decide this question were those of Australia, Belgium, Denmark, France, the Netherlands, New Zealand, the Union of South Africa and the United Kingdom. The representative of Belgium said that if the General Assembly declared itself

competent to say whether an Administering Power should be compelled to continue transmission of information, Belgium would reserve its right to raise the question of whether a State which had not previously transmitted information should begin to do so. He said that the list of factors should be generally applied in so far as a study of the list would determine whether a Territory was no longer non-self-governing and should be used as a touchstone to judge whether a State should begin to transmit information on certain Territories or peoples as well as to decide whether a State was justified in ceasing to transmit information. For its part, Belgium had maintained that such a decision should be made by the Administering Power alone; but those who thought otherwise should be consistent in their attitude.

The following table gives the text of the Brazilian draft resolution and the amendments. Voting, which took place at the 330th meeting on 9 October, is shown in parentheses.

TEXT OF DRAFT RESOLUTION BY BRAZIL

(A/C.4/L.272)

The General Assembly.

Bearing in mind the principles embodied in the Declaration regarding Non-Self-Governing Territories and the objectives set forth in Chapter XI of the Charter, (Approved without vote.)

Recalling the provisions of resolutions 567(VI) and 648(VII), adopted by the General Assembly on 18 January and 10 December 1952 respectively, indicating the value of establishing a list of factors which should be taken into account in deciding whether a Territory has or has not attained a full measure of self-government, (Approved without vote.)

Having examined the report of the Ad hoc Committee on Factors (Non-Self-Governing Territories) set up by resolution 648(VII), (Approved without vote.)

Considering that the list of factors, as established and approved by the Ad hoc Committee, meets satisfactorily the purposes of the General Assembly in recommending the production of such a list,

1. Takes note of the conclusions of the report of the Ad hoc Committee; (Approved without vote.)
2. Approves the list of factors contained in that report;¹⁷

JOINT ELEVEN-POWER AMENDMENTS

(A/C.4/L.273)

Insert:

"Having regard to the competence of the General Assembly to consider the principles that should guide the United Nations and the Member States in the implementation of obligations arising from Chapter XI of the Charter and to make recommendations in connexion with them. (Adopted by roll-call vote of 37 to 11, with 2 abstentions.)

Delete (Approved without vote as a result of decision on operative paragraph 2, see below.)

Replace by following text:

2. Approves the list of factors which is attached to this resolution as a part thereof. (Rejected by 24 votes to 20, with 3 abstentions.)

¹⁷ On the proposal of the representative of India (A/C.4/L.277), the Committee, after a procedural debate, adopted, by a roll-call vote of 30 to 18, with 4 abstentions, an amendment approving the list of factors "as adopted by the Fourth Committee" rather than "contained in the report". The Committee also voted 25 to 23, with 4 abstentions, in a roll-call ballot, to adopt the paragraph, as thus amended.

TEXT OF DRAFT RESOLUTION BY BRAZIL

(A/C.4/L.272)

3. Recommends that the annexed list of factors

should be taken by the Administering Members and by the General Assembly¹⁸

as a guide¹⁹

and applied in the light of all relevant circumstances pertinent to each particular situation,

in determining whether any Territory, due to changes in its constitutional status, is or is no longer within the scope of Chapter XI of the Charter, in order that, in view of the documentation provided under resolution 222(III),

a decision may be taken²⁰

on the continuation or cessation of the transmission of information required by Chapter XI of the Charter; (Paragraph, as a whole, as amended, adopted by 25 votes to 23, with 3 abstentions.)

4. Recommends that in the study of each case paramount consideration be given to the evidence which may indicate that the people concerned has exercised its rights to self-determination;

5. Reaffirms that the factors, while serving as a guide in determining whether the obligations as set forth

in Article 73e

JOINT ELEVEN-POWER AMENDMENTS

(A/C.4/L.273)

Replace by: . . . should be used by the General Assembly and the Administering Members (Accepted by sponsor and adopted without vote.)

Delete (Adopted by 26 votes to 18, with 6 abstentions.)

Insert:

by the General Assembly (Adopted by 30 votes to 15, with 5 abstentions.)

Replace by following text:

Reasserts that each concrete case should be considered and decided upon in the light of the particular circumstances of that case and taking into account the right of self-determination of peoples; (Adopted by 35 votes to 11, with 4 abstentions.)

Insert: two new paragraphs:

5. "Considers that the validity of any form of association between a Non-Self-Governing Territory and a metropolitan or any other country essentially depends on the freely expressed will of the people at the time of the taking of this decision; (Adopted by 29 votes to 19, with 4 abstentions.)

6. Considers that the manner in which territories referred to in Chapter XI of the Charter can become fully self-governing is primarily through the attainment of independence (Adopted by roll-call vote of 35 to 13, with 4 abstentions.)

although it is recognized that self-government can also be achieved by association with another State or group of States if this is done freely and on the basis of absolute equality; (Adopted by 28 votes to 7, with 15 abstentions. Paragraph 6, as a whole, was adopted by 28 votes to 18, with 3 abstentions.)

Renumber as Paragraph 7.

Replace by:

in Chapter XI (Accepted by Sponsor.)

¹⁸ An amendment by the Philippines (A/C.4/L.275) to add the words "in appropriate consultation" was rejected by the Committee by 26 votes to 15, with 9 abstentions.

¹⁹ An amendment by the Philippines (A/C.4/L.275), to delete this part of the draft, was adopted by 26 votes to 18, with 6 abstentions.

²⁰ An amendment by the Philippines (A/C.4/L.275) to replace this part of the draft by the words "an agreement may be reached" was rejected by 19 votes to 13, with 4 abstentions.

TEXT OF DRAFT RESOLUTION BY BRAZIL

(A/C.4/L.272)

of the Charter shall exist, should in no way be interpreted as a hindrance to the attainment of a full measure of self-government by the Non-Self-Governing Territories; (Paragraph, as amended, approved without vote.)

6. Further reaffirms that, for a Territory to be deemed self-governing in economic, social or educational affairs it is essential that its people shall have attained a full measure of self-government

as referred to in Chapter XI of the Charter; (Paragraph, as amended, approved without vote.)

7. Further

instructs the Committee on Information from Non-Self-Governing Territories to study any documentation transmitted hereafter under resolution 222(III), adopted on 3 November 1948, in the light of the list of factors approved by the present resolution, among other relevant considerations which may arise from each concrete case of cessation of information

, when the Committee discharges the responsibilities entrusted to it by paragraph 1 of resolution 334(IV), adopted on 2 December 1949, and paragraph 2 of resolution 448(V), adopted on 12 December 1950;

(Paragraph, as a whole, as amended, adopted by 28 votes to 21, with 2 abstentions.)²¹

8. Recommends that the Committee on Information from Non-Self-Governing Territories take the initiative of proposing to the General Assembly revisions and interpretations of, or additions to, the list of factors whenever, due to difficulties of applications or the arising of new circumstances, the Committee find it so advisable.

The draft resolution as a whole, as amended, was adopted by 27 votes to 23, with 2 abstentions.

²¹ An amendment by the United States (A/C.4/L.276), to insert a new paragraph which would request the Committee on Information from Non-Self-Governing Territories to study the views expressed at the Assembly's eighth session in connexion with any revision of the list of factors, was withdrawn.

In a statement made before the vote was taken, the representative of Brazil announced that, in view of the adoption at the 329th meeting on 8 October of an amended list of factors (see below), his delegation had considered withdrawing its draft resolution. In order, however, not to complicate the work of the Committee, it had been decided to maintain the draft resolution since, in the event that its operative paragraph 2 (which proposed to approve the list of factors approved by the Ad hoc Committee and not an amended list as sought by the eleven Powers) were adopted, that would have the effect of annulling the amended list of factors. He wished to place on record that Brazil's action was designed to facilitate the work of the Committee and that his dele-

JOINT ELEVEN-POWER AMENDMENTS

(A/C.4/L.273)

Renumber as Paragraph 8.

Delete (Accepted by Sponsor.)

Renumber as Paragraph 9.

Delete "Further" (Adopted by 23 votes to 2, with 21 abstentions.)

Delete (Adopted by 23 votes to 3, with 13 abstentions.)

Replace by following text:

10. Recommends that the Committee on Information from Non-Self-Governing Territories take the initiative of proposing modifications at any time to improve the list of factors, as may seem necessary in the light of circumstances (Adopted by 33 votes to 13, with 4 abstentions.)

The draft resolution as a whole, as amended, was adopted by 27 votes to 23, with 2 abstentions.

gation reserved its position in subsequent discussion of this subject in the General Assembly.

The following is a summary of the changes²² effected in the list of factors proposed by the Ad hoc Committee on Factors (A/2428) as a result of the adoption by the Fourth Committee, at its 329th meeting on 8 October, of parts of the eleven-Power amendments (A/C.4/L.274). The revised list of factors was adopted as a whole, as amended, by 25 votes to 18, with 8 abstentions.

By 34 votes to 7, with 10 abstentions, the Fourth Committee adopted as a whole, as amended, the First Part of the list of factors drawn up by the

²² Changes involving the renumbering of paragraphs or the transposition of factors following the adoption of amendments are not included in the summary.

Ad hoc Committee, namely, factors indicative of the attainment of independence.

In this category, the Committee decided, by 31 votes to 9, with 10 abstentions, to reword the factor concerning national defence. In place of the recommended text "Freedom of the territory to enter into arrangements concerning its national defence", the Committee adopted instead the text "Sovereign right to provide for its national defence".

By 27 votes to 15, with 9 abstentions, the Committee decided to amend the title of the Second Part of the list of factors recommended by the Ad hoc Committee, replacing the title "Factors Indicative of the Attainment of Other Systems of Self-Government in Continuing Association with the Metropolitan Country or in Other Forms" with the title "Factors Indicative of the Attainment of Other Separate Systems of Self-Government". In this category, the Committee adopted eleven-Power amendments (A/C.4/L.274) inserting new factors concerning freedom of choice of several possibilities including independence, geographical considerations, ethnic and cultural considerations and change of political status.

The Committee also adopted as a whole, by 25 votes to 18, with 9 abstentions, a revised text for the factor concerning voluntary limitation of sovereignty. In this respect, the text of the factor recommended by the Ad hoc Committee read:

"Degree to which the sovereignty of the Territory is limited by its own free will when that Territory has attained a separate system of self-government. Degree of evidence that the attribute or attributes of sovereignty which are not individually exercised will be collectively exercised by the larger entity thus associated."

The new text adopted by the Committee read:

"Degree of evidence that the attribute or attributes of sovereignty which are not individually exercised will be collectively exercised by the larger entity thus associated (adopted by 30 votes to 8, with 12 abstentions) and the freedom of the population of a Territory which has associated itself with the Metropolitan country to modify at any time this status through the expression of their will by democratic means" (adopted by roll-call vote of 25 to 18, with 10 abstentions).

The additional factors added to the Second Part of the list by the adoption of the eleven-Power amendments were:

"Freedom of choice—Freedom of choosing on the basis of the right of self-determination of peoples between several possibilities, including independence" (adopted by 27 votes to 15, with 8 abstentions).

"Geographical considerations—Extent to which the relations of the Non-Self-Governing Territory with the capital of the Metropolitan Government may be affected by circumstances arising out of their respective geographical positions, such as separation by land, sea

or other natural obstacles; (adopted by 26 votes to 14, with 11 abstentions) and extent to which the interests of boundary States may be affected, bearing in mind the general principle of good-neighbourliness referred to in Article 74 of the Charter" (adopted by 23 votes to 18, with 10 abstentions. The paragraph, as a whole, was adopted by 24 votes to 19, with 10 abstentions.)

"Ethnic and cultural considerations. Extent to which the populations are of different race, language or religion or have a distinct cultural heritage, interests or aspirations, distinguishing them from the peoples of the country with which they freely associate themselves" (adopted by 26 votes to 17, with 8 abstentions).

"Change of political status. The right of the Metropolitan country or the Territory to change the political status of that Territory in the light of the consideration whether that Territory is or is not subject to any claim or litigation on the part of another State" (adopted by 23 votes to 18, with 12 abstentions).

The Second Part of the list of factors, as a whole, as amended, was adopted by 24 votes to 18, with 11 abstentions.

By 23 votes to 16, with 11 abstentions, the Fourth Committee adopted as a whole, as amended, the Third Part of the list of factors recommended by the Ad hoc Committee, after deciding to change the title from "Factors Indicative of the Free Association of a Territory with the Metropolitan or Other Country as an Integral Part of that Country" to "Factors Indicative of the Free Association of a Territory on an Equal Basis with the Metropolitan or Other Country as an Integral Part of that Country or in any Other Form". The Committee voted separately on the phrase "on an equal basis", adopting it by 25 votes to 15, with 15 abstentions. It also voted separately on the phrase "or in any other form", adopting it by 26 votes to 14, with 13 abstentions.

The Committee voted 28 to 15, with 10 abstentions, to delete from the factor concerning constitutional considerations, association "by virtue of the constitution of the Metropolitan country".

By a roll-call vote of 25 to 17, with 10 abstentions, it decided to insert as an additional factor:

"The freedom of the population of a Non-Self-Governing Territory which has associated itself with the Metropolitan country as an integral part of that country or in any other form to modify this status through the expression of their will by democratic means."

To the text recommended by the Ad hoc Committee concerning geographical considerations, the Committee, by 22 votes to 18, with 11 abstentions, decided to add a further provision. The recommended text read:

"Extent to which the relations of the Territory with the capital of the central government may be affected by circumstances arising out of their respective geographical positions, such as separation by land, sea or other natural obstacles."

The addition adopted by the Committee read:

"The right of the Metropolitan country or the Territory to change the political status of that Territory in the light of the consideration whether that Territory is or is not subject to any claim or litigation on the part of another State."

The Committee adopted the amended paragraph as a whole by 23 votes to 18, with 8 abstentions.

At the 459th plenary meeting of the General Assembly on 27 November, the representative of Mexico urged that the Assembly should decide that it would not be necessary to have a two-thirds majority vote for the adoption of the resolutions before it on matters concerning Non-Self-Governing Territories but that a simple majority would be adequate.

The representative of Denmark, opposing the Mexican suggestion, asked the President to rule that the question of factors was an important question both in the general sense and, more particularly, as defined in Article 18, paragraph 2, of the Charter and rule 84 of the rules of procedure, and, therefore, required a two-thirds majority.

The representative of Denmark recalled that in 1951 and 1952 it had been suggested that this was an important question and would require a two-thirds majority. The General Assembly, he said, had voted on it with this understanding. The draft resolution relating to factors would purport to lay down certain criteria to be taken into account in determining the field of application of Chapter XI of the Charter. This was clearly an important issue and the Assembly should act with consistency.

The President stated that the Assembly had never been called upon specifically to decide this question, although it did give its tacit assent to a ruling that a two-thirds majority was required on this subject. She believed, therefore, that the Assembly should express its opinion. Accordingly, she put to the vote the motion of the representative of Mexico to the effect that the draft resolution might be carried by a simple majority. The motion was adopted by 30 votes to 26.

The representative of Belgium stated that he would vote against the draft resolution because it would confer upon the Assembly powers which were not conferred upon it by the Charter and would sanction a restrictive interpretation of the Charter.

The draft resolution recommended by the Fourth Committee (A/2556 I), including the annex which contained the list of factors, was

adopted by 32 votes to 19, with 6 abstentions, as resolution 742(VIII). It read:

"The General Assembly,

"Bearing in mind the principles embodied in the Declaration regarding Non-Self-Governing Territories and the objectives set forth in Chapter XI of the Charter,

"Recalling the provisions of resolutions 567(VI) and 648(VII), adopted by the General Assembly on 18 January and 10 December 1952 respectively, indicating the value of establishing a list of factors which should be taken into account in deciding whether a Territory has or has not attained a full measure of self-government,

"Having regard to the competence of the General Assembly to consider the principles that should guide the United Nations and the Member States in the implementation of obligations arising from Chapter XI of the Charter and to make recommendations in connexion with them,

"Having examined the report of the Ad Hoc Committee on Factors (Non-Self-Governing Territories) set up by resolution 648(VII),

"1. Takes note of the conclusions of the report of the Ad Hoc Committee on Factors (Non-Self-Governing Territories);

"2. Approves the list of factors as adopted by the Fourth Committee;

"3. Recommends that the annexed list of factors should be used by the General Assembly and the Administering Members as a guide in determining whether any Territory, due to changes in its constitutional status, is or is no longer within the scope of Chapter XI of the Charter, in order that, in view of the documentation provided under resolution 222(III) of 3 November 1948, a decision may be taken by the General Assembly on the continuation or cessation of the transmission of information required by Chapter XI of the Charter;

"4. Reasserts that each concrete case should be considered and decided upon in the light of the particular circumstances of that case and taking into account the right of self-determination of peoples;

"5. Considers that the validity of any form of association between a Non-Self-Governing Territory and a metropolitan or any other country essentially depends on the freely expressed will of the people at the time of the taking of the decision;

"6. Considers that the manner in which Territories referred to in Chapter XI of the Charter can become fully self-governing is primarily through the attainment of independence, although it is recognized that self-government can also be achieved by association with another State or group of States if this is done freely and on the basis of absolute equality;

"7. Reaffirms that the factors, while serving as a guide in determining whether the obligations as set forth in Chapter XI of the Charter shall exist, should in no way be interpreted as a hindrance to the attainment of a full measure of self-government by a Non-Self-Governing Territory;

"8. Further reaffirms that, for a Territory to be deemed self-governing in economic, social or educational affairs, it is essential that its people shall have attained a full measure of self-government;

"9. Instructs the Committee on Information from Non-Self-Governing Territories to study any documentation transmitted hereafter under resolution 222(III) in the light of the list of factors approved by the present resolution, and other relevant considerations which may arise from each concrete case of cessation of information;

"10. Recommends that the Committee on Information from Non-Self-Governing Territories take the initiative of proposing modifications at any time to improve the list of factors, as may seem necessary in the light of circumstances."

ANNEX

LIST OF FACTORS

FACTORS INDICATIVE OF THE ATTAINMENT OF INDEPENDENCE OR OF OTHER SEPARATE SYSTEMS OF SELF-GOVERNMENT

First part

FACTORS INDICATIVE OF THE ATTAINMENT OF INDEPENDENCE

A. International status

1. International responsibility. Full international responsibility of the Territory for the acts inherent in the exercise of its external sovereignty and for the corresponding acts in the administration of its internal affairs.

2. Eligibility for membership in the United Nations.

3. General international relations. Power to enter into direct relations of every kind with other governments and with international institutions and to negotiate, sign and ratify international instruments.

4. National defence. Sovereign right to provide for its national defence.

B. Internal self-government

1. Form of government. Complete freedom of the people of the Territory to choose the form of government which they desire.

2. Territorial government. Freedom from control or interference by the government of another State in respect of the internal government (legislature, executive, judiciary, and administration of the Territory).

3. Economic, social and cultural jurisdiction. Complete autonomy in respect of economic, social and cultural affairs.

Second part

FACTORS INDICATIVE OF THE ATTAINMENT OF OTHER SEPARATE SYSTEMS OF SELF-GOVERNMENT

A. General

1. Opinion of the population. The opinion of the population of the Territory, freely expressed by informed and democratic processes, as to the status or change in status which they desire.

2. Freedom of choice. Freedom of choosing on the basis of the right of self-determination of peoples between several possibilities, including independence.

3. Voluntary limitation of sovereignty. Degree of evidence that the attribute or attributes of sovereignty which are not individually exercised will be collectively

exercised by the larger entity thus associated and the freedom of the population of a Territory which has associated itself with the metropolitan country to modify at any time this status through the expression of their will by democratic means.

4. Geographical considerations. Extent to which the relations of the Non-Self-Governing Territory with the capital of the metropolitan government may be affected by circumstances arising out of their respective geographical positions, such as separation by land, sea or other natural obstacles; and extent to which the interests of boundary States may be affected, bearing in mind the general principle of good-neighbourliness referred to in Article 74 of the Charter.

5. Ethnic and cultural considerations. Extent to which the populations are of different race, language or religion or have a distinct cultural heritage, interests or aspirations, distinguishing them from the peoples of the country with which they freely associate themselves.

6. Political advancement. Political advancement of the population sufficient to enable them to decide upon the future destiny of the Territory with due knowledge.

B. International status

1. General international relations. Degree or extent to which the Territory exercises the power to enter freely into direct relations of every kind with other governments and with international institutions and to negotiate, sign and ratify international instruments freely. Degree or extent to which the metropolitan country is bound, through constitutional provisions or legislative means, by the freely expressed wishes of the Territory in negotiating, signing and ratifying international conventions which may influence conditions in the Territory.

2. Change of political status. The right of the metropolitan country or the Territory to change the political status of that Territory in the light of the consideration whether that Territory is or is not subject to any claim or litigation on the part of another State.

3. Eligibility for membership in the United Nations.

C. Internal self-government

1. Territorial government. Nature and measure of control or interference, if any, by the government of another State in respect of the internal government, for example, in respect of the following:

Legislature: The enactment of laws for the Territory by an indigenous body whether fully elected by free and democratic processes or lawfully constituted in a manner receiving the free consent of the population;

Executive: The selection of members of the executive branch of the government by the competent authority in the Territory receiving consent of the indigenous population, whether that authority is hereditary or elected, having regard also to the nature and measure of control, if any, by an outside agency on that authority, whether directly or indirectly exercised in the constitution and conduct of the executive branch of the government;

Judiciary: The establishment of courts of law and the selection of judges.

2. Participation of the population. Effective participation of the population in the government of the Territory: (a) Is there an adequate and appropriate

electoral and representative system? (b) Is this electoral system conducted without direct or indirect interference from a foreign government?

3. Economic, social and cultural jurisdiction. Degree of autonomy in respect of economic, social and cultural affairs, as illustrated by the degree of freedom from economic pressure as exercised, for example, by a foreign minority group which, by virtue of the help of a foreign Power, has acquired a privileged economic status prejudicial to the general economic interest of the people of the Territory; and by the degree of freedom and lack of discrimination against the indigenous population of the Territory in social legislation and social developments.

Third part

FACTORS INDICATIVE OF THE FREE ASSOCIATION OF A TERRITORY ON EQUAL BASIS WITH THE METROPOLITAN OR OTHER COUNTRY AS AN INTEGRAL PART OF THAT COUNTRY OR IN ANY OTHER FORM

A. General

1. Opinion of the population. The opinion of the population of the Territory, freely expressed by informed and democratic processes, as to the status or change in status which they desire.

2. Freedom of choice. The freedom of the population of a Non-Self-Governing Territory which has associated itself with the metropolitan country as an integral part of that country or in any other form to modify this status through the expression of their will by democratic means.

3. Geographical considerations. Extent to which the relations of the Territory with the capital of the central government may be affected by circumstances arising out of their respective geographical positions, such as separation by land, sea or other natural obstacles. The right of the metropolitan country or the Territory to change the political status of that Territory in the light of the consideration whether that Territory is or is not subject to any claim or litigation on the part of another State.

4. Ethnic and cultural considerations. Extent to which the population are of different race, language or religion or have a distinct cultural heritage, interests or aspirations, distinguishing them from the peoples of the country with which they freely associate themselves.

5. Political advancement. Political advancement of the population sufficient to enable them to decide upon the future destiny of the Territory with due knowledge.

6. Constitutional considerations. Association by virtue of a treaty or bilateral agreement affecting the status of the Territory, taking into account (i) whether the constitutional guarantees extend equally to the associated Territory, (ii) whether there are powers in certain matters constitutionally reserved to the Territory or to the central authority, and (iii) whether there is provision for the participation of the Territory on a basis of equality in any changes in the constitutional system of the State.

B. Status

1. Legislative representation. Representation without discrimination in the central legislative organs on the same basis as other inhabitants and regions.

2. Participation of the population. Effective participation of the population in the government of the

Territory: (a) Is there an adequate and appropriate electoral and representative system? (b) Is this electoral system conducted without direct or indirect interference from a foreign government?*

3. Citizenship. Citizenship without discrimination on the same basis as other inhabitants.

4. Government officials. Eligibility of officials from the Territory to all public offices of the central authority, by appointment or election, on the same basis as those from other parts of the country.

C. Internal constitutional conditions

1. Suffrage. Universal and equal suffrage, and free periodic elections, characterized by an absence of undue influence over and coercion of the voter or of the imposition of disabilities on particular political parties.**

2. Local rights and status. In a unitary system equal rights and status for the inhabitants and local bodies of

* For example, the following questions would be relevant:

(i) Has each adult inhabitant equal power (subject to special safeguards for minorities) to determine the character of the government of the Territory?

(ii) Is this power exercised freely, i.e., is there an absence of undue influence over and coercion of the voter and of the imposition of disabilities on particular political parties?

Some tests which can be used in the application of this factor are as follows:

(a) The existence of effective measures to ensure the democratic expression of the will of the people;

(b) The existence of more than one political party in the Territory;

(c) The existence of a secret ballot;

(d) The existence of legal prohibitions on the exercise of undemocratic practices in the course of elections;

(e) The existence for the individual elector of a choice between candidates of differing political parties;

(f) The absence of "martial law" and similar measures at election times;

(iii) Is each individual free to express his political opinions, to support or oppose any political party or cause, and to criticize the government of the day?

** For example, the following tests would be relevant:

(a) The existence of effective measures to ensure the democratic expression of the will of the people;

(b) The existence of more than one political party in the Territory;

(c) The existence of a secret ballot;

(d) The existence of legal prohibitions on the exercise of undemocratic practices in the course of elections;

(e) The existence for the individual elector of a choice between candidates of differing political parties;

(f) The absence of "martial law" and similar measures at election times;

(g) Freedom of each individual to express his political opinions, to support or oppose any political party or cause, and to criticize the government of the day.

the Territory as enjoyed by inhabitants and local bodies of other parts of the country; in a federal system an identical degree of self-government for the inhabitants and local bodies of all parts of the federation.

3. Local officials. Appointment or election of officials in the Territory on the same basis as those in other parts of the country.

4. Internal legislation. Local self-government of the same scope and under the same conditions as enjoyed by other parts of the country.

5. Economic, social and cultural jurisdiction. Degree of autonomy in respect of economic, social and cultural affairs, as illustrated by the degree of freedom from economic pressure as exercised, for example, by a foreign minority group which, by virtue of the help of a foreign Power, has acquired a privileged economic status prejudicial to the general economic interest of the people of the Territory; and by the degree of freedom and lack of discrimination against the indigenous population of the Territory in social legislation and social developments.

C. CESSATION OF TRANSMISSION OF INFORMATION UNDER ARTICLE 73e OF THE CHARTER

1. Netherlands Antilles and Surinam

a. CONSIDERATION BY THE Ad hoc COMMITTEE ON FACTORS

By resolution 650(VII) of 20 December 1952,²³ the General Assembly decided that its Ad hoc Committee on Factors (Non-Self-Governing Territories) should examine, in the light of Assembly resolution 648(VII) of 18 November 1952²⁴ on factors indicative of whether a Territory had or had not attained a full measure of self-government, the communication²⁵ submitted by the Netherlands Government concerning the Netherlands Antilles and Surinam and should report to the Assembly's eighth session.

The communication (A/2177), among other things, stated that, in view of the latest constitutional changes granting a full measure of self-government in all internal matters to the Netherlands Antilles and Surinam, the Netherlands Government was of the opinion that these two Territories were no longer to be considered Non-Self-Governing Territories as referred to in Article 73e of the Charter and that the Netherlands Government had decided no longer to submit an annual report on the Territories.

When the Ad hoc Committee on Factors met in 1953, a further communication was brought before it, a letter dated 23 July 1953, from the permanent representative of the Netherlands to the United Nations, addressed to the Secretary-General (A/AC.67/3). In this letter, the Netherlands Government stated that, according to Article 73e, the obligation to transmit information was subject to such limitation as security or constitutional considerations might require. The Netherlands Government based its decision to discontinue the transmission of information in 1951 on this limitation. After the enactment of the Interim Orders of Government which accorded a new status to Surinam and the Netherlands Antilles, there were constitutional objections to continuing the trans-

mission of information. The Netherlands Government further expressed doubt whether the examination of the cessation of the transmission of information in the case of the Netherlands Antilles and Surinam would be facilitated by applying the resolution on factors as a yardstick. According to the Netherlands Government, the question was: has a Territory attained such a measure of self-government that it is fully responsible for the three fields mentioned in Article 73e, namely, the economic, social and educational conditions?

The representative of the Netherlands presented this communication to the Committee, and said that the Netherlands Government was confronted with the impossibility of transmitting information by the fact that the Governments of the Territories themselves had opposed such transmission.

The representatives of Australia, Belgium, the United Kingdom and the United States, though not all for the same reasons, agreed with the Netherlands delegation that information on Surinam and the Netherlands Antilles, hitherto supplied in accordance with Article 73e, might now cease.

The representatives of Burma, Cuba, Guatemala and Iraq, however, did not consider that the reasons advanced by the Netherlands delegation were sufficient to justify the cessation of information because they were not in conformity with the provisions of General Assembly resolution 648(VII). The representative of Venezuela maintained that, although the Ad hoc Committee was competent by virtue of its terms of reference to deal with the matter, nevertheless, it would be better to refer the problem directly to the General Assembly.

In view of the wide divergencies which prevailed in the Ad hoc Committee, it was decided (A/2428) that this matter should be referred to the General Assembly without recommendation.

²³ See Y.U.N., 1952, p. 566.

²⁴ Ibid, pp. 563-65.

²⁵ Ibid, p. 565.

b. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS EIGHTH SESSION

At its eighth session, the General Assembly considered the question at the 343rd to 347th meetings of its Fourth Committee, from 26 to 29 October, and at the 459th plenary meeting on 27 November. Opening the general debate, the representative of the Netherlands recalled that in 1951 his Government had informed the Secretary-General that it could no longer transmit information on the Netherlands Antilles and Surinam as the Interim Orders had accorded those Territories complete autonomy in domestic affairs; that the new constitutional provisions did not allow such action; and that the Governments of both Territories had stated that action of that nature could no longer be regarded as compatible with their new status. He also recalled the context of the letter dated 23 July 1953 addressed to the Secretary-General. Representatives of both Territories, he said, supported the Netherlands view.

Without entering into argument on whether the Territories had attained a full measure of self-government, the representative of the Netherlands said that his Government was not only legally discharged from the obligation to furnish information but was also unable to supply it. Moreover, while the final and complete terms of the new Constitution were still under discussion between the Government of the Netherlands and the Governments of both Territories, no useful purpose could be served by debating the merits of the new system. The Parliaments of the Netherlands Antilles and Surinam, freely elected on a basis of general franchise, had made it known that they held themselves to be self-governing in internal affairs and that they objected to the transmission of information by the Netherlands Government as an infringement of their autonomous rights.

The representative of the Netherlands asked the Committee to confine itself to taking note of the conditions he had outlined. His Government, he stated, was willing to complete and bring up to date the information already submitted on the constitutional developments when the Constitution came into force.

At the same meeting, the General Representatives at The Hague of the Governments of Surinam and the Netherlands Antilles, both alternate members of the Netherlands delegation, addressed the Fourth Committee. The General Representative of Surinam, outlining the constitutional provisions for Surinam, said that his country was exclusively responsible to the Surinam Parliament

for its policy in social, economic and educational affairs. If the Netherlands Government were to transmit information on these matters it would be doing so in respect of questions for which it was not responsible.

The General Representative of the Netherlands Antilles spoke of the constitutional and juridical considerations involved in the transmission of information in respect of the Netherlands Antilles in view of the achievement by his country of autonomy in domestic affairs and supported the position taken by the Netherlands representative and the General Representative of Surinam.

The Fourth Committee's discussions were concerned principally with: (1) whether a full measure of self-government had been achieved in the Territories; (2) whether the Netherlands could or should continue the transmission of information; and (3) whether the Netherlands Government itself was competent to decide when the transmission of information under Article 73e should cease.

In view of the fact that negotiations between the Government of the Netherlands and the Governments of the Netherlands Antilles and Surinam had not yet been concluded, however, the representative of Sweden, at the 343rd meeting on 26 October, suggested (A/C.4/L.292) that the General Assembly should:

(1) consider that the new status of the Netherlands Antilles and Surinam could only be rightly appraised after these negotiations had led to a final result and this had been embodied in constitutional provisions;

(2) invite the Government of the Netherlands to communicate to the Secretary-General in due course the result of these negotiations and the constitutional provisions; and

(3) invite the Committee on Information from Non-Self-Governing Territories to examine these communications in connexion with the information already transmitted and to report thereon to the General Assembly.

Support for the Swedish draft resolution was expressed by the representatives of Pakistan and Venezuela, who felt that, since further constitutional negotiations were pending, it would be premature for the Committee to take a decision at once. Other representatives, including those of Guatemala, Yugoslavia, Mexico, India and the USSR, indicated they would support the resolution if certain amendments were adopted.

At the 344th meeting on 27 October the USSR proposed an amendment (A/C.4/L.294), in terms of which the Assembly would request the Government of the Netherlands to transmit regularly to the Secretary-General the information

specified in Article 73e of the Charter in regard to the Netherlands Antilles and Surinam until such time as the Assembly took a decision that the transmission of information in regard to those Territories should be discontinued.

The representative of the USSR expressed the view that neither Territory had achieved autonomy. Judicial, legislative and executive powers were still exercised by the Government of the Netherlands and not by the local authorities, he said, and in arbitrarily deciding to cease the transmission of information, the Netherlands had violated the United Nations Charter.

The representatives of Argentina, Burma, the Byelorussian SSR, Egypt, Iraq and Poland supported the Soviet draft, which was opposed by the representatives of Australia and Belgium, who asserted that the Administering Member had the right and competence to state when the transmission of information should cease and that conditions in the two Territories made the transmission of information unnecessary.

At the 345th meeting on 28 October, Indonesia proposed (A/C.4/L.293) that the Assembly should also:

(1) express to the Netherlands Government its confidence that as a result of the negotiations a new status would be attained by the Netherlands Antilles and Surinam representing a full measure of self-government in fulfilment of the objectives set forth in Chapter XI of the Charter; and

(2) invite the Netherlands Government to bring to the notice of the Governments of the Netherlands Antilles and of Surinam the desirability of the continuation of the transmission of information under Article 73e of the Charter until such time as the Territories no longer fall within the scope of Chapter XI of the Charter.

While expressing appreciation of what had already been done by the Netherlands Government in assisting the progress of the two Territories towards self-government, the representative of Indonesia stated that after a careful examination of the information communicated by the Netherlands Government, the Indonesian delegation was not convinced that the peoples of the Netherlands Antilles and Surinam had attained a full measure of self-government. She felt, further, that an Administering Member should not take a unilateral decision on whether the transmission of information should cease. In view of an eight-Power proposal (see below) the representative of Indonesia subsequently withdrew that part of her amendment which would invite the Government of the Netherlands to bring to the notice of the Governments of the Territories the desirability of continuing the transmission of information.

Support for the Indonesian amendment was expressed by the representatives of Burma, Egypt, Iraq and Venezuela. The representatives of Australia and Belgium opposed the amendment on the ground that it implied an obligation on the part of an Administering Member which could not be justified by the United Nations Charter.

At the 345th meeting, further amendments to the Swedish draft were submitted jointly by Argentina, Brazil, Chile, Egypt, Guatemala, Honduras, Mexico and Uruguay (A/C.4/L.295), which, in addition to a number of drafting changes, would add a provision to have the Assembly note with satisfaction the progress towards self-government achieved by the Netherlands Antilles and Surinam and express its confidence that the Netherlands would find a means of continuing to transmit the information required under Article 73e.

The representatives of Cuba, Iraq, Pakistan and the Philippines supported the eight-Power amendment and thought that the transmission of information should continue.

The representative of New Zealand proposed additions (A/C.4/L.296) to the Swedish draft, which would have the Assembly note that the Government of the Netherlands was unable to continue the transmission of information for the reasons stated by its representative and note the decision of that Government not to continue the transmission of information.

The representative of New Zealand, presenting his amendment, asserted that independence was not the only equivalent of self-government, as experience of some now independent States had shown. Adoption of his amendment would amount to a generous recognition by the Assembly of the advanced stage of political development reached by the Netherlands Antilles and Surinam.

The New Zealand amendment was supported by the representative of Australia. The representatives of Argentina, Pakistan, Poland and Venezuela, however, expressed opposition to the amendment because they felt either that partial self-government did not constitute autonomy, and that the transmission of information should be continued at least until negotiations between the three Governments had been finalized, or that information should only cease when the General Assembly decided that this was appropriate. The representatives of Cuba, China, the Dominican Republic and Pakistan were among those who suggested that it might be premature to attempt an assessment of the position before the conclusion of negotiations concerning the constitutional position of the two Territories.

At the 347th meeting on 29 October, Poland also submitted amendments (A/C.4/L.297), which would, in effect, set the next Assembly session as a time limit for the submission of the report of the Committee on Information from Non-Self-Governing Territories and the report, called for by the Swedish draft, of the Netherlands Government on current negotiations on constitutional provisions for the Territories.

The representative of Sweden stated that her delegation had been prompted by a spirit of compromise and that the Assembly should not try to force the issue and thus "pin the colonial label" on the two Territories. That spirit of compromise would be lost if the amendments were adopted, she said.

Replying to points raised in the general debate, the representative of the Netherlands stated that his Government confirmed its interpretation of Chapter XI of the Charter regarding the obligations of Administering States.

The contention that the real power in the Territories was still in the hands of the Netherlands Government was a misconception, he said. Ultimate power rested with the States themselves, and these were the representatives of the people, freely elected on a basis of universal franchise.

Regarding the allegation of the invalidity of constitutional considerations which, the Netherlands maintained, made it impossible to continue the transmission of information, he repeated his stand that the Netherlands could not assume responsibility for matters over which it had no jurisdiction. The Netherlands had freely undertaken to report on the final outcome of the negotiations between its Government and those of the Netherlands Antilles and Surinam.

At the 347th meeting on 29 October, the Committee voted on the Swedish draft (A/C.4/L.292) and the amendments to it. As finally adopted by the Committee, the draft incorporated amendments by Indonesia (A/C.4/L.293), the USSR (A/C.4/L.294) and, jointly, by Argentina, Brazil, Chile, Egypt, Guatemala, Honduras, Mexico and Uruguay (A/C.4/L.295).

By 30 votes to 5, with 17 abstentions, the Committee rejected the two Polish amendments (A/C.4/L.297) which would stipulate a time limit in seeking reports on the question not later than the ninth session of the General Assembly.

In two separate roll-call votes of 31 to 12, with 9 abstentions, and 34 to 12, with 6 abstentions, the Committee rejected the New Zealand amendments (A/C.4/L.296) which would note the

decision of the Netherlands Government to cease transmission of information.

The Committee adopted by 42 votes to 5, with 5 abstentions, the eight-Power amendment (A/C.4/L.295) to note with satisfaction the progress toward self-government made by the two Territories.

It adopted, in a roll-call vote of 31 to 11, with 10 abstentions, the Indonesian amendment (A/C.4/L.293) expressing confidence that as a result of the current negotiations a new status, representing a full measure of self-government, would be attained by the two Territories.

The Soviet amendment was adopted by a roll-call vote of 24 to 18, with 10 abstentions. In view of its adoption, the Committee did not vote on a further eight-Power amendment which would express confidence that the Netherlands would find the means to continue to provide the information it was obliged to transmit.

The Committee adopted the amended draft resolution as a whole by a roll-call vote of 30 to 13, with 9 abstentions.

The Assembly considered the Committee's draft resolution (A/2556 VI) at its 459th plenary meeting on 27 November. Prior to the voting, the New Zealand representative requested that resolutions VI and VII be regarded as important questions subject to a two-thirds majority vote. The President stated that the Mexican proposal²⁶ had been intended to cover these two resolutions as well as the Committee's draft resolution I on factors. Following a brief discussion, the President put to the vote a proposal that the prior decision taken on voting procedure applied only to resolution I. It was rejected by a roll-call vote of 34 to 21, with 4 abstentions, as follows:

In favour: Australia, Belgium, Brazil, Canada, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, France, Iceland, Israel, Luxembourg, Netherlands, New Zealand, Norway, Peru, Sweden, Union of South Africa, United Kingdom, United States.

Against: Afghanistan, Argentina, Bolivia, Burma, Byelorussian SSR, China, Cuba, Czechoslovakia, Egypt, Ethiopia, Greece, Guatemala, Haiti, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Pakistan, Panama, Paraguay, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian SSR, USSR, Uruguay, Venezuela, Yemen, Yugoslavia.

Abstaining: Chile, El Salvador, Honduras, Nicaragua.

Therefore, these resolutions, as well as the others proposed by the Fourth Committee (A/2556), were regarded as requiring only a simply majority vote.

²⁶ Seep. 526.

The resolution recommended by the Committee (A/2556 VI) was adopted by the General Assembly, without discussion, at its 459th plenary meeting on 27 November. The Assembly adopted the preamble and the first two operative paragraphs by 30 votes to none, with 15 abstentions. It adopted the third operative paragraph by 33 votes to 5, with 13 abstentions; the fourth and fifth paragraphs by 39 votes to 2, with 15 abstentions, and the sixth paragraph by 35 votes to 13, with 2 abstentions.

The resolution, as a whole, was adopted by 33 votes to 13, with 8 abstentions, as resolution 747(VIII).

The Netherlands representative stated that, regretfully, whatever the opinion of the majority, the Netherlands Government could not possibly act in a way which would be contrary to its own laws and Constitution; nor was it prepared to take steps which would be at variance with the opinion and the wishes of the Governments and Parliaments of the Netherlands Antilles and Surinam, whose interests were at stake in this controversy.

Resolution 747(VIII) read:

"The General Assembly,

"Recalling that in its resolution 650(VII) of 20 December 1952 it invited the Committee set up to study the factors which should be taken into account in deciding whether a Territory is or is not a Territory whose people have not yet attained a full measure of self-government to examine carefully the documents submitted by the Netherlands Government relating to the Netherlands Antilles and Surinam in the light of resolution 648(VII) of 10 December 1952,

"Having received and considered the report of the Ad Hoc Committee on Factors (Non-Self-Governing Territories) established by resolution 648(VII),

"Having taken note of the statement of the representative of the Netherlands that the negotiations between representatives of the Netherlands, the Netherlands Antilles and Surinam, which were adjourned in the year 1952, will shortly be resumed,

"1. Notes with satisfaction the progress made by the Netherlands Antilles and Surinam towards self-government;

"2. Considers that the new status of the Netherlands Antilles and Surinam can only be rightly appraised after the said negotiations have led to a final result and this has been embodied in constitutional provisions;

"3. Expresses to the Netherlands Government its confidence that, as a result of the negotiations, a new status will be attained by the Netherlands Antilles and Surinam representing a full measure of self-government in fulfilment of the objectives set forth in Chapter XI of the Charter;

"4. Invites the Government of the Netherlands to communicate to the Secretary-General the result of these negotiations as well as the provisions mentioned in paragraph 2 above;

"5. Invites the Committee on Information from Non-Self-Governing Territories to examine these communications in connexion with the information already transmitted and to report thereon to the General Assembly;

"6. Requests the Government of the Netherlands to transmit regularly to the Secretary-General the information specified in Article 73e of the Charter in regard to the Netherlands Antilles and Surinam until such time as the General Assembly takes a decision that the transmission of information in regard to these Territories should be discontinued."

2. Puerto Rico

a. CONSIDERATION BY THE COMMITTEE ON INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

In resolution 222(III)²⁷ of 3 November 1948, the General Assembly had considered that, having regard to the provisions of Chapter XI of the Charter, it was essential that the United Nations be informed of any change in the constitutional position and status of any such Territory as a result of which the responsible Government concerned considered it unnecessary to transmit information in respect of that Territory under Article 73e of the Charter; and had requested the Members concerned to communicate to the Secretary-General, within a maximum period of six months, appropriate information, including the constitution, legislative act or executive order providing for the government of the Territory and the constitutional relationship of the Territory to the Government of the metropolitan country.

Furthermore, in resolution 448(V),²⁸ the General Assembly had requested the Committee to examine such information as might be transmitted in the future to the Secretary-General in pursuance of resolution 222(III) and to report to the General Assembly.

In conformity with the terms of resolution 222(III), the United States Government transmitted to the Secretary-General communications dated 19 January and 20 March 1953, enclosing the text of the Constitution of the Commonwealth of Puerto Rico; a memorandum by the Government of the United States concerning the cessation of transmission of information under Article 73e of the Charter with regard to the Commonwealth of Puerto Rico; and a copy of a letter dated 17 January 1953, from the Governor of Puerto Rico to the President of the United States.

In the Committee on Information from Non-Self-Governing Territories, the representative of

²⁷ See Y.U.N., 1948-49, p. 724.

²⁸ See Y.U.N., 1950, p. 675.

the United States summarized the four main events which had led to the establishment of the Commonwealth of Puerto Rico:

(1) The fact that, in the general elections held in 1948, the Puerto Rican people had, by an overwhelming majority, voted to become a Commonwealth associated with the United States.

(2) The adoption by the United States Congress of legislation in the form of a compact, to give effect to that vote and authorizing the Puerto Rican people to draft their own Constitution.

(3) The adoption of a Constitution for Puerto Rico by a Constitutional Convention and its ratification by the people in a referendum.

(4) The approval of the compact and the Constitution by both the Congress of the United States and the people of Puerto Rico.

The Resident Commissioner of the Commonwealth of Puerto Rico, alternate representative of the United States on the Committee on Information from Non-Self-Governing Territories, then outlined in detail the political progress of Puerto Rico from the time of its first association with the United States in 1899 until the attainment of full internal self-government in political, economic, social and cultural affairs in 1952. This political development, he stated, indicated that the Puerto Rican people had worked out a free, democratic and fully self-governing way of life in harmony with their geographical, demographic, economic and cultural circumstances. He referred to the economic, social and educational conditions of the Commonwealth and the development programmes being carried out in those fields, as well as to the part played by the Puerto Rican people in the two world wars and in the United Nations action in Korea. He concluded by pointing out that the steps leading to the compact and Constitution had been initiated by Puerto Ricans and were based on the free decisions of the electorate.

The representatives of Brazil, Ecuador and China expressed the view that, in accordance with the request of the Assembly conveyed in resolution 448(V), the Committee on Information from Non-Self-Governing Territories was competent to examine the information before it and to report its findings to the General Assembly.

The representative of Brazil stated that, after examining the documentation before it, the Committee should express an opinion either in favour of or against cessation of information or, if it considered the documentation inadequate, it might inform the General Assembly that it could not reach a satisfactory conclusion. He suggested that the Committee should adopt a resolution which, after setting out the reasons on which its findings

were based, would recognize that Article 73e no longer applied to Puerto Rico in view of the degree of self-government reached by the Puerto Rican people, and that the purposes of Chapter XI had thus been attained.

The representative of Ecuador stated that Puerto Rico had achieved a full measure of self-government and that no more information need be transmitted under Article 73e and suggested the submission of a draft resolution for the consideration of the General Assembly expressing approval of the action taken by the United States Government.

Supporting the point of view expressed by the representative of Brazil, the representative of China recalled the terms of the relevant resolutions pertinent to the question, as well as the list of factors set out in the report of the 1953 Ad hoc Committee on Factors (A/2428). He concluded that the Territory had achieved almost complete self-government, the most important element in this respect being the freely expressed will of the people. He thought, therefore, that the Committee should comply with the provisions of resolution 448(V) and submit its views to the General Assembly.

The representatives of Iraq and Pakistan, however, expressed the opinion that, irrespective of the competence or ability of the Committee to examine the information and make any pronouncement thereon, it was preferable not to discuss the substance of the question but to refer it without comment to the Assembly for necessary action.

The representative of India concluded that the present status of Puerto Rico did not completely comply with any of the elements of an independent or fully self-governing State. She appreciated, however, the importance of the fact that the people of Puerto Rico had freely expressed their will in deciding in favour of their present status.

The representative of New Zealand submitted a draft resolution (A/AC.35/L.147) by which the Assembly would take note of the communications and documentation transmitted by the United States pursuant to resolution 222(III) with respect to the attainment of self-government by Puerto Rico.

The representatives of Brazil, Ecuador and India jointly proposed amendments (A/AC.35/L.148) to this draft resolution.

Among other things, the amendments would have the Committee on Information from Non-Self-Governing Territories take note that the

MEMBERS OF THE UNITED NATIONS AND THEIR DEPENDENCIES*, AND TRUST TERRITORIES AS OF 31 DECEMBER 1953



Members of the United Nations and their dependencies

Trust Territories

Non-members of the United Nations and their dependencies

cause of the scale of this map, all dependencies are not shown.

with the assistance of the United Nations, was established as an independent and sovereign on 24 December 1951.

with the assistance of the United Nations, was federated with Ethiopia as an autonomous under the sovereignty of the Ethiopian Crown on 11 September 1952.

Territory of South West Africa is under the Administration of the Union of South Africa by of a mandate of the former League of Nations.

delimitation of the boundaries of the State of Israel has not yet been finally determined.

Viet Nam, Laos and Cambodia, in South-East Asia, enjoy a special status within the French Union have requested admission into the United Nations.

status of French Morocco and Tunisia, in North Africa, is now under consideration by France.

final status of Jammu and Kashmir has not yet been determined.

15 June 1953, Greenland has become a province of Denmark.

The boundaries shown on this map do not imply official endorsement or acceptance by the United Nations.

people of Puerto Rico, after expressing their will in a free and democratic way, had achieved a new constitutional status. The amendments would also have the draft state that:

(1) the documents before the Committee showed that the choice of the Puerto Rican people constituted a mutually agreed association with the United States;

(2) Puerto Rico had attained internal self-government;

(3) the Committee noted the political advancement with satisfaction;

(4) the information indicated that Puerto Rico could be considered as falling outside the scope of Article 73e of the Charter; and

(5) the Committee took note of the opinion of the former Administering Authority that it was no longer necessary or appropriate to transmit information.

The amendments were adopted by the Committee in a series of 14 votes, ranging from a unanimous vote to 5 votes to 1, with 9 abstentions, after which the Committee adopted the amended draft resolution, as a whole, by 12 votes to none, with 3 abstentions.

b. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS EIGHTH SESSION

The report of the Committee on Information from Non-Self-Governing Territories (A/2465) was considered by the Fourth Committee at its 348th to 356th meetings, from 30 October to 6 November. The Committee considered earlier two requests for oral hearings on this question by representatives of political organizations in Puerto Rico.

At the 321st meeting of the Committee on 30 September, the Committee considered such a request by the President of the Independence Party of Puerto Rico (A/C.4/236).

Among the arguments put forward by representatives supporting the request were:

that the Committee should have further information from the people of Puerto Rico and not only from the Administering Power;

that Puerto Rico remained a Non-Self-Governing Territory until the General Assembly should declare that a full measure of self-government had been achieved;

that, in the interest of fair play, the representatives had a right to be heard;

that the information presented by the petitioner would help the Committee reach a decision on the question of cessation; and

that the broadest interpretation of the right of petition was needed.

Among representatives in favour of granting the request were those of Argentina, Bolivia, Guatemala, India, Iraq, Mexico, Saudi Arabia and Yugoslavia.

Representatives who opposed the granting of a hearing included those of Australia, Belgium, Brazil, Cuba, the Dominican Republic, Ecuador, France, Greece, Israel, New Zealand, the United Kingdom and the United States.

Among the reasons put forward by these representatives were:

that the request was not a petition in terms of Article 87b of the Charter, which applied to Trust Territories;

that Chapter XI of the Charter (Declaration on Non-Self-Governing Territories) contained no reference to petitions from Non-Self-Governing Territories;

that the Charter drew a fundamental distinction between Non-Self-Governing Territories and Trust Territories;

that it was undesirable to afford minority political parties a platform from which to plead their cause against elected governments;

that the United Nations could not become a forum for defeated minorities;

that the granting of a hearing to a person from a Non-Self-Governing Territory might set a dangerous precedent and that this should be done only if there were grave doubts about conditions in a Territory;

that by granting the request the Committee might interfere in the internal affairs of a sovereign State, thus infringing Article 2, paragraph 7, of the Charter; and

that to grant the request might encourage the political party to fight against the established government.

Other representatives doubted the usefulness of granting the request for an oral hearing or felt that it would be more desirable, in the interest of a peaceful settlement of the question, not to accede to the request. These representatives included those of Haiti and Thailand.

The Committee decided, in a roll-call vote of 25 to 19, with 11 abstentions, to reject the request.

At the 343rd meeting on 26 October, the Committee considered a similar request by the delegate of the Nationalist Party of Puerto Rico in the United States (A/C.4/239).

The representative of the United States told the Committee that both the Governments of the United States and of Puerto Rico registered the strongest opposition to the granting of the request since in their view the party was a minority group dedicated to a policy of violence. They considered that granting a hearing to this party would constitute an attempt to undermine the legitimate and popular Government of Puerto Rico.

The representatives of Denmark and Panama supported the contention of the United States that the Committee should not accept the application. The representatives of Guatemala and Poland, however, felt that the Committee should

accede to the request. The Committee decided, by a roll-call vote of 29 to 17, with 8 abstentions, to reject the request.

Opening the general debate, the representative of the United States outlined the main events which preceded the decision of her Government to cease transmitting information on Puerto Rico. She said that in 1948 the people of Puerto Rico had held a national election in which they chose whether Puerto Rico should become: (1) a State within the United States Federal Union; (2) an independent State; or (3) a commonwealth associated with the United States. By an overwhelming majority, she said, they had chosen commonwealth association. Subsequently, to give effect to the will of the Puerto Rican people expressed in the election, the United States Congress had adopted Public Law 600, which authorized the people of Puerto Rico to draft and adopt their own constitution. The new Constitution had later been ratified by the United States Congress and the Puerto Rican people—again by an overwhelming majority.

The Resident Commissioner of Puerto Rico, alternate delegate of the United States, told the Fourth Committee that Puerto Rico was a free State whose authority emanated from the people of Puerto Rico themselves. It was a State associated with the United States by virtue of the fact that the people of Puerto Rico, upon constituting themselves a commonwealth, had agreed that the exercise of certain aspects of political authority, with corresponding responsibilities, remained with the United States Government. Puerto Rico was not a constitutional part of the Federal Union, but was associated with the Union by virtue of a bilateral compact. The specific terms of the association between the Commonwealth of Puerto Rico and the United States were embodied in the Puerto Rican Federal Relations Act, which was part of the compact and could not be amended except by mutual agreement between the people of Puerto Rico and the United States.

The fundamental aspects of the political union between the United States and Puerto Rico were:

(1) that "the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States";

(2) that the citizens of Puerto Rico are citizens of the United States;

(3) that citizens of the United States, after having resided in Puerto Rico for one year, automatically become citizens of Puerto Rico;

(4) that all the public domains are under the control of the people of Puerto Rico;

(5) that the Commonwealth of Puerto Rico exercises complete authority over its internal affairs; and

(6) that Puerto Rico freely elects a Resident Commissioner to the United States, who represents Puerto Rico before all departments of the Government of the United States. The Resident Commissioner enjoys the privileges of membership without vote in the House of Representatives of the United States Congress.

He added that amendments to the Constitution of Puerto Rico could be adopted only by the people of Puerto Rico. They were not subject to subsequent approval by the United States Congress.

The Resident Commissioner also outlined the principal provisions for economic union between Puerto Rico and the United States.

The representatives of Czechoslovakia, Poland, the Ukrainian SSR and the USSR, however, said that Puerto Rico still remained a colony under the political and economic control of the United States. The adoption of a constitution was a unilateral legislative act which could in no way be considered as a compact between Puerto Rico and the people of the United States. This instrument, moreover, did not substantially change the status of the Territory or the relationship between the two peoples in economic, social or legislative matters, in which Puerto Rico still lacked independence. The United States, they alleged, aimed at disguising the existing state of affairs in the Territory, which it used for the establishment of large military bases in the Caribbean. A decision to cease the transmission of information could only lawfully be taken by the General Assembly when a Non-Self-Governing Territory had become sovereign and independent and when legislative, executive and judiciary powers were in the hands of the people of the Territory, they said.

These representatives also contended that in Puerto Rico foreign investors owned most of the land and drew large profits, while the cost of living had greatly increased. There were insufficient doctors and schools and many Puerto Ricans had emigrated to the United States in search of work.

At the 350th meeting on 3 November, Brazil, Chile, Colombia, Costa Rica, Ecuador, Panama and Peru submitted a draft resolution (A/C.4/L.300), according to which the General Assembly would:

(1) take note favourably of the conclusions set forth by the Committee on Information from Non-Self-Governing Territories in its resolution;

(2) recognize that the people of the Commonwealth of Puerto Rico, by expressing their will in a free and democratic way, had achieved a new constitutional status;

(3) express the opinion that it stemmed from the documentation provided that the association of the Commonwealth of Puerto Rico with the United States had been established as a mutually agreed association;

(4) recognize that when choosing their constitutional and international status, the people of the Commonwealth of Puerto Rico had effectively exercised their right to self-determination;

(5) recognize that in the framework of their Constitution and of the compact agreed upon with the United States the people of Puerto Rico had been invested with attributes of political sovereignty which clearly identified their status as an autonomous political entity;

(6) consider that, due to these circumstances, the Declaration regarding Non-Self-Governing Territories and the provisions established under it in Chapter XI of the Charter could no longer be applied to the Commonwealth of Puerto Rico;

(7) take note of the opinion of the United States Government as to the cessation of the transmission of information on Puerto Rico under Article 73e of the Charter;

(8) consider it appropriate that this information should cease; and

(9) express its assurance that, in accordance with the spirit of this resolution, the ideals embodied in the United Nations Charter, the traditions of the people of the United States and the political advancement attained by the people of Puerto Rico, due regard would be paid to the will of both the Puerto Rican and American peoples in the conduct of their relations under their present legal statute, and also in the eventuality that either of the parties to the mutually agreed association might desire any change in the terms of this association.

The sponsors of the joint draft resolution emphasized their acceptance of the basic principle that territories on the American Continent should achieve independence as soon as possible and applauded the first step towards complete independence which had been taken by Puerto Rico. They also stated that Puerto Rico had achieved internal autonomy and that the people of Puerto Rico had, by the exercise of their own right to self-determination, chosen the constitutional form which that independence should take. The constitutional form they had accepted guaranteed the development of a democratic system; independence was being achieved by peaceful means.

The representative of Peru said that the economy of Puerto Rico explained why commonwealth association with the United States had been chosen.

The representative of Ecuador outlined advances which had been made by Puerto Rico between 1940 and 1950 in the economic, social and educational fields and cited figures showing the increase in school enrolment and in wages and production and the decrease in the death rate and illiteracy. Because Puerto Rico had now become self-governing, he added, nothing warranted the obligation to transmit to the United Nations information under Article 73e of the Charter. The role of the

United Nations was clearly to encourage the people of Puerto Rico.

The representative of Costa Rica also cited figures to show the economic progress of Puerto Rico. Puerto Ricans had achieved their desire for independence and had also assured their economic stability. The deciding factor was the expression of the will of the majority, freely expressed. As Puerto Rico had achieved social, economic and cultural autonomy, the United States could not continue the transmission of information on that Territory.

The representatives of Canada, Cuba, the Dominican Republic, Iran and Israel, emphasizing that Puerto Rico had exercised its right to self-determination, said that the Non-Self-Governing Territories normally advanced by stages to self-government. Puerto Rico had reached the stage of exercising control over its economic, social and educational affairs. The representative of Cuba said that the new Constitution of Puerto Rico recognized no limitation to the subordination of all powers to the will of the people, and thus internal political independence represented full self-government. Direction of international relations and defence by the United States did not, he stated, constitute interference in the internal affairs of Puerto Rico. Moreover, the status of the Territory would always represent the wishes of the majority of the population. Should the people of Puerto Rico seek complete independence as their status, he felt sure that this would not be opposed by the United States.

Among those who supported that part of the seven-Power draft which stated that the Assembly considered it appropriate that the transmission of information should cease were the representatives of Haiti, Iran and Israel. On the other hand, the representatives of Czechoslovakia, Honduras, India and Poland were among those who felt that this paragraph should not form part of the draft resolution because they felt that the information should continue to be transmitted.

Burma, Guatemala, Honduras, Indonesia and Mexico submitted joint amendments (A/C.4/L.302) which would, among other things, add to the preamble a paragraph stating the competence of the General Assembly to decide whether a Non-Self-Governing Territory has or has not attained a full measure of self-government as referred to in Chapter XI of the Charter; and would, further, have the Assembly express its confidence that the United States would find it possible to continue to transmit information in respect of Puerto Rico under Article 73e of the Charter, rather than consider it appropriate that the transmission of infor-

mation should cease. It also sought to delete from the operative part of the seven-Power draft the paragraphs which provided that the Assembly should:

(1) take note favourably of the conclusions of the Committee on Information from Non-Self-Governing Territories;

(2) recognize that the people of Puerto Rico had been vested with attributes of political sovereignty which identified their status as an autonomous political entity; and

(3) consider that Chapter XI of the Charter no longer applied to Puerto Rico.

The sponsors of these amendments stated that, while they applauded the achievement by the people of Puerto Rico of their current status, the existing form of government fell short of a full measure of self-government and the transmission of information should therefore continue. They also paid tribute to the United States and to the Government of Puerto Rico for the progress made.

India submitted an amendment (A/C.4/L.301) which, in effect, would have the Assembly establish a six-member ad hoc committee which would examine further the question of the cessation of the transmission of information on Puerto Rico, with oral hearings if it considered these necessary, and report to the Assembly at its next session. Presenting her amendment, the representative of India said that appreciation for what had been accomplished by the United States, as Administering Authority, should not blind the Committee to the need of a full study before it took a final decision on the question of cessation. As Puerto Rico was economically and commercially dependent on the United States, she said, the Territory had not reached a full measure of self-government envisaged by the Charter, which would place it outside the scope of Chapter XL

At its 355th meeting on 5 November, the Committee cast 20 separate votes before adopting the draft resolution. The only amendment adopted by the Committee was that part of the five-Power amendment (A/C.4/L.302) which stated the competence of the General Assembly to decide when a Territory had become fully self-governing. This was adopted by a roll-call vote of 32 to 19, with 8 abstentions.

By 34 votes to 13, with 12 abstentions, the Committee rejected another part of the five-Power amendment which would have the Assembly express its confidence that the United States would find it possible to continue transmitting information on Puerto Rico under Article 73e of the Charter. It also rejected, by 31 votes to 15, with 13 abstentions, that part of the

five-Power amendment which would delete several paragraphs from the seven-Power draft resolution (see above).

Those parts of the Indian amendment which included the proposal for an ad hoc six-member committee to study the question further were rejected by the Committee by 34 votes to 18, with 7 abstentions.

After voting on the amendments, the Committee voted separately on each paragraph of the resolution. Votes on the individual paragraphs ranged from 48 to 1, with 6 abstentions, to 24 to 17, with 17 abstentions.

The draft resolution, as a whole, as amended, was adopted by a roll-call vote of 22 to 18, with 19 abstentions.

In explanation of vote, the representatives of France, the Netherlands, the United Kingdom and the United States said they had abstained on the resolution because of the adoption of that part of the five-Power amendment asserting the competence of the General Assembly. The representatives of Australia and New Zealand explained that they had voted against the resolution for similar reasons.

The draft resolution recommended by the Fourth Committee (A/2556 VII) was considered by the General Assembly at its 459th plenary meeting on 27 November.

The United States representative said that he was authorized to state on behalf of the President of the United States that if, at any time, the Legislative Assembly of Puerto Rico adopted a resolution in favour of more complete or even absolute independence, he would immediately thereafter recommend to the United States Congress that such independence be granted. The President also wished to say that, in that event, he would welcome Puerto Rico's adherence to the Rio Pact and the United Nations Charter. The President's statement was an expression of the traditional interest which the United States has always had in encouraging and promoting political freedom for all people in all parts of the world whenever conditions were such that their freedom would not be jeopardized by internal or external pressures, said the United States representative. He would vote for the resolution, he said, on the understanding that any participation by the Assembly in a decision as to whether or not a country had ceased to be non-self-governing was limited to discussion and an expression of views and recommendations. The representatives of Australia, Belgium, Costa Rica, the

Dominican Republic, Guatemala and India explained their votes on the basis of their views expressed in the Committee.

The Assembly first adopted the first five paragraphs of the preamble, by a vote of 39 to none, with 17 abstentions. By a roll-call vote of 34 to 19, with 7 abstentions, it adopted that part of the preamble which stated the competence of the Assembly to decide when a Territory had become fully self-governing. Voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Burma, Byelorussian SSR, Chile, China, Cuba, Czechoslovakia, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian SSR, USSR, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, Colombia, Costa Rica, Denmark, France, Iceland, Luxembourg, the Netherlands, New Zealand, Norway, Panama, Paraguay, Sweden, Turkey, Union of South Africa, United Kingdom, United States.

Abstaining: Brazil, Dominican Republic, Ecuador, Honduras, Israel, Nicaragua, Peru.

It adopted the operative part of the draft resolution by 26 votes to 11, with 19 abstentions. By a roll-call vote of 26 to 16, with 18 abstentions, it adopted the draft resolution, as a whole, as resolution 748(VIII). Voting was as follows:

In favour: Bolivia, Brazil, Chile, China, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Ethiopia, Greece, Haiti, Honduras, Iran, Israel, Liberia, Nicaragua, Panama, Paraguay, Peru, Philippines, Thailand, Turkey, United States, Uruguay.

Against: Australia, Belgium, Burma, Byelorussian SSR, Canada, Czechoslovakia, Guatemala, India, Indonesia, Iraq, Mexico, Poland, Ukrainian SSR, Union of South Africa, USSR, Yugoslavia.

Abstaining: Afghanistan, Argentina, Denmark, Egypt, France, Iceland, Lebanon, Luxembourg, Netherlands, New Zealand, Norway, Pakistan, Saudi Arabia, Sweden, Syria, United Kingdom, Venezuela, Yemen.

Resolution 748 (VIII) read:

"The General Assembly,

"Considering that, in resolution 222(III) of 3 November 1948, the General Assembly, while welcoming any development of self-government in Non-Self-Governing Territories, considers it essential that the United Nations be informed of any change in the constitutional status of any such Territory as a result of which the government responsible for the transmission, under Article 73e of the Charter, of information in respect of that Territory thinks it unnecessary or inappropriate to continue such a practice,

"Having received the communications dated 19 January and 20 March 1953 informing the United Nations of the establishment of the Commonwealth of Puerto Rico, as a result of the entry into force on 25 July 1952 of the Constitution of Puerto Rico, and stating that, in consequence of these constitutional changes, the Government of the United States of America would cease to transmit information under Article 73e of the Charter,

"Having studied the report prepared by the Committee on Information from Non-Self-Governing Territories, during its session of 1953, on the question of the cessation of the transmission of information on Puerto Rico, and presented to the General Assembly in conformity with paragraph 2 of resolution 448(V) of 12 December 1950,

"Having examined the communications of the Government of the United States of America in the light of the basic principles embodied in Chapter XI of the Charter and of all the other elements of judgment pertinent to the issue,

"Considering that the agreement reached by the United States of America and the Commonwealth of Puerto Rico, in forming a political association which respects the individuality and the cultural characteristics of Puerto Rico, maintains the spiritual bonds between Puerto Rico and Latin America and constitutes a link in continental solidarity,

"Bearing in mind the competence of the General Assembly to decide whether a Non-Self-Governing Territory has or has not attained a full measure of self-government as referred to in Chapter XI of the Charter,

"1. Takes note favourably of the conclusions set forth by the Committee on Information from Non-Self-Governing Territories in its resolution;

"2. Recognizes that the people of the Commonwealth of Puerto Rico, by expressing their will in a free and democratic way, have achieved a new constitutional status;

"3. Expresses the opinion that it stems from the documentation provided that the association of the Commonwealth of Puerto Rico with the United States of America has been established as a mutually agreed association;

"4. Recognizes that, when choosing their constitutional and international status, the people of the Commonwealth of Puerto Rico have effectively exercised their right to self-determination;

"5. Recognizes that, in the framework of their Constitution and of the compact agreed upon with the United States of America, the people of the Commonwealth of Puerto Rico have been invested with attributes of political sovereignty which clearly identify the status of self-government attained by the Puerto Rican people as that of an autonomous political entity;

"6. Considers that, due to these circumstances, the Declaration regarding Non-Self-Governing Territories and the provisions established under it in Chapter XI of the Charter can no longer be applied to the Commonwealth of Puerto Rico;

"7. Takes note of the opinion of the Government of the United States of America as to the cessation of the transmission under Article 73e of the Charter of information on Puerto Rico;

"8. Considers it appropriate that the transmission of this information should cease;

"9. Expresses its assurance that, in accordance with the spirit of the present resolution, the ideals embodied in the Charter of the United Nations, the traditions of the people of the United States of America and the political advancement attained by the people of Puerto Rico, due regard will be paid to the will of both the Puerto Rican and American peoples in the conduct of their relations under their present legal statute, and also in the eventuality that either of the parties to the mutually agreed association may desire any change in the terms of this association."

3. Greenland

At the 324th meeting of the Assembly's Fourth Committee on 2 October, the representative of Denmark recalled that a new Constitution had been adopted by the Danish Parliament and had later been approved by the people of Denmark in a referendum on 5 June 1953. The Constitution incorporated the provision, in accordance with which Greenland became an integral part of the Danish realm with rights corresponding to those of other parts of Denmark and gained representation in Parliament on an equal footing.

In view of this change, he said, Greenland was no longer a Non-Self-Governing Territory falling within the scope of Chapter XI of the United Nations Charter, and this information, together with relative documents, had been communicated (A/AC.35/L.155) to the Secretary-General of the United Nations on 3 September 1953. It was the understanding of the Danish Government that the communication would come before the Committee on Information from Non-Self-Governing Territories at its next session.

D. THE QUESTION OF SOUTH WEST AFRICA

In resolutions 65(I), 141(II), 227(III), 337(IV) and 449(V),²⁹ the General Assembly expressed its opinion that South West Africa should be placed under the International Trusteeship System and that a Trusteeship Agreement should be submitted in respect of the Territory.

In resolution 570(VI),³⁰ adopted on 19 January 1952, the Assembly reiterated its recommendations and recalled that it had accepted the advisory opinion of 11 July 1950 of the International Court of Justice, which stated, *inter alia*, that:

(1) the Union of South Africa continues to have the international obligations stated in article 22 of the Covenant of the League of Nations and in the Mandate for South West Africa as well as the obligation to transmit petitions from the inhabitants of that Territory, the supervisory functions to be exercised by the United Nations, to which the annual reports and the petitions are to be submitted, and the reference to the Permanent Court of International Justice to be replaced by a reference to the International Court of Justice, in accordance with article 7 of the Mandate and Article 37 of the Statute of the Court;

(2) the provisions of Chapter XII of the Charter are applicable to the Territory of South West Africa in the sense that they provide a means by which the Territory may be brought under the Trusteeship System;

(3) these provisions do not impose on the Union of South Africa a legal obligation to place the Territory under the Trusteeship System; and

(4) the Union of South Africa, acting alone, has not the competence to modify the international status of the Territory and that such competence rests with the Union acting with the consent of the United Nations.

By the same resolution, the Assembly reconstituted the Ad hoc Committee on South West Africa to "confer with the Government of the Union of South Africa concerning means of implementing the advisory opinion of the Court."

By resolution 651(VIII),³¹ adopted on 20 December 1952, the Assembly decided to postpone consideration of the question, requesting the Ad hoc Committee to continue on the same basis and to report to the General Assembly at its eighth session.

1. Report of the Ad Hoc Committee

The Ad hoc Committee, composed of the representatives of Norway, Syria, Thailand, the United States and Uruguay, held four meetings during 1953 and reported (A/2475 & Add.1) that negotiations with the Union of South Africa had not resulted in agreement. On 14 September, however, the Committee had sent a letter to the representative of the Union of South Africa, giving its assurance that, so long as the Committee's mandate from the Assembly continued to exist, it was ready and willing to continue consultations.

The report showed that the unresolved issue was the question of United Nations supervision of the Union's administration of South West Africa. The Committee maintained that, under its terms of reference, it was bound to insist on the implementation of the advisory opinion of the International Court of Justice of 11 July 1950 (see above). South Africa, on the other hand, did not recognize the principle of United Nations supervision, maintaining that the Court's opinion was only advisory and that it would be impossible to devise a system under which South Africa would be accountable to the United Nations, without extending the obligations it had incurred under

²⁹ See Y.U.N., 1946-47, p. 208; Y.U.N., 1947-48, p. 147; Y.U.N., 1948-49, pp. 866-67, 875; Y.U.N., 1950, pp. 821-22.

³⁰ See Y.U.N., 1951, pp. 644-45.

³¹ See Y.U.N., 1952, p. 586.

the League of Nations Mandate. Instead, the report recalled, South Africa had offered to carry out its international obligations by negotiating an agreement with France, the United Kingdom and the United States, the three remaining members of the Principal Allied and Associated Powers of the First World War. South Africa would thus undertake a legal obligation to these three Powers and not to the United Nations, although the Union was prepared to accept final confirmation by the United Nations of the proposed new agreement.

The report said that, during the 1953 negotiations, South Africa had asked whether the Committee had decided formally to reject these proposals on their merits, and not merely on its own terms of reference. The Committee replied that since the proposals did not provide a means of carrying out the Court's opinion, and also did not recognize the principle of United Nations supervision, it was unable to accept them as a basis for a detailed discussion. The Committee re-emphasized its belief that negotiations for a new international agreement could be undertaken only by the United Nations, acting through an agency appointed by and responsible to it.

In reply to the Union's contention that accountability to the United Nations would increase the international obligations it had previously assumed, the Committee said that it appeared premature at the stage when fundamental problems of principle were not agreed upon, to make any pronouncement concerning the possibility of detailed implementation of the Court's advisory opinion. In addition, it pointed out that the Court had stipulated that the degree of supervision to be exercised by the United Nations should not exceed that which had applied under the League Mandate.

Restating the position of his Government, the representative of the Union of South Africa said, in a letter reproduced in the Committee's report, that the Union Government maintained that the Mandate in respect of South West Africa had lapsed and that, while South Africa continued to administer the Territory in the spirit of the trust originally accepted, as a result of the demise of the League of Nations it had no other international commitments.

2. Consideration by the General Assembly at its Eighth Session

The question of South West Africa was considered by the General Assembly at its eighth session, at the 357th to 364th meetings of the Fourth

Committee, from 6 to 12 November, and at the 460th plenary meeting of the Assembly on 28 November.

The representative of Thailand, Chairman of the Ad hoc Committee, introduced the report, which, he said, made it clear that no substantial progress had been achieved. The last meeting between the Ad hoc Committee and the representative of the Union of South Africa had been held on 25 June. He regretted, the representative of Thailand stated, that the negotiations had not helped to settle the question or find a way of implementing the advisory opinion of the International Court, adding that, although the Committee had been unable to persuade the Union Government to negotiate on the basis of the Court's opinion, negotiations were at all times conducted without recrimination.

At the 357th meeting of the Fourth Committee on 6 November, the representative of the Union of South Africa said that the proposals made by his Government to achieve a solution were realistic and it was for the Fourth Committee to decide whether the Ad hoc Committee should be authorized to continue negotiations without undue restrictions. Much common ground had already been established and the South African Government appreciated the spirit in which the negotiations had been conducted. South Africa desired to co-operate with the United Nations and to settle finally what he called the unfortunate differences over South West Africa.

The Union representative repeated the stand taken in the Ad hoc Committee and said that no solution could be arrived at unless both parties made concessions. He recalled the earlier offers made by South Africa and the Ad hoc Committee's interpretation of its terms of reference, based on the advisory opinion of the International Court of Justice. He emphasized that the opinion of the Court was purely advisory and not automatically binding. Moreover, South Africa did not accept all the findings of the Court in this matter—a fact which did not affect its respect for the Court.

South Africa, he said, had proposed a new international instrument to revive the obligations of the Mandate Agreement and South Africa's international commitment with regard to carrying it out. The Ad hoc Committee had not considered this adequate and desired some provision for international supervision. Although South Africa contended that the powers and functions of the League of Nations did not devolve automatically on the United Nations and that no formal arrangements for international supervision were necessary, the Union Government had nevertheless

offered to submit to juridical supervision and to accept, in that connexion, the compulsory jurisdiction of the International Court. This also did not satisfy the Ad hoc Committee. South Africa further proposed the new instrument on the understanding that the Union would assume responsibility only to France, the United Kingdom and the United States, representing the Principal Allied and Associated Powers who had conferred on South Africa the original Mandate, but the Ad hoc Committee had decided that any new instrument would have to be concluded with the United Nations.

The negotiations, said the representative of South Africa, were handicapped by the very restrictive terms of reference of the Ad hoc Committee, which would not permit the negotiators to adjust differences. South Africa's proposals, he concluded, were designed to meet the differences and to ensure:

- (1) revival of the obligations assumed under the Mandate as a legal obligation;
- (2) its embodiment in a new instrument;
- (3) re-assumption by South Africa of international accountability to the Three Powers; and
- (4) provision to ensure the carrying out of the trust undertaken under the Mandate by accepting beforehand the compulsory jurisdiction of the International Court.

Burma and India submitted a joint draft resolution (A/C.4/L.304) which would, in effect, call on the Union to place the Territory under the International Trusteeship System. Presenting the proposal, the representative of India said that it was false to contend that, as the Mandate conferred by the League had lapsed, South Africa no longer had any international commitments with regard to South West Africa. The International Court had confirmed this, he said.

Thirty years of administration of the Territory by South Africa had left South West Africa a place in which the best lands were held by European settlers, in which there were no secondary schools and in which health services, housing conditions and living standards were poor, the representative of India continued. It had been said that 90 per cent of the people of South West Africa were in favour of incorporation in the Union of South Africa, but the measure of consultation of these inhabitants was not of a kind on which the United Nations could place any reliance.

The United Nations should not allow the Trusteeship System to become a system of spoliation, the representative of India contended. There was no legal, moral or political justification for

the Union of South Africa to annex South West Africa or to refuse to place it under Trusteeship. He added that the system of apartheid prevailing in the Union would bring South Africa into sharp conflict with the United Nations, and the Union Government had rejected Trusteeship as a solution because this would carry an obligation to administer the Territory without racial discrimination.

The representative of India supported the stand taken by the Ad hoc Committee on South West Africa in its refusal to compromise what he called two vital principles: that any instrument of international accountability could be concluded only with the United Nations or an agency appointed by it, and that supervision of the Territory should be exercised by the United Nations.

The representative of Burma, co-sponsor of the joint draft, said that South West Africa was the only former Mandated Territory which had neither become independent nor been placed under the International Trusteeship System. It had thus been deprived of progress towards self-government which it might have achieved under Trusteeship.

At the following meeting, the representative of India announced that Burma and India had withdrawn their joint proposal in favour of two new drafts, of which both delegations had become co-sponsors. Their action, the representative of India said, was designed to achieve the greatest measure of co-operation. The two new proposals were: (1) An eleven-Power draft resolution (A/C.4/L.306 & Add.1), sponsored by Afghanistan, Burma, Egypt, India, Indonesia, Iraq, Pakistan, the Philippines, Saudi Arabia, Syria and Uruguay; and (2) a fifteen-Power draft resolution (A/C.4/L.305/Rev.1 & Add.1), sponsored by Afghanistan, Brazil, Burma, Denmark, Egypt, India, Indonesia, Iraq, Liberia, Pakistan, the Philippines, Saudi Arabia, Syria, Thailand and Uruguay.

The eleven-Power draft resolution (A/C.4/L.306 & Add.1) would reiterate the resolutions of the General Assembly to the effect that the Territory of South West Africa should be placed under the International Trusteeship System and reassert that the normal way of modifying the international status of the Territory would be to place it under that System by means of a Trusteeship Agreement in accordance with Chapter XI of the United Nations Charter (Declaration on Non-Self-Governing Territories).

The great majority of representatives expressed support of the eleven-Power draft, which was adopted, as a whole, without amendment, by 42

votes to 1, with 10 abstentions, at the 364th meeting of the Fourth Committee on 12 November. Eight separate votes were recorded on individual paragraphs of the draft. Votes ranged from 44 to 1, with 7 abstentions, to 39 to 6, with 6 abstentions.

The draft resolution adopted by the Fourth Committee (A/2572) was adopted in turn by the General Assembly, without discussion, at its 460th plenary meeting on 28 November, by a roll-call vote of 47 to 1, with 11 abstentions. Voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian SSR, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian SSR, USSR, United States, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Union of South Africa.

Abstaining: Australia, Belgium, Canada, Denmark, France, Greece, Luxembourg, Netherlands, New Zealand, Sweden, United Kingdom.

The resolution (749 B (VIII)) read:

"The General Assembly,

"Having recommended, by its resolutions 65(I) of 14 December 1946, 141(II) of 1 November 1947, 227(III) of 26 November 1948, 337(IV) of 6 December 1949, 449 B (V) of 13 December 1950 and 570 B (VI) of 19 January 1952, that the Mandated Territory of South West Africa be placed under the International Trusteeship System, and having repeatedly invited the Government of the Union of South Africa to propose, for the consideration of the General Assembly, a Trusteeship Agreement for South West Africa,

"Having accepted, by resolution 449 A (V) of 13 December 1950, the advisory opinion of 11 July 1950 of the International Court of Justice concerning South West Africa, *inter alia*, to the effect that:

"(a) While the provisions of Chapter XII of the Charter do not impose on the Union of South Africa a legal obligation to place the Territory under the Trusteeship System', they 'are applicable to the Territory of South West Africa in the sense that they provide a means by which the Territory may be brought under the Trusteeship System',

"(b) ' . . . the Union of South Africa acting alone has not the competence to modify the international status of the Territory of South West Africa', and ' . . . the competence to determine and modify the international status of the Territory rests with the Union of South Africa acting with the consent of the United Nations',

"Considering that, in accordance with Chapter XII of the Charter, all Mandated Territories which have not achieved independence have been brought under the Trusteeship System with the sole exception of the Territory of South West Africa,

"1. Reiterates its resolutions 65(I) of 14 December 1946, 141(II) of 1 November 1947, 227(III) of 26 November 1948, 337(IV) of 6 December 1949, 449 B (V) of 13 December 1950 and 570 B (VI) of 19 January 1952, to the effect that the Territory of South West Africa be placed under the International Trusteeship System;

"2. Reasserts that the normal way of modifying the international status of the Territory would be to place it under the Trusteeship System by means of a Trusteeship Agreement in accordance with the provisions of Chapter XII of the Charter."

The fifteen-Power draft resolution (A/C.4/L.305/Rev.1 & Add.1) sought the establishment by the General Assembly of a new nine-member Committee on South West Africa, which, until such time as an agreement was reached between the United Nations and the Union of South Africa, would:

(1) examine, within the scope of the Questionnaire adopted by the Permanent Mandates Commission of the League of Nations in 1926, such information and documentation as might be available in respect of the Territory of South West Africa;

(2) examine, as far as possible, in accordance with the procedure of the former Mandates System, reports and petitions which might be submitted to the Committee or to the Secretary-General;

(3) transmit to the General Assembly a report concerning conditions in the Territory taking into account, as far as possible, the scope of the Reports of the Permanent Mandates Commission of the League of Nations;

(4) prepare for the examination of the General Assembly a procedure for the examination of such reports and petitions which should conform as far as possible to the procedure followed in this respect by the Assembly, the Council and the Permanent Mandates Commission of the League of Nations.

The draft resolution would further authorize the Committee to continue negotiations with the Union of South Africa in order to implement fully the advisory opinion of the International Court of Justice regarding the question of South West Africa and request the Committee to submit reports on its activities to the General Assembly at its regular sessions.

In terms of the fifteen-Power draft resolution the Assembly would further:

(1) commend the Ad hoc Committee on South West Africa for its constructive efforts to find a basis of agreement with the Union Government on the question of South West Africa;

(2) record "with deep regret" that that Government continued in its refusal to implement the Court's advisory opinion concerning the Territory;

(3) note with concern that no reports on the Territory had been submitted by the Union Government;

(4) note that the Union Government had "refused to co-operate with the United Nations" concerning the submission of petitions from that Territory;

(5) note the communications on South West Africa received by the Ad hoc Committee;

(6) reaffirm that the Union Government should assume its obligations to the United Nations with regard to that Territory;

(7) appeal solemnly to the Union Government to reconsider its position;

(8) reaffirm that the Territory was a Territory under the International Mandate assumed by the Union in 1920;

(9) reaffirm that the Union Government continued to have international obligations in respect of the Territory and that supervisory functions were to be exercised by the United Nations;

(10) express the view that without such supervision the inhabitants were deprived of what was envisaged by the Covenant of the League of Nations; and

(11) state its belief that the United Nations would not be fulfilling its obligations to the inhabitants of the Territory if it were not to assume supervisory responsibilities.

During the general debate, the sponsors of the fifteen-Power draft resolution—Afghanistan, Brazil, Burma, Denmark, Egypt, India, Indonesia, Iraq, Liberia, Pakistan, the Philippines, Saudi Arabia, Syria, Thailand and Uruguay—argued that it was clear from the opinion of the Court that South Africa should have submitted a Trusteeship Agreement in respect of South West Africa. It was invalid, they held, to contend that the Mandate for South West Africa had lapsed with the demise of the League of Nations and that South Africa had no international commitments in respect of the Territory. They could not accept the South African proposal to recognize responsibility to the three remaining members of the Principal Allied and Associated Powers of the First World War, since this amounted to an arrangement to take the question of South West Africa outside the control of the United Nations. Nor could they accept the South African argument that concern by the United Nations over the Territory constituted interference in the internal affairs of the Union of South Africa. The United Nations could not abandon a people for which it had an international responsibility and United Nations control would ensure the orderly progress of the peoples of South West Africa towards the goal of self-government or independence.

South Africa, they said, had undertaken solemn obligations and it was the duty of that country to honour them. There could be no agreement unless and until the South African Government accepted the principle of supervision of the administration of the Territory by the United Nations, which was the very core of the advisory

opinion given by the International Court of Justice. South Africa's refusal to accept this principle had predestined the negotiations to failure. The United Nations should avail itself of all means at its disposal to ascertain whether the terms of the Mandate were being carried out. If it were shown that the Territory was not being administered in those terms, then, under article 7 of the Mandate, the way was open for the United Nations to initiate proceedings.

The sponsors of the fifteen-Power draft appealed to South Africa to co-operate in seeking a solution. This solution was important to the United Nations as every Member of the Organization had an interest in the inhabitants of all territories which were not now administering their own affairs. A clear indication of the earnest desire of the General Assembly to arrive at a just solution was evidenced in the proposal to establish a new committee with new terms of reference, following what they called the uncompromising attitude of the Union Government through three years of negotiation. The achievement of an early solution of the problem was in the interest not only of the indigenous inhabitants of the Territory but was also of paramount importance in the interests of peace and harmony in Africa as a whole.

The representatives of the Byelorussian SSR, Czechoslovakia, the Ukrainian SSR and the USSR maintained that South Africa had annexed the Territory of South West Africa in violation of the Charter, and the United Nations could not associate itself with what they called an illegal act. South Africa, they said, was administering South West Africa against the will of the people of that Territory and without the formal authority of the United Nations. It was, further, ignoring world international opinion as well as the advisory opinion of the International Court of Justice. In South West Africa, racial discrimination was being practised; the people were suffering unbearable domination, being deprived of the most elementary rights, and carrying heavy burdens of a social, political, economic and legal nature. The continued refusal of the South African Government to place the Territory under Trusteeship was an undermining of the International Trusteeship System and a violation of the Charter. The reason for this refusal, these representatives maintained, was that the Union Government wished to perpetuate its mastery over the Territory and to exploit its people.

The fifteen-Power draft was supported generally by the great majority of representatives in the Committee.

Replying to points raised in the general debate, the representative of the Union of South Africa said that the debate had concentrated on: (1) criticism that South Africa's interpretation of the advisory opinion of the International Court of Justice was unjustifiable; (2) allegations that South Africa had virtually incorporated South West Africa as a fifth province; and (3) allegations of backwardness and exploitation of the Territory.

The Union Government, its representative stated, had concluded that the Court had erred in its juridical reasoning and could not accept the Court's opinion as a whole. In particular it could not accept certain of the Court's statements and conclusions as a correct exposition of the law.

Regarding the allegations that South Africa had annexed the Territory of South West Africa, he said that South Africa had been given the competence under the Mandate to administer and to legislate for South West Africa as an integral part of South Africa. The only limitation on its powers was the obligation to carry out the sacred trust conferred on it. South Africa had at all times scrupulously observed that trust.

In reply to the charges of backwardness in South West Africa, the Union representative stated that the Administration's record showed progress and development which could scarcely be conceived at the time the Union took over responsibility for the Territory. From 1946 the Territory had enjoyed considerable economic prosperity from which the indigenous population had benefited fully: in three years expenditure on education for the indigenous population had been more than doubled and that on health and general services increased by 80 per cent. Average holdings of the best lands were 225 acres for every man, woman and child of the indigenous population.

Statements attempting to discredit the Government of the Union of South Africa, he said, could not be conducive to an atmosphere in which realistic negotiation was possible.

He added that his Government's decision not to furnish reports on the administration of the Territory was not due to any desire to suppress information on South West African affairs. Statistics and reports on the Territory continued to be made public.

At its 364th meeting on 12 November, the Fourth Committee adopted, as a whole, without amendment, the fifteen-Power draft resolution by a roll-call vote of 41 to 1, with 11 abstentions. It completed a series of 32 separate votes on individual paragraphs and sub-paragraphs, with votes ranging from 50 to 1, to 35 to 5, with 11

abstentions. The paragraph of the draft recommending the establishment of the new Committee was adopted by roll-call vote of 39 to 8, with 6 abstentions.

At the 460th plenary meeting of the General Assembly on 28 November, the representative of India introduced an oral amendment to the resolution recommended by the Fourth Committee (A/2572) which would reduce from nine to seven the number of members of the proposed new Committee on South West Africa and provide that these members be appointed by the President of the General Assembly.

The representative of the Union of South Africa said that the position taken by his delegation had been clearly stated in the Fourth Committee and that he would not take part in the decision of the General Assembly concerning the particular point raised by the Indian oral amendment.

The Assembly adopted the Indian oral amendment by 47 votes to 3, with 4 abstentions. It adopted the amended paragraph calling for the establishment of the new Committee by a roll-call vote of 44 to 8, with 7 abstentions. Voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Saudi Arabia, Sweden, Syria, Thailand, United States, Uruguay, Venezuela, Yemen and Yugoslavia.

Against: Belgium, Byelorussian SSR, Czechoslovakia, France, Poland, Ukrainian SSR, Union of South Africa, USSR.

Abstaining: Australia, Canada, Israel, Luxembourg, Netherlands, New Zealand, United Kingdom.

The Assembly also voted by roll call on that part of the resolution which would state that the Union Government should assume its obligations to the United Nations and not, as proposed by the Union, to the three Powers (France, the United Kingdom and the United States) as principals. Voting, which was 51 to 1, with 8 abstentions, was as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian SSR, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Ukrainian SSR, USSR, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Union of South Africa.

Abstaining: Australia, Belgium, France, Luxembourg, Netherlands, New Zealand, United Kingdom, United States.

After adopting the remaining paragraphs of the draft resolution in a series of separate votes, ranging from 48 to 1, with 6 abstentions, to 39 to 2, with 12 abstentions, the Assembly adopted the amended draft resolution, as a whole, by a roll-call vote of 46 to 1, with 12 abstentions. Voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Saudi Arabia, Sweden, Syria, Thailand, United States, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Union of South Africa.

Abstaining: Australia, Belgium, Byelorussian SSR, Czechoslovakia, France, Luxembourg, Netherlands, New Zealand, Poland, Ukrainian SSR, USSR, United Kingdom.

The resolution (749 A (VIII)) read:

"The General Assembly,

"Having accepted, by resolution 449 A (V) of 13 December 1950 and by resolution 570(VI) of 19 January 1952, the advisory opinion of the International Court of Justice with respect to South West Africa,

"Recalling that the advisory opinion of the International Court of Justice with respect to the Territory of South West Africa sets forth, *inter alia*, that:

"(a) The Territory of South West Africa is a Territory under the international Mandate assumed by the Union of South Africa on 17 December 1920,

"(b) The Union of South Africa acting alone has not the competence to modify the international status of the Territory of South West Africa, and that the competence to determine and modify the international status of the Territory rests with the Union of South Africa acting with the consent of the United Nations,

"(c) The Union of South Africa continues to have the international obligations stated in Article 22 of the Covenant of the League of Nations and in the Mandate for South West Africa as well as the obligation to transmit petitions from the inhabitants of that Territory, the supervisory functions to be exercised by the United Nations to which the annual reports and the petitions are to be submitted,

"Considering that, in accordance with the opinion of the International Court of Justice, the Union of South Africa is under an obligation to accept the compulsory jurisdiction of the Court as provided by Article 37 of the Statute of the International Court of Justice, by Article 80, paragraph 1, of the Charter of the United Nations and by article 7 of the Mandate for South West Africa,

"Having reconstituted the Ad Hoc Committee on South West Africa, consisting of the representatives of Norway, Syria, Thailand, the United States of

America and Uruguay, by General Assembly resolution 570 A (VI) of 19 January 1952 and, by General Assembly resolution 651(VII) of 20 December 1952, having continued it on the same basis as before,

"Having considered the reports of the aforesaid Ad Hoc Committee, *i.e.*, document A/2261 submitted on 21 November 1952 and documents A/2475 and Add.1 and 2 submitted on 16 September, 8 October and 9 November 1953,

"1. Commends the Ad Hoc Committee on South West Africa for its earnest and constructive efforts to find a mutually satisfactory basis of agreement;

"2. Records with deep regret that the Government of the Union of South Africa continues in its refusal to assist in the implementation of the advisory opinion of the International Court of Justice concerning South West Africa, and continues to maintain that the Union of South Africa has no international commitments as the result of the demise of the League of Nations, and that the Government of the Union of South Africa is prepared only to enter into new arrangements for the Territory of South West Africa with the Principal Allied and Associated Powers of the First World War (France, the United Kingdom and the United States of America), and not with the United Nations;

"3. Notes with concern that, as required by paragraph 6 of General Assembly resolution 570 A (VI), the Ad Hoc Committee was unable to examine reports on the administration of the Territory of South West Africa because again no such reports were submitted by the Government of the Union of South Africa;

"4. Notes with further regret that the Union of South Africa has refused to co-operate with the United Nations concerning the submission of petitions in accordance with the procedures of the Mandates System;

"5. Notes the contents of the communications relating to South West Africa received by the Ad Hoc Committee in 1951, 1952 and 1953 from sources within and outside the Territory of South West Africa and contained in the aforesaid reports of the Ad Hoc Committee;

"6. Reaffirms that, in order to implement the advisory opinion of the International Court of Justice with regard to South West Africa,

"(a) The supervision of the administration of South West Africa, though it should not exceed that which applied under the Mandates System, should be exercised by the United Nations; judicial supervision by the International Court of Justice, which the Union Government is prepared to accept, is not in accordance with the advisory opinion expressed by that Court and accepted by the General Assembly;

"(b) The Union Government should assume its obligations to the United Nations and not, as proposed by the Union Government, to the three Powers (France, the United Kingdom and the United States of America) as principals;

"7. Appeals solemnly to the Government of the Union of South Africa to reconsider its position, and urges it to continue negotiations with the Committee on South West Africa, established under paragraph 12 below, in accordance with the aforesaid principles for the purpose of concluding an agreement providing for the full implementation of the advisory opinion of the International Court of Justice; and urges it further to resume submission of reports on the administration

of the Territory of South West Africa and to transmit to the United Nations petitions from individuals or groups of the population of the Territory;

"8. Recalls and reaffirms that the Territory of South West Africa is a Territory under the international Mandate assumed by the Union of South Africa on 17 December 1920;

"9. Reaffirms further that the Union of South Africa continues to have the international obligations stated in Article 22 of the Covenant of the League of Nations and in the Mandate for South West Africa as well as the obligation to transmit petitions from the inhabitants of that Territory, the supervisory functions to be exercised by the United Nations to which the annual reports and the petitions are to be submitted;

"10. Considers that without United Nations supervision the inhabitants of the Territory are deprived of the international supervision envisaged by the Covenant of the League of Nations;

"11. Believes that it would not fulfil its obligation towards the inhabitants of South West Africa if it were not to assume the supervisory responsibilities with regard to the Territory of South West Africa which were formerly exercised by the League of Nations;

"12. Establishes, until such time as an agreement is reached between the United Nations and the Union of South Africa, a Committee on South West Africa, consisting of seven Members, and requests this Committee to:

(a) Examine, within the scope of the Questionnaire adopted by the Permanent Mandates Commission of the League of Nations in 1926, such information

and documentation as may be available in respect of the Territory of South West Africa;

"(b) Examine, as far as possible in accordance with the procedure of the former Mandates System, reports and petitions which may be submitted to the Committee or to the Secretary-General;

"(c) Transmit to the General Assembly a report concerning conditions in the Territory taking into account, as far as possible, the scope of the reports of the Permanent Mandates Commission of the League of Nations;

"(d) Prepare, for the consideration of the General Assembly, a procedure for the examination of reports and petitions which should conform as far as possible to the procedure followed in this respect by the Assembly, the Council and the Permanent Mandates Commission of the League of Nations;

"13. Authorizes the Committee to continue negotiations with the Union of South Africa in order to implement fully the advisory opinion of the International Court of Justice regarding the question of South West Africa;

"14. Requests the Committee to submit reports on its activities to the General Assembly at its regular sessions."

At its 467th plenary meeting on 3 December the General Assembly, on the recommendation of the Fourth Committee to the President, approved the nomination of the following Members to serve on the Committee on South West Africa: Brazil, Mexico, Norway, Pakistan, Syria, Thailand and Uruguay.

E. CONDITIONS IN TRUST TERRITORIES IN THE PACIFIC

During its twelfth session, held from 16 June to 21 July 1953, the Trusteeship Council examined annual reports submitted by the Administering Authorities on the administration during the year 1951-52 of each of the four Trust Territories in the Pacific: Nauru, New Guinea, Western Samoa and the Trust Territory of the Pacific Islands.³²

The Council also examined individually six petitions concerning Nauru, twelve concerning New Guinea, two concerning Western Samoa and eighteen concerning the Trust Territory of the Pacific Islands.³³

In examining the annual reports and petitions, the Council took into consideration the observations (T/1062) of the United Nations Educational, Scientific and Cultural Organization (UNESCO) on the annual reports on Nauru, New Guinea and Western Samoa and the reports concerning the four Trust Territories of the Visiting Mission sent to the four Territories in 1953 (T/1054-1057).

The decision and preliminary arrangements to send a visiting mission to the four Trust Ter-

ritories in the Pacific were made by the Trusteeship Council during the second part of its eleventh session and were reported³⁴ to the General Assembly at its seventh session. The members of the Mission were as follow: Enrique de Marchena (Dominican Republic), Chairman; Leon Pignon (France); Najmuddin Rifai (Syria), and W. A. C. Mathieson (United Kingdom).

The Mission left New York on 12 February 1953 and on 16 February arrived by air in Honolulu, where it spent four days in discussions with the Acting High Commissioner of the Trust Territory of the Pacific Islands, his headquarters staff and the Commander-in-Chief of the United States Pacific Fleet. The Mission then visited Guam, the Western Carolines, the Northern Marianas, the Eastern Carolines and the Marshall Islands, leaving the Trust Territory of the Pacific Islands on 10 March.

³² See chart on the Examination of Annual Reports, p. 619.

³³ For list of petitions examined during 1953, see table, pp. 637-38.

³⁴ See Y.U.N., 1952, pp. 586-87.

On 10 March, the Mission arrived by air in the Trust Territory of Nauru where it stayed until 13 March. During its three-day visit, the Mission held meetings with the Administrator, two of the British Phosphate Commissioners, the Nauruan Local Government Council, people of the Territory and representatives of the Chinese community. It also visited the installations of the British Phosphate Commissioners, the Chinese, Gilbertese and Ellice Islander settlements, a number of schools and the Administration hospital.

The Mission next visited New Guinea and arrived at Rabaul on 14 March. From then until 9 April, the Mission visited various parts of the Trust Territory, including the New Britain, Bougainville, New Ireland, Manus, Sepik, Eastern Highlands, Madang, Western Highlands and Morobe Districts. On 9 April, the Mission left the Territory for Port Moresby in Papua and remained there for meetings with the Administrator and departmental heads until 13 April when it left Papua for Australia. During its stay in Australia, the Mission held conversations on Nauru and New Guinea at Canberra with the Australian Minister for Territories.

The Mission arrived in New Zealand on 21 April, where it held discussions on Western Samoa with the Prime Minister of New Zealand, the Minister of Island Territories and the principal officials of the latter's staff.

The Mission arrived in Western Samoa on 28 April. During its ten-day visit, it held discussions with the High Commissioner and his principal officials, the Samoan members of the Council of State, the Executive Council, the Legislative Assembly, the Fono of Faipule, the President and members of the Samoan Democratic Party and people of the Territory. The Mission visited various parts of the Trust Territory, including the outlying districts of Upolu and Savai'i.

After stopping briefly at Honolulu, the Mission returned to New York on 16 May and unanimously adopted the reports on the four Territories visited in May-June 1953.

At its 482nd meeting on 20 July 1953, the Council adopted, by 11 votes to none, resolution (648(XII)) by which it took note of the reports, expressed its appreciation of the work accomplished by the Visiting Mission and drew attention to the fact that, at its twelfth session, in formulating its own conclusions and recommendations on conditions in the Territories concerned, it had taken into account the Mission's observations and conclusions. The Council decided that it would continue to take these observations and

conclusions into account in the future examination of matters relating to the Trust Territories concerned, and invited the Administering Authorities concerned to give the most careful consideration to the conclusions of the Visiting Mission as well as to the comments made thereon by the members of the Trusteeship Council.

A brief description of the conditions in each of the Trust Territories in the Pacific is given below, together with summaries of the observations of the Visiting Mission and of the conclusions and recommendations of the Council in connexion with its examination of annual reports.

1. Western Samoa, Administered by New Zealand

Western Samoa comprises two large islands, Savai'i and Upolu, and a few smaller islands and islets, with a total area of about 1,130 square miles.

The provisional results of the last census taken in September 1951, the Administering Authority stated in the annual report,³⁵ showed that at that time the population consisted of 78,340 Samoans and persons of other races holding Samoan status, 4,199 persons of part-Samoan blood possessing European status, 393 Europeans and 164 Chinese, making a total population of 83,096, or 14,899 more than in September 1945.

At its twelfth session, the Trusteeship Council noted the progress achieved in all fields during the period under review and expressed the hope that the Administering Authority and the Samoan people would continue full collaboration to continue this development and, in particular, to solve the economic and social problems which might arise from the rapid growth of population.

a. POLITICAL DEVELOPMENT

The Samoa Act, 1921, and the Samoa Amendment Acts of 1947, 1949 and 1951 and 1952 are the foundation of the Territory's legal and political structures.

The executive branch of the Government is entrusted to the High Commissioner who presides over the Council of State, the Executive

³⁵ New Zealand: Department of Island Territories, Report by the New Zealand Government to the General Assembly of the United Nations on the Administration of Western Samoa for the Calendar Year 1952 (Wellington, 1953). For detailed discussion of this report in the Trusteeship Council, see Trusteeship Council, Official Records, Twelfth Session (16 June-21 July 1953); summaries of the observations of individual members are included in the Council's report to the General Assembly (A/2427).

Council, the Legislative Assembly and meetings of the Fono of Faipule. No ordinance passed by the Legislative Assembly can become law without his assent and no finance bill disposing of public revenue may be passed by it except upon his recommendation.

The High Commissioner is advised by a Council of State, composed of the High Commissioner and the two Fautua (advisers who are Chiefs of the highest standing) and by an Executive Council created pursuant to the Samoa Amendment Act, 1952. The High Commissioner is directed to consult the Council of State on all proposals for legislation to be submitted to the Legislative Assembly, concerning all matters closely relating to Samoan custom and on any other matters affecting the welfare of Western Samoa which he considers proper.

As recommended by the Trusteeship Council, an Executive Council was established by the Samoa Amendment Act, 1952, and came into being early in 1953. This body is composed of the High Commissioner, the two Fautua, three official members appointed by the High Commissioner, three Samoan and one European elected members of the Legislative Assembly appointed by the High Commissioner upon nomination, respectively, by the Samoan and European elected members of that body. The function of the Executive Council is to "confer with and advise the High Commissioner on the forming, determining and implementing" of government policy. Any member of the Council of State may require any matter within the competence of that Council to be referred to it, in which case, unless the High Commissioner directs otherwise, the Executive Council may not consider the matter until the Council of State has advised on it. The Amendment Act further provides that the three official members of the Executive Council shall be, *ex officio*, three of the official members of the Legislative Assembly.

At the Trusteeship Council's twelfth session, the special representative of the Administering Authority said that the ratio of Samoan to European members of the Executive Council would be important if, in discussion or voting, Samoans and Europeans were ranged in opposition. In practice, this was not the case; the Executive Council operated in a smooth and almost informal fashion and decisions were usually reached by agreement, with very little strict voting being required.

The measure of control exercised by the Government and the High Commissioner, he stated further, was no more than was required at present

to support the authority and the responsibility of the Administering Authority under the terms of the Trusteeship Agreement.

The work of the Executive Government is carried on, under the High Commissioner, by a secretariat headed by the Secretary of the Government, who is also a member of the Legislative Assembly and the Executive Council and the permanent head of the Western Samoan Public Service. He is assisted by two Assistant Secretaries, one for district affairs and the other for administrative matters. It is intended that the District Affairs Branch should gradually take over the Department of Samoan Affairs and, as a first step, the Secretary for Samoan Affairs was appointed in 1952 to the position of Secretary to the Government.

The Western Samoan Public Service is controlled by a Public Service Commissioner, appointed by the Governor-General of New Zealand and subject to the control of the New Zealand Minister of Island Territories regarding regulations for the conduct of the Service and regarding all matters which, in the opinion of the Minister, affect the policy of the Administering Authority. In 1952, the Legislative Assembly passed a motion requesting that the Commissioner should be subject to direction by the Executive Council "in matters which affect the policy of the Government of Western Samoa". The 1953 Visiting Mission did not comment upon this motion but felt that some control over the Service should be exercised by the High Commissioner.

Wage increases for public servants to compensate for the rise in the cost of living were granted with effect from January and 1 July 1952, the Administering Authority reported.

At the end of 1952, the Public Service employed a total of 1,039 persons of whom 986 were domiciled in the Territory. All department heads were Europeans of whom two were classified as "local Europeans". Out of a total of 72 persons in the professional and technical or senior administrative assistant categories, 21 were Samoans or "local Europeans".

In connexion with the new proposals for constitutional reform (see below), the Administering Authority considered that there existed a need for intensive training to fit Samoans for key administrative positions. The Visiting Mission endorsed this opinion and believed that an intensive programme of training should be commenced without undue delay. It suggested that such a programme might include the appointment of

Samoans as assistants or understudies to senior officials but that the most rapid results would probably be obtained by secondment of Samoan officials for periods of overseas training.

The Special Representative of the Administering Authority informed the Council, at its twelfth session, that an organized scheme of staff training had been undertaken under the supervision of a senior officer, who, prior to his appointment to the Government of Western Samoa, had had experience with this work in the office of the Public Service Commission of New Zealand. Consideration was also being given to the appointment of a full-time staff training officer.

The Trusteeship Council at its twelfth session noted with satisfaction the steps taken by the Government of Western Samoa to institute an organized scheme of staff training and also that consideration was being given to the appointment of a full-time staff training officer, drew the attention of the Administering Authority to the suggestion of the Visiting Mission concerning the secondment of Samoan officials for periods of training with the New Zealand service and, where possible, with other government services.

The Trusteeship Council noted the observation of the Visiting Mission that it would be desirable for the Minister of Island Territories to delegate part of his authority over the Public Service Commission to the High Commissioner. It also noted that the organization of the Public Service of Western Samoa would be considered at the constitutional convention (see below) and said that it awaited information on the decisions taken in this respect.

Under the Act of 1947, the Samoan Legislative Assembly possesses extensive legislative powers in so far as concerns domestic matters, including the approval of the Territorial budget, although the New Zealand Government still retains its inherent legislative power in respect of Western Samoa and the Governor-General in Council has the power to make regulations for the peace, order and good government of the Territory.

The Legislative Assembly consists of the Council of State, twelve Samoan members elected by the Fono of Faipule, five elected European members and six official members, of whom three are required by the Samoa Amendment Act, 1952, to be the official members of the Executive Council and not more than three may be members of the Western Samoan Public Service appointed by the High Commissioner and holding office during his pleasure. The High Commissioner, as

President, has a casting vote but has never used this nor his power to veto legislation. The Assembly holds two sessions each year.

The Fono of Faipule consists of 41 members representing territorial constituencies based on the traditional districts and sub-districts of Western Samoa and selected by the matais (family heads). The Fono ordinarily meets twice a year and is a purely advisory body having the statutory right to express opinions and make recommendations to the High Commissioner on matters concerning the welfare of the Samoan people. It also submits nominations for the appointment of Samoan district judges, plantation inspectors and associate judges of the Land and Titles Court, and it elects the Samoan members of the Legislative Assembly.

The Visiting Missions of 1950 and 1953 both drew attention to the absence of any co-ordinated and regulated system of local government in Western Samoa, where district and village affairs continue for the most part to be controlled in the traditional Samoan manner by councils of matais which exercise certain quasi-judicial powers which are not officially recognized. Intervention by the central government is confined to such matters as health and sanitation, education, criminal jurisdiction and, to a limited extent, public works. The 1953 Visiting Mission considered that the absence of a proper constitutional relationship between the Government and the local councils constituted a serious defect, since it hindered the growth of a mutual sense of obligation and responsibility.

A District and Village Government Board Bill, based on the recommendations of the Commission of Enquiry which had investigated the question in 1950, was considered by the Legislative Assembly in 1952, the Administering Authority reported. This Bill provides for the establishment of a District and Village Government Board, composed of the two Fautua and six members nominated by the Fono of Faipule under the Chairmanship of the High Commissioner, to furnish a link between the central Government and the local authorities and to interpret the requirements of each to the other. The Board would examine proposals and make recommendations concerning the legal establishment of local authorities and district and village courts, approve their by-laws and rules of procedure, and render them advice and assistance. A final amended draft of the Bill, it was stated, was to be reported on in August 1953 by the Select Committee of the Legislative Assembly set up for the purpose. In order to make possible those of its provisions

relating to the creation of local courts, the Administering Authority was prepared to introduce legislation into the New Zealand Parliament for the necessary amendment of the Samoa Act, 1921. The Visiting Mission regarded the introduction of the District and Village Government Board Bill as a most important step in the political advancement of Western Samoa and believed that its implementation would greatly assist in preparing the Territory for self-government.

At its tenth session, the Trusteeship Council had expressed the hope that the Administering Authority would make progress towards devising a form of local government for the urban area of Apia, the capital of Western Samoa. The District and Village Government Board Bill makes no provision for this and the Administering Authority, in explanation, stated that the Samoan members of the Legislative Assembly had deleted the matter from the terms of reference of the Commission of Enquiry, and that any attempt to force this development might be suspected by most Samoans for historical reasons. However, it hoped that the Legislative Assembly would soon agree to a detailed study of the problems involved. The Visiting Mission shared this hope and considered that, in the new political situation created by the prospect of early self-government, such fears as might still exist in the minds of the Samoans could have no validity.

The Trusteeship Council at its twelfth session noted with satisfaction that a final draft of the District and Village Government Board Bill would be submitted to the Legislative Assembly in 1953 and reiterated its hope that early consideration might be given to the establishment of some system of local government for the urban area of Apia.

Except for the European community, which possesses universal adult suffrage, the franchise among Samoans continues to be confined to the matai who elect the members of the Fono of Faipule, who in turn elect the Samoan members of the Legislative Assembly.

The Trusteeship Council has in the past urged that constant attention should be devoted to educating the Samoan people towards the realization of the place of universal suffrage in a system of democratic self-government.

In its annual report for 1952, the Administering Authority stated that continued efforts had been made to educate the Samoans in this direction, but without great success. It pointed out that the Samoans were inherently conservative and that their traditional social and economic system had

a strong hold on their affections and influenced their whole way of thinking and acting.

During 1952, it reported, the Samoan Democratic Party, which advocates universal suffrage, was aided by the Government to the extent consonant with the maintenance of strict impartiality, but the results had not been very encouraging.

The 1953 Visiting Mission, in agreeing with the opinion expressed by the Administering Authority, nevertheless drew attention to the existence of economic and social factors, particularly the growth of a money economy and the rapid population increases, which might eventually result in a modification of the traditional social structure. It believed that these factors might lead to an increase in the number of persons advocating a wider franchise. Consequently, it recommended that, in the proposed constitutional plan for a future State of Western Samoa, a legislative structure should be found which would be flexible enough to permit adjustments to be made as the changing situation might require.

Full civil and criminal jurisdiction in the Territory is exercised by the High Court of Western Samoa, which consists of a chief judge, four commissioners, four Samoan associate judges and fourteen Samoan district judges. The chief judge and the commissioners are appointed by the Minister of Island Territories, and the district and associate judges are nominated by the Fono of Faipule and appointed by the High Commissioners for a term of three years. The number of associate judges was increased from three to four as from 1 October 1952.

In the more important defended criminal cases, four assessors are employed by the High Court to sit in an advisory capacity with the chief judge. In Samoan cases there are two Samoans and two European assessors.

As from November 1952, it was proposed that two Samoan associate judges should sit in the High Court at Apia and possibly at Tuasivi, Savai'i, to hear and determine cases within their jurisdiction.

The only other legally constituted judicial body is the Land and Titles Court which has jurisdiction in respect of disputes over Samoan land and succession to Samoan titles. The chief judge (of the High Court) is President of this Court and is assisted by two or three European assessors and three Samoan judges. During 1952, the Legislative Assembly amended the Land and Title Protection Ordinance to provide that the President would convene sittings of the Court, instead of

the High Commissioner, as previously, and to lift the restriction on the number of Samoan judges, previously limited to three. Since that time, an additional Samoan judge has been appointed to the Court.

Every inhabitant of Western Samoa has a double status, affecting his rights inside and outside the Territory. With regard to the latter, he may be either a New Zealand-protected person or a national of some sovereign State. In domestic status, inhabitants are divided into "Samoan" and "European". A Samoan is defined as "a person belonging to one or more of the Polynesian races" and the law also classifies as Samoan any persons who are of more than three-quarters Polynesian blood, unless they are specifically declared to possess some status other than Samoan. Under prescribed conditions, individuals may petition the High Court for a change of status. Up to the end of 1952, the Court had declared 573 former Samoans to be Europeans and 56 Europeans to be Samoans.

The distinction between European and Samoan status is primarily a legal one. Persons of European status are not permitted access to Samoan land, even by inheritance through their maternal forebears or through marriage, and they may not accept a Samoan title without permission and even then may not exercise the rights conferred by it. Samoans may not be members of any incorporated company or legal partnership without the consent of the High Commissioner. Formerly, they could not be sued for trade debts, but the immunity was removed by an ordinance of the Legislative Assembly passed at its first session in 1953.

The 1953 Visiting Mission believed that these restrictions had lost much of their usefulness and pointed out that the distinction between Samoan and European status was rapidly losing its significance in view of the fact that most Europeans were predominantly Samoan in outlook and were tending to merge with the Samoans through inter-marriage. The Mission therefore considered it desirable that the legal distinction should be abolished. A similar suggestion had been put forward by the Administering Authority for consideration in connexion with the constitutional plan for the future State of Western Samoa (see below).

On 19 March 1953, the Prime Minister of New Zealand issued a statement setting forth proposals for a constitutional plan for a future State of Western Samoa and announcing a comprehensive programme of development in the administrative, judicial, economic and social fields intended to contribute to the establishment of a self-govern-

ing Samoa. In his statement, the Prime Minister said, among other things, that, in view of the record of the Samoans in assuming increased responsibilities, the Administering Authority felt that the time had arrived for further important steps towards the advancement of the Territory and that the rapid population increase introduced a note of urgency into all problems of future development. The Administering Authority wished to assist the Samoans during the period of adjustment by helping them to develop a strong, responsible Samoan government, a population united regardless of race, and the administrative machinery, institutions and knowledge necessary for the solution of the problems which would arise.

It therefore proposed that a constitutional convention, representative of all sections of the Samoan community, should be held in the Territory before the end of 1954, to consider a constitutional plan for the future State of Western Samoa. The plan could, it was suggested, include provision for:

- (1) A common citizenship for all the inhabitants of Western Samoa;
- (2) A single House of Representatives to replace the Legislative Assembly and Fono of Faipule;
- (3) Direct election in secret ballot of members of the Legislature upon the widest suffrage the Samoan people feel able to accept;
- (4) The eleven traditional political districts to be the constituencies, with each district returning one member for each 2,000 to 2,500 of its total population;
- (5) The method of appointment and tenure of office of the Head of State;
- (6) Executive Government to be conducted by a Premier and Cabinet Ministers who would be members of, and responsible to, the House of Representatives;
- (7) Western Samoa to control her own Public Service;
- (8) The special relationship between New Zealand and the future self-governing State of Western Samoa.

The Prime Minister's statement added that these points would be open for full discussion and the constitutional convention would be free to consider any other proposals. The recommendations of the convention would be carefully considered by the New Zealand Government which was prepared to implement any scheme consonant with its responsibilities as Administering Authority and its regard for the welfare of the Samoan people. It would, at the same time, fulfil its duty of keeping the Trusteeship Council informed, and would give due consideration to the latter's views and advice.

The statement also referred to the special problem created by the existence in Samoa of a small minority which was not wholly of the Samoan

race. It declared that the Administering Authority, which had a responsibility to ensure the protection of minorities, would be concerned to see that a satisfactory solution to the problem was found, to the advantage of both sections of the community.

In order to provide a firm foundation for self-government, it was announced that the Administering Authority had approved a comprehensive programme of measures which would embrace economic development, agriculture, local government, vocational training and education.³⁶ Finally, the statement announced that the Administering Authority was prepared to consider ways and means whereby the New Zealand Reparations Estates would be handed over to Western Samoa as a going concern.

The 1953 Visiting Mission's report dealt primarily with the constitutional problems raised by this policy statement. The Mission found that the Samoans welcomed the proposal for a constitutional convention and were confident of their ability to agree upon a constitutional plan. They had not, however, had sufficient opportunity to form more than tentative views on the detailed aspects of the statement and were therefore unwilling to express views on the provisions which the constitutional plan would contain. A more definite reaction, the Mission stated, was obtained from the leaders of the small Samoan Democratic Party and a group of young professional workers comprising the "Ex-Scholarship Association" who considered that the existing social structure, in which the matai controlled Samoan affairs, would be a hindrance to democratic elections and that any electoral plan would have to provide for the existence of systems of elections both by the matais and by universal suffrage, allowing for the possibility of a gradual transfer to the latter if the people so desired. The "Ex-Scholarship Association" was particularly concerned about the small number of Samoans or local Europeans holding senior executive positions with the Government which, they considered, constituted an obstacle to the granting of immediate self-government. They advocated a transitional period during which a corps of Samoan civil servants could be trained.

The Mission reported that the local European community appeared to welcome the proposal of the Administering Authority and seemed to be confident that it would not be discriminated against as a minority group in a Samoan State. The Mission noted that this was in marked contrast to the attitude of the European community as observed by the first Visiting Mission in 1947

and that a spirit of great harmony seemed to prevail among all sections of the population regardless of their legal status.

In the opinion of the Visiting Mission, the statement of the Prime Minister of New Zealand constituted an important and forward-looking pronouncement for which the Administering Authority should be commended, especially its decision to submit the question of the future constitution of Samoa in the first instance to the decision of the Samoan people. The Mission noted with appreciation the assurance that the Administering Authority was fully cognizant of its responsibilities under the Trusteeship System, and that it would fulfil its duty of keeping the Trusteeship Council informed and would give due consideration to the latter's views and advice.

The Mission commented at some length on the suggestion for a constitutional plan set forth in the Prime Minister's statement. It considered that the continued existence of different categories of citizenship would be inconsistent with the objectives of the Trusteeship System. However, it believed that special provision would have to be made for persons who wished to retain their non-Samoan nationality.

With regard to the suggestion that there should be a single legislature, the Mission considered that much would depend upon the decision of the constitutional convention concerning suffrage. Both the Administering Authority and the Visiting Mission reported that there were some indications of a trend towards a more Western form of democracy in the Territory, but the Administering Authority stated that the present outlook of the people was so fluid as to discourage dogmatism about future development. The Mission thought it desirable that a legislative structure should be found for the Samoan State which would be sufficiently flexible to permit such adjustments as the changing situation in this respect might require. The special representative of the Administering Authority told the Trusteeship Council at its twelfth session that both the Administering Authority and the Territorial Government would welcome and encourage universal suffrage if the Samoan people desired it.

As regards the executive and administrative branches of government, the Mission observed that the Samoans had least experience in this field and would do well to take advantage of all possible sources of advice and assistance. In this connexion, the Mission drew attention to the hope

³⁶ See below under the relevant headings.

expressed in the Prime Minister's statement that the talents of all Samoan citizens of ability and education would be mobilized for the benefit of the Territory, regardless of their position in Samoan society.

With regard to the question of the relationship between New Zealand and the future self-governing State of Western Samoa, the Mission believed that it would be premature to assume that the Territory could undertake obligations extending beyond its own shores and that it was therefore incumbent upon the Administering Authority to be prepared to maintain a special relationship with Western Samoa after the attainment of self-government. The Mission noted with satisfaction that in all its contacts with the Samoans the desire for such a relationship was fervently expressed.

The Special Representative of the Administering Authority informed the Council at its twelfth session that, in order to aid the Government and people of Western Samoa in carrying out the proposals contained in the statement of the Prime Minister of New Zealand, a new position of Special Assistant, Western Samoa Development Plan, had been created. The principal duties of this officer would be to aid the High Commissioner in the development of all matters covered in the statement and to attend to the necessary preliminary work preparatory to the constitutional convention. The Special Representative added that the first positive steps to implement the development programme were the preparation of the amended District and Village Government Board Bill, to be submitted to the Legislative Assembly in 1953, and the initiation of an organized scheme of staff training for the Public Service.

The Council at its twelfth session commended the Administering Authority for its forward-looking pronouncement of policy, especially the decision to submit the future status of Western Samoa in the first instance to decisions of the people of Western Samoa. It noted with satisfaction that the proposals for constitutional reform were intended to prepare a programme for the establishment of full self-government for Western Samoa and expressed the hope that the Samoan people would take every advantage of the opportunities offered to them and would co-operate with the Administering Authority in the realization of further democratization of Samoan society which would facilitate the attainment of self-government. The Council endorsed the conclusions of the Visiting Mission regarding the proposed constitutional plan.

The Council also noted with satisfaction the decision to appoint a special assistant to work in close association with the High Commissioner in the development of all matters covered in the Prime Minister's statement.

b. ECONOMIC DEVELOPMENT

The economy of Western Samoa is almost completely based on agriculture with the majority of the inhabitants engaged mainly in growing subsistence crops. Pigs and poultry are also raised for local consumption. The Samoans are, however, turning increasingly to commercial production, principally of copra, cocoa and bananas for the export market, as a means of satisfying their growing requirements of foreign products. The value of exports rose from £1,303,761³⁷ in 1950 to £1,778,084 in 1952 and imports rose from £1,095,121 to £1,687,790.

The marketing of export crops is carried out partly by governmental contractual arrangements and partly through the open market. Total exports of the principal product, copra, about 80 per cent of which is produced by Samoans, increased from 13,917 tons in 1950 to 17,037 tons in 1952. It is assured a guaranteed price, under a contract with the United Kingdom Ministry of Food, up to 31 December 1957. The Visiting Mission, while noting that the prices for Western Samoan copra would be maintained until 1957, pointed out that the world market for this product was notoriously unstable and therefore welcomed the results of a survey conducted in 1952 by a cocoa expert under the South Pacific Commission which indicated that the Territory offered possibilities for substantially increased cocoa production.

Exports of cocoa amounted to 3,212 tons in 1951 and 2,448 tons in 1952, of which more than half the total crop was produced by Samoans.

Banana production fell off seriously during and after a severe drought in 1951, but, the Administering Authority reported, there were signs of a recovery; in 1952, a total of 65,588 cases of bananas, valued at £55,816, were exported. About 95 per cent of the crop was produced by Samoan growers. It was hoped, the Administering Authority stated, to establish during 1953 a Banana Board, one of whose functions would be to build up a reserve fund for the banana industry.

The Administering Authority considered that, in view of the continued demand for the staple

³⁷ Figures in this section are given in New Zealand currency: £NZ100 = £ Sterling 100 = \$US 280.

exports of the Territory, there was no need for the Government to promote external trade by seeking to create new markets.

The Special Representative of the Administering Authority informed the Council at its twelfth session that the first five months of 1953 had seen a remarkable revival in the banana trade, exports of bananas being nearly double the quantity exported during the whole of 1952. Production of copra had been somewhat reduced owing to the delayed effects of the drought of 1951, but was expected to improve later in the year. Cocoa beans had maintained a high level of production and it was significant that approximately 900 tons had been exported up to the end of May 1953, as compared with 505 tons for the corresponding period in 1952.

The representative of New Zealand informed the Trusteeship Council at its twelfth session that the Administering Authority had completed its study of the problem of preferential tariffs and had informed the Government of Western Samoa that it had no objection to the abolition of the preferential tariff and the substitution of a general tariff. He stated that it remained for the Government of Western Samoa to take appropriate legislative action. The Council noted this statement with satisfaction.

Industries in the Territory are few and are confined mainly to small enterprises producing for local consumption. No known mineral resources exist and the economic potentialities of commercial fishing are not such as to invite its development on a large scale.

Both the Administering Authority and the Visiting Mission agreed that a basic problem in Western Samoa might well turn out to be the difficulty of adapting the traditional socio-economic organizations to the need for increased production created by the rapidly growing population and the rising standard of living. In order to provide an alternative means of organization to the traditional production by family groups, a Co-operative Societies Ordinance was passed by the Legislative Assembly in 1952 and was to come into operation as soon as the services of an experienced Co-operatives Officer were obtained. The 1953 Visiting Mission attached great importance to this Ordinance and hoped that the Samoans would not be slow to take advantage of it. The Mission nevertheless considered that the problem of adapting Samoan traditions to the requirements of modern economic life, which would involve a modification of the Samoan sys-

tem of land tenure, was one which must ultimately be solved by the people themselves.

The Trusteeship Council had on several occasions drawn attention to the need for expanding and diversifying the economy of the Territory, and the Prime Minister of New Zealand, in his statement concerning the political advancement of Western Samoa, pointed out that the success of the future Samoan State, which must be capable of feeding its growing population as well as maintaining an export trade, would depend on an expanding agricultural production; and that, in order to achieve this, the Administering Authority had approved a comprehensive programme of development.

The Visiting Mission reported that the first and most important aspect of the programme would be the institution of the general economic survey, as urged by the Trusteeship Council at its tenth session. The survey would include an aerial and a soil survey in addition to an extensive study of such subjects as population, production, trade resources and national income. A second aspect of the programme would include measures to develop agricultural production, taking into account the recommendations made as a result of an agricultural study conducted by an expert of the New Zealand Government in 1952. The Mission was encouraged to note that an energetic approach was being made to the formulation of a basic agricultural programme, in view of the fact that agricultural planning had been virtually at a standstill during the inter-war years owing to the existing domestic political problems in Western Samoa.

Other development projects undertaken during the period under review included the extension of roads and initiation of work on a new shipping point on Savai'i. A plan was also prepared for the construction of a hydro-electric scheme at Avele near Apia. With the aim of broadening the basis of the economy, which was considered desirable by the Visiting Mission, the Territorial Government was giving continued assistance to experiments in crop diversification.

During the period under review, the Government of Western Samoa continued to co-operate in the work of the South Pacific Commission, from which it received assistance in a variety of research projects and which will provide financial and technical aid in carrying out the economic survey of the Territory. The Special Representative of the Administering Authority informed the Council at its twelfth session that the Samoan

delegation participated actively at the second South Pacific Conference, held in April 1953, and that a proposal was being considered to hold the third conference in Western Samoa. The assistance of the South Pacific Commission was being sought to obtain the services of an entomologist to assist in the development of agricultural production, and who would, in particular, study possible measures for the eradication of the rhinoceros beetle.

The Special Representative also informed the Council that work on the economic survey and the aerial survey had begun, and that a development plan to increase the port facilities of Apia had been instituted. He agreed with the need for increased agricultural production but said that the rate of development of individual incentive would depend largely upon the nature of the solution which was found to the problem of land tenure. He stated that the Samoan leaders were now more ready to vote funds for the employment of outside experts and that a high degree of co-operation in this respect could be expected as the goal of self-government came nearer.

The Trusteeship Council at its twelfth session noted the progress achieved in the economic field and particularly the inception of a comprehensive programme of development, welcomed the initiation of the general economic survey and the aerial survey and the intention of the Territorial Government to carry out intensive measures to develop agricultural production on the basis of the recommendations contained in the report of the consultant on tropical agriculture of the New Zealand Government. It noted further the increased willingness of the Samoan leaders to co-operate with the Territorial Government in voting funds for economic development and expressed the hope that the co-operation would continue.

The Council, stating that it was aware of the need for increased expansion of the Territory's economy in view of the rapid population growth and the requirements of self-government, expressed the hope that the Administering Authority would continue its efforts to find a solution to the problem of land tenure, would meet with success in promoting agricultural co-operatives and would persist in its efforts to broaden the basis of the economy by developing additional crops and industries.

The New Zealand Reparation Estates consist of plantation land held by the New Zealand Government as a payment for reparations due from Germany after the First World War. The

policy of the New Zealand Government has been to operate these plantations under Government control but to make the profits available for expenditure on social and economic development schemes for the benefit of the Territory. The Estates currently produce copra, cocoa, beef, rubber and timber.

Roughly 8,800 out of a total of about 10,000 cattle are owned by the Estates which, during 1952, also started work on developing a superior type of cocoa.

In his statement of 19 March 1953, the Prime Minister of New Zealand announced that the Administering Authority was prepared to study ways and means whereby the New Zealand Reparation Estates would be handed over to Western Samoa as a going concern. It was suggested that this should be done by transferring ownership to a statutory corporation under the control of a board of governors, consisting of four locally appointed members and one New Zealand nominee who would be withdrawn on the attainment of complete self-government. The Visiting Mission, in commenting on the proposal, considered that the Administering Authority deserved warm commendation for a most generous gesture, and expressed the view that the suggested method of transfer would ensure that the Estates would continue to be an efficient organization in Samoan hands.

In all, 42,000 acres were transferred from the Reparation Estates to the Government of Western Samoa to help cope with population pressures as of December 1952. Of the total land in the Territory, Samoans owned between 580,000 and 585,000 acres, Europeans about 16,000 and missions about 5,000 acres. The New Zealand Reparation Estates owned 33,000 acres, and the extent of Crown land in right of the Samoan Government was about 88,000 acres, large areas of which were used by indigenous inhabitants for their own ends.

The Council, at its twelfth session, commended the Administering Authority for its decision to transfer ownership of the New Zealand Reparation Estates to the Samoan people which was announced in the statement of the Prime Minister of New Zealand of 19 March 1953, hoped that the representatives of the people of Western Samoa would give careful consideration to the suggestions of the Administering Authority for effecting the transfer of the Estates as a going concern, and said that it awaited with interest further information on the outcome of the negotiations.

The Council, at its twelfth session, also considered a petition (T/Pet.1/6) containing a complaint that the New Zealand Reparation Estates had refused to renew the lease of a plot of land which the petitioner had cultivated. The Administering Authority explained in detail that it would appear that the petitioner had no legal claim for compensation in respect of the termination of his lease, and had thus far not resorted to the courts. The Council therefore decided (resolution 838(XII)) that, in the circumstances, no recommendation was necessary.

Approval of the annual budget and of all financial legislation is the responsibility of the Legislative Assembly, subject to the provision that no finance bill disposing of public revenue may be passed by the Assembly except upon recommendation of the High Commissioner. Revenue is derived mainly from direct taxes, import and export duties, shipping and port dues and the proceeds from public undertakings. The most important source of revenue consists of import and export duties, which accounted for more than half of the total receipts during the period under review. Salary tax is payable by all persons other than incorporated companies and is progressive from a minimum of £1 to a maximum of ten per cent. Store tax is levied on all merchants and is based on the gross selling price of goods.

During 1952, public revenue reached a record total of £781,980 as compared with £521,859 in 1950.

The 1953 Visiting Mission commented that the financial position of the Territorial Government was very sound and that there were no outstanding debts other than those arising in the ordinary course of trade. It noted that the Government was displaying commendable caution by holding a general reserve fund of £500,000 invested in New Zealand securities but it felt that, in view of the vast developmental needs of the Territory, some of this fund might with safety be utilized for investment in capital goods and utilities.

During 1952, work proceeded on the improvement of piped water supplies to villages, for which the Legislative Assembly voted £50,000 during the year, as well as on the construction and improvement of roads and bridges; several construction projects involving the building of school facilities and extensions to the Apia and Fayamalo hospitals were completed.

During 1952, foundations were laid for an additional diesel generating plant which was ex-

pected to be in service in 1953, and progress was made on a 1,000-kilowatt hydro-electric scheme at Avele which was expected to be completed in late 1954 or early 1955.

The Administering Authority stated that, in 1951, £27,964 was spent on maintaining and improving roads, while in 1952 over £84,000 was spent on roads and bridges.

c. SOCIAL DEVELOPMENT

The Administering Authority stated that, at the current stage of the Territory's development, it sought to achieve social advancement mainly by raising the standard of general education and the level of public health.

A close interrelationship exists between the problems of social advancement and of political and economic progress in Western Samoa, a factor which was emphasized by the 1953 Visiting Mission. Samoan society is organized along strictly traditional lines and is essentially conservative in outlook. The basis of Samoan social life is the extended family (aiga), the members of which all acknowledge the leadership, and are subject to the control of, the matai, or family head. This individual, who is chosen by the group for life, is responsible for the leadership and care of the family under his control. In return for this, the matai receives the co-operation and services of those under his charge; he also holds in his name the title to family land and is the only one qualified to vote in the selection of village officials or to participate in the nomination of political representatives.

Both the Administering Authority and the Visiting Mission noted the existence of factors which might in the long run tend to modify the social structure. These factors were the growth of a money economy, the rising standard of living, the increased educational opportunities and the rapid population growth. The Visiting Mission believed that some modification of the community system was essential if Western Samoa was to continue to advance economically.

The Administering Authority stated that no social security scheme was needed for the Samoans in view of the nature of their social structure. As of 1952, all treatment at the hospitals, including maternity treatment, was provided free, but charges were made for food and accommodation. The sums appropriated by the Legislative Assembly were greater in 1952 than in previous years, reflecting the upward trend in the Territorial revenue and the attitude of the Samoans

to Government expenditure. In 1952, over 40 per cent of the Territorial revenue was spent on health, broadcasting and education. This was supplemented by grants from the Administering Authority.

At its twelfth session, the Council considered a petition (T/Pet.1/4) from a retired government official, who complained of the inadequacy of his retirement retainer due to the increase in the cost of living and requested that it should be increased. The Council (resolution 836(XII)) drew the attention of the petitioner to the observations of the Administering Authority, to the effect that his request would receive consideration, and requested the Administering Authority to inform the Council at its thirteenth session of the decision reached on the petitioner's request.

No surveys relevant to the standard of living of the various sections of the community have as yet been undertaken, with the exception of an agricultural survey made in 1950-51 and a consumers' price index, based on the family budgets of public servants, which was prepared in 1951-52. The Administering Authority stated that it was difficult to ascertain the cost of living for indigenous inhabitants in the absence of a general cash economy. However, the natural productivity of the land, together with the current high prices for the Territory's exports, had ensured a relatively high standard of living for the Samoan people. The Visiting Mission observed that signs of prosperity were everywhere apparent in the increased number of imported goods and in the generally healthy appearance and contented attitude of the people.

Only a small proportion of the population of the Territory is dependent on wages and the Administering Authority stated that, in the absence of a working class, strictly speaking, the need had not arisen for a highly organized labour administration or for a very precise labour legislation. There were no problems of unemployment nor was there any general shortage of labour.

The largest employer of labour is the Government (with the New Zealand Reparation Estates) and the rate of wages paid by the Government to unskilled and semi-skilled workers is fixed by the Public Service Commissioner. In 1952, the Government rate for casual labourers was 9s. a day for unskilled labour, while the majority of private employers paid 8s. 6d. a day. The period of employment of labour employed by the Government had been generally reduced in 1951 to a 40-hour week with a full holiday on Saturdays and other holidays. Government working hours were usually

observed by most private employers. The Public Works Department currently had in operation a training scheme which enables unskilled workers to become semi-skilled and their rate of pay to be accordingly increased. It was hoped to expand the scheme. Trade training was also being developed in the Government and mission schools and was to be included in the curriculum of the Samoan College.

During the period under review, legislation was enacted prohibiting the recruitment of workers for employment outside the Territory. The Government had also under consideration the promulgation of an ordinance dealing with workmen's compensation, and a select committee of the Legislative Assembly had been established to study and report in 1953 on a proposal to create a permanent arbitration board to decide wage claims and disputes.

The Health Service provided, as far as possible, coverage to employees as well as to other members of the population in respect of inspection and protection of their health. Further provisions to improve this protection were under consideration.

The Special Representative of the Administering Authority informed the Trusteeship Council, at its twelfth session, that the Legal Officer of the New Zealand Department of Labour and Employment was investigating labour conditions in the Territory, with a view to advising the Government of Western Samoa as to the types of labour ordinance required and the legislation necessary to introduce a sound scheme of workmen's compensation.

Women in Western Samoa are equal in law with men. The 1953 Visiting Mission noted that, although women did not tend to seek prominence in public affairs, they exercised a considerable influence, especially through the village women's committees which assisted the work of the village schools, hospitals and dispensaries. The Mission noted that among the younger generation women were becoming increasingly desirous of playing an important role in social affairs. At its twelfth session, the Council noted this statement and expressed the hope that every encouragement would be given to them.

With the exception of the Samoa Amendment Act, 1951, no major legislation affecting public health was enacted during the period under review. Facilities for treatment of tuberculosis were greatly improved.

The medical services of Western Samoa are under the control of the Health Department,

which maintains a general hospital at Apia and thirteen out-stations including three cottage hospitals. The staff includes the Director of Health, five European or New Zealand-trained doctors and 31 Samoan medical practitioners.

Samoan medical practitioners are trained at the Central Medical School in Suva, Fiji, and nurses are trained at a training school in Apia hospital. Refresher courses are also carried on at the hospital for both medical practitioners and nurses. During the period under review, eight Samoan medical practitioners completed their training at Suva and returned to the Territory and sixteen nurses graduated from the Apia school. Three scholarship pupils were training in New Zealand to become fully qualified doctors and, at the beginning of 1953, five female scholarship pupils were being trained in New Zealand as nurses.

The Administering Authority stated that, although many of the Samoan medical practitioners were experienced men, within the limits of their training, the quality of their work varied, due partly to the fact that in many cases their preliminary education was poor, but also because the medical course at Suva had undergone considerable change and development over the years. A factor of considerable importance in raising the standard of medical practice was the formation in 1951 of a Samoan medical practitioners' association which held biennial meetings and lectures (a Samoan trained nurses' association was likewise formed in 1952). In addition, the refresher course for Samoan medical practitioners was revised to provide for the attendance of selected practitioners during a six-month period of training at the Apia hospital in all branches of medical work. The Visiting Mission, in commenting upon this, also noted with satisfaction that henceforth it was the desire of the Health Department to select only candidates who had reached a higher stage of general education for medical training at Suva.

The main development during the period under review was the completion in 1951 of a new wing for tuberculosis patients at the Apia hospital, which brought the number of beds available for patients with this disease to 63. The provision of these facilities formed part of a new scheme for the ascertainment, registration, treatment and continuous supervision of all cases of tuberculosis coming to notice within the Territory, and must not be regarded as indicating an undue prevalence of the disease.

The Administering Authority also reported that intensive educational action concerning tuber-

culosis was being taken by the Department of Health, with satisfactory results.

A further development during 1952 was the completion of a new village hospital at Poutasi, consisting of two wards and a dispensary under the charge of a Samoan medical practitioner. The Visiting Mission, in noting this, observed that there was also a need for additional hospital facilities on the island of Savai'i and therefore reported with satisfaction that the Health Department intended to build the nucleus of a cottage hospital in each district as the necessary funds became available.

As from 1952, all treatment at the hospitals, including maternity treatment, is given free and most dispensary charges have been abolished. Any charges made are small and are for the provision of food (at three shillings a day) or for special accommodation (new wards or private rooms).

The Administering Authority stated that a considerable expansion had taken place in medical work during recent years and that the rate of expansion had increased during the period under review. This was indicated by the number of treatments carried out in hospitals and dispensaries which rose from 141,328 in 1949-50 to 204,787 in 1951.

The Trusteeship Council at its twelfth session noted that it was the policy of the Government of Western Samoa to establish subsidiary hospitals in all areas of the Territory which were difficult of access, and to improve the qualifications of Samoan medical practitioners by providing annual refresher courses at the Apia hospital and by raising the standard of preliminary education required of candidates for medical training. It expressed the hope that continued attention would be given to the improvement of medical services.

The Council also considered a petition (T/Pet.-1/5) from the Progressive Committee of the Local Government of Matautu which contained requests for a number of improvements in the fields of health, water supplies, education, road communications, and local government in an area of Savai'i Island. The Council (resolution 837 (XII)) noted that the petitioner's requests were receiving the attention of the Administering Authority, and requested the Administering Authority to inform the Council at its thirteenth session of the decisions reached.

d. EDUCATIONAL DEVELOPMENT

The educational system of Western Samoa is in the hands of the Government and the five

religious missions which are active in the Territory. The Government maintains a free but not compulsory public school system providing education at the primary and secondary levels. Advanced training is provided by means of scholarships awarded each year by the New Zealand Government for study in New Zealand and elsewhere. The Territorial Government also maintains a teachers' training school, a school for Samoan nurses and regular courses of adult education.

The public school system consists of 103 village elementary schools (two less than in 1950), four district primary schools, two residential boys' primary schools, a primary school in the Aleisa European settlement, an infant school and a primary school for both Samoan and European children in the Apia area, and Samoa College (with both primary and secondary departments). The number of pupils totalled 13,158 in 1952, or about 700 less than in 1950. The enrolment in mission schools in 1952 was 6,478, of whom 4,176 attended pastor schools only.

Developments during the period under review included the completion of the Vaipouli residential primary school for boys in Savai'i which, like its counterpart Avele, places emphasis on agricultural training. In early 1953, the Malifa Samoan and Leififi European schools were combined to form the Apia Infant and Apia Primary School, staffed by both European and Samoan teachers and together having rolls totalling 1,500 pupils. At the beginning of 1953, Samoa College was completed; its secondary department will admit each year 30 to 40 selected students from the public and mission primary schools, reaching an eventual enrolment of 200 students in addition to those in the primary department. During 1952, the number of district primary schools was increased from two to four, and it is the aim of the Department of Education to establish at least one district school in each of the eight educational districts providing instruction up to a level higher than that at present available in the village schools.

The aims of the Territorial Government and the Administering Authority are, it was stated, first to provide a general education for all which would be suited to an agricultural community and would provide the possibility of more advanced agricultural training for senior students; second, to develop a sound and adequate system of secondary education for selected students so as to prepare them for executive positions, higher specialist training and entrance to a university.

The Visiting Mission drew attention to the need to improve the teaching and other facilities

provided by the village elementary schools. The Administering Authority stated that progress had been made in improving the buildings in which village schools are housed. The principal problem, however, was to raise the standard of teaching. The village schools were staffed by Samoan teachers, many of them uncertificated and most of them with only an elementary education, as a result of which they could not carry the education of their pupils beyond the elementary level. In order to remedy this situation, every effort was being made to educate and train Samoan teachers to a higher standard; for this purpose, the Teachers' Training College had been greatly enlarged and improvements had been made in the staffing and equipment. Between 1950 and 1951, the number of student teachers enrolled in the College rose from 119 to 172. Each year, the standard of applicants was higher and a few entrants were now coming from high schools.

Expenditure on education rose from £74,000 during the period of nine months ended 31 December 1950 to £163,000 in 1952. Of the latter sum, £115,500 was provided by the Territorial Government and £47,500 by the Government of New Zealand, £31,500 being for the construction of Samoa College. Approximately £21,000 was devoted to the provision of scholarships for overseas training.

The Special Representative of the Administering Authority informed the Council, at its twelfth session, that the Territorial Government had studied the possibility of introducing compulsory education but had encountered a number of practical difficulties in view of the rapidly increasing population and the shortage of trained teachers. He stated that arrangements had been made for the New Zealand Director of Education to visit the Territory at the end of 1953 in order to study and report on educational problems, including the possibility of instituting a system of compulsory education.

With the exception of the Teachers' Training College, the Nurses' Training School and the vocational schools (at the secondary school level) conducted by the missions, there are no specialized institutions for vocational or higher education in the Territory. However, scholarships are awarded for training at New Zealand institutions and at the Central Medical School in Suva, Fiji. Since 1945, a total of 83 students have been awarded Government scholarships by the New Zealand Government for training in New Zealand, or fourteen more than was reported in the annual report for the period ending 31 December 1950. Of these, eleven had returned to work in Government de-

partments in Western Samoa up to the end of 1952. Sixty Government scholarship holders were still training in New Zealand, of whom nine were in teacher-training colleges, five in universities and the remainder were enrolled at preparatory or secondary schools. In addition, seventeen students were receiving medical training in Fiji under scholarships granted by the Territorial Government.

The Administering Authority stated that when Samoa College was fully functioning, further consideration would be given to its overseas scholarship scheme.

The Special Representative of the Administering Authority informed the Council, at its twelfth session, that, of the more advanced scholarship students, three women graduates of the New Zealand teachers' training college had returned to take up teaching duties in the Territory and one student had completed training in New Zealand as a motor and diesel engineer. In addition, one student was in his third year of medical training at Otago University and two other holders of Samoan scholarships had passed their intermediate medical examinations at the same college. In all, fifteen scholarship students had completed their training and had returned to Western Samoa where they were employed in various Government departments.

The Trusteeship Council, at its twelfth session, noted the progress made in the educational field and, in particular, the completion of Samoa College, but stated that it was nevertheless aware of the need for further advancement and trusted that the Administering Authority would continue its efforts in this direction. It expressed the hope that further information on plans for educational development, including the question of compulsory education, would be forthcoming after the proposed visit of the Director of Education of the New Zealand Government to the Trust Territory.

The Council further hoped that the construction of Samoa College would not result in a reduction of the number of scholarships granted to the inhabitants of Western Samoa for education in New Zealand but that the scholarships would in future be devoted to the provision of additional advanced technical training and university training.

Regular courses of instruction in general and commercial subjects continued to be held at the adult night school and were attended by approximately 50 students in 1952, as compared with 43 at the end of 1950. The standard of work is equivalent to that of a second-year class in a secondary school and enables the students to sit for the Samoan Public Service examination. The

Health Department also sponsors women's committees in the villages which are provided with lectures and demonstrations on health and sanitation; educational information is disseminated through the local radio station and a weekly newspaper, the Samoa Bulletin.

The Administering Authority stated that, as few adult Samoans had evinced much interest in night classes on specific subjects, it might be wise to concentrate mainly on forming a well-advised public opinion.

The five religious missions together operate a total of 395 schools with an enrolment of 6,478 pupils, the Administering Authority reported. The great majority of these are pastor or catechist schools (324) which account for 4,176 pupils, many of whom also attend the Government village schools. In addition to 35 primary schools and two secondary schools, the latter having 95 pupils, there are three theological colleges, a boys' agricultural school and a girls' school for commercial training.

The Administering Authority stated that, in addition to the developments in the public school system, a close and harmonious relationship existed between the Department of Education and the missions. Although the missions did not in most cases receive financial aid from the Government, they did receive assistance by being able to import their materials free of duty. Efforts were being made with a view to establishing better liaison and, as far as possible, a common standard of attainment at the different grades, and it was believed that the creation in 1951 of a joint committee of mission and Government representatives might pave the way for further co-operation in educational matters.

2. New Guinea, Administered by Australia

New Guinea has a land area of 93,000 square miles, and includes some 600 islands. The total indigenous population on 30 June 1952 was estimated by the Administering Authority in its annual report³⁸ at 1,090,332.

The 1953 Visiting Mission emphasized in its report (T/1056) that physical conditions in New

³⁸ Commonwealth of Australia, Report to the General Assembly of the United Nations on the Administration of the Territory of New Guinea from 1st July 1951 to 30th June 1952 (Gov't, Printer, Canberra, 1951). For detailed discussions of this report in the Trusteeship Council, see Trusteeship Council Official Records, Twelfth Session (16 June-21 July 1953); summaries of the observations of individual members are included in the Council's report to the General Assembly (A/2427).

Guinea, for which there was no real parallel in other Trust Territories, must be taken into account in any realistic appraisal of the Territory. The Mission considered that, while the pace of political development should be accelerated, it would be unrealistic to assume that the existing tribal structure could be greatly modified in the very near future. The work of training the people in the purposes and processes of representative institutions even at the village level had been started only in a few areas and the process of establishing political systems above that level was not yet beyond the blueprint stage. Training in representative government was a task which should be prosecuted with all possible speed, the Mission felt, and use might be made of indigenous inhabitants from those villages where representative institutions had already been established.

The Mission also found the economic development of the Territory difficult and slow, and that it required, in particular, co-ordinated planning.

At the twelfth session of the Trusteeship Council, the Special Representative of the Administering Authority agreed that significant political development would take a very long time. The Administering Authority was fully aware that a great deal still remained to be done before many of the aims of the International Trusteeship System could be realized, and trusted that the Council would not doubt its good faith and earnest endeavours to uphold the principles of the Charter and the International Trusteeship System. With regard to the dissemination of information on the United Nations, he stated that several years ago special recordings describing the work of the United Nations had been made in "Melanesian pidgin English". These were still used from time to time. The Administration would also welcome any assistance from the Department of Public Information regarding material which could be used to effect a wider knowledge of the United Nations and its activities, provided of course that the material was suitable for the particular stage of development which the inhabitants had attained.

The Trusteeship Council, at its twelfth session, noted that the Territory was characterized by abnormally difficult terrain, excessive fragmentation of indigenous society and a diversity of vernaculars and that its human and economic resources were still largely unexplored. It endorsed in general the views and recommendations of the Visiting Mission, commending them to the Administering Authority. The Council, noting that the Mission did not find in the Territory any appreciable knowledge among the indigenous inhabitants con-

cerning the aims and activities of the United Nations or of the basic objectives of the International Trusteeship System, expressed the hope that collaboration between the Administering Authority and the Secretary-General would result in increased information on the United Nations suitably adapted to the linguistic and other cultural conditions of the indigenous inhabitants.

a. POLITICAL DEVELOPMENT

New Guinea is administered under the Papua and New Guinea Act, 1949-1950, which provides for the joint administration of New Guinea and the adjacent Territory of Papua.³⁹ The organs of government comprise an Administrator and an Executive Council, both appointed by the Governor-General of Australia, and a Legislative Council. The first Assistant Administrator was appointed in September 1951. Under the Administrator, twelve government departments provide administrative and technical services for both Papua and New Guinea, except in the case of public works which come under the Department of Works of Australia. The Territory consists of nine administrative districts, each administered by a District Commissioner.

The 1953 Visiting Mission considered that the authority of District Commissioners was considerably circumscribed by control from administrative headquarters in Port Moresby. Many decisions could well be made on the spot subject to review by headquarters, the Mission felt. It was informed that simplified channels of communication were being considered. The Special Representative of the Administering Authority informed the Trusteeship Council at its twelfth session that plans were being made for greater decentralization of responsibility and powers. This was noted with interest by the Council, which endorsed the Mission's view on the desirability of delegating additional responsibility and power to the District Commissioners.

Considerable areas of the Trust Territory not yet under normal administrative control are being brought under it by a policy of "peaceful penetration", the Administering Authority reported. By 30 June 1952, it stated, 69,812 out of the total of 93,000 square miles were under administrative control, compared with 65,570 square miles in 1951. The Visiting Mission felt that the Administering Authority deserved the commendation of the Trusteeship Council (which hoped, with the Administering Authority, to see the process com-

³⁹ For the Trusteeship Council's examination of this administrative union during 1953, see pp. 648-49.

pleted in 1954) on its record of peaceful penetration. This commendation was endorsed by the Council which noted in particular the arduous nature of the duties of the officers entrusted with this task.

The staffing organization of the combined Territories of Papua and New Guinea increased from 1,581 to 1,601 during 1951-52, and occupied positions increased from 1,280 to 1,293 during the same period, the Administering Authority reported. Of the classified positions, 395 were common to both Territories, 761 were assigned to the Trust Territory and 445 to Papua. The 1953 Visiting Mission noted that established positions and those occupied had further increased to 1,632 and 1,404, respectively, by 31 March 1953.

The Administering Authority informed the Council that a recruiting campaign, begun in July 1952, had resulted in 134 new appointments up to 15 June 1953. Since that date a further 121 vacancies were in process of being filled and the campaign was to be continued.

At least 50 per cent of the new appointees, apart from those to be attached to headquarters, would be assigned to the Territory of New Guinea.

The Visiting Mission was favourably impressed by the student body of the Australian School of Pacific Administration, which provides special courses for the education of officers and prospective officers of Papua and New Guinea as well as other prescribed persons. Twenty-five students received diplomas during 1951-52, a total of 26 cadet patrol officers successfully completed the induction course and took up duty in the Department of District Services and Native Affairs, and 28 officers commenced the two-year course of study for the diploma in 1952.

The Mission noted that, although the situation regarding personnel had generally improved, many special projects had not as yet been fully staffed for the work which was to be done. The Administration frankly recognized that the improvement of administrative services was one of its principal problems. During the current year, it had embarked on a scheme of forward planning and felt confident that, from now on, it would be able to secure the services of a better type of officer. The Mission was greatly impressed by the devotion with which the Australian personnel carried out their duties and was glad to note that the Administration was attempting to secure more specialized officers for the many special tasks needed for the proper development of the Territory.

Indigenous inhabitants employed by the Administration, the Administering Authority re-

ported, increased from 8,409 to 8,587 during 1951-52. This number included 5,856 general labourers, 803 medical workers, and 543 probationers and trainees. In addition, 1,324 persons were enrolled in the Royal Papuan and New Guinea Constabulary.

The Legislative Council, established in 1951 for the combined Territories of Papua and New Guinea, consists of the Administrator, sixteen official members and twelve non-official members. Three of the non-official members are indigenous inhabitants, two of whom are appointed from the Trust Territory.

The Administering Authority informed the Trusteeship Council that in its first year the new legislature, in the course of two sessions, had passed a total of 85 ordinances, of which 72 related to the Trust Territory.

The Native Apprenticeship Ordinance, 1952, provides for the training of apprentices in various trades and opportunities for training are provided by the Administration and the religious missions. Training facilities are provided by government departments for teachers, tradesmen, medical and hygiene personnel, agricultural and forestry technicians, clerical workers, ships' masters and engine attendants.

The Visiting Mission expressed the opinion that the Administration should continue its efforts to draw into its services qualified indigenous people and make a strenuous effort to train them for employment in the many technical services which the Territory greatly needed.

Although recognizing the great value of participation by the indigenous inhabitants in the work of the Legislative Council, the Visiting Mission felt that, at the existing stage of political development in New Guinea, such participation could only be educational, and suggested that the Administration consider the possibility of associating additional indigenous people with the work of the Council, and of sending indigenous observers to attend its meetings, thereby giving them some understanding regarding legislative procedures. The Administering Authority subsequently informed the Council that arrangements had been made for the indigenous members to confer with indigenous groups and communities in other districts, both before and after meetings of the Legislative Council.

At the twelfth session of the Trusteeship Council, the Special Representative of the Administering Authority stated that participation on the existing small scale was experimental and future participation would depend on the experience

gained and on the political development of the people.

The Trusteeship Council recalled its previous recommendations favouring increased participation by the indigenous inhabitants in the legislative system of the Territory. Noting the views of the Visiting Mission, it considered that the gradual increase of representation of the indigenous inhabitants on the Legislative Council might be most effectively approached by developing its usefulness as a means of political education and preparation for more active participation. It therefore recommended that the Administering Authority take all practicable steps, including the possible participation of additional indigenous persons in the work of the Council as observers as proposed by the Visiting Mission, to extend among the indigenous population an understanding of the legislative procedures. It asked the Administering Authority to include information on this matter in its next annual report.

According to the Administering Authority, during 1951-52 District Advisory Councils were established in seven districts, in addition to existing Town Advisory Councils. Membership of these Councils is limited to non-indigenous inhabitants. In response to an earlier request by the Trusteeship Council that indigenous inhabitants be considered for appointment to these Councils, the Administering Authority replied that the Councils were non-statutory bodies established to advise on matters mainly affecting the non-indigenous community and were not related to the Advisory Councils for Native Matters provided for in the Papua and New Guinea Act.

The 1953 Visiting Mission was informed that the officers of the Department of District Services and Native Affairs, attending meetings of the Advisory Councils, afforded protection for the indigenous inhabitants. It was also informed that it had been made clear in the directions issued to the Administration that there was no policy against either the election or appointment of people of any race to the District or Town Advisory Councils, but in most cases the only people skilled or interested in managing town or district affairs were Europeans.

The Mission considered that there should be no rigid formalization of political institutions on a bi-racial basis and it was glad to hear that this was not the policy of the Administration. It felt that indigenous individuals might serve on local advisory bodies, even if initially only as observers and expressed the hope that the Administering Authority would influence towards this end the

local European inhabitants who, the Mission stated, appeared to be hostile to such a suggestion.

At its twelfth session, the Trusteeship Council endorsed the Mission's views and welcomed the assurance of the Administering Authority that, when conditions were appropriate for the establishment of statutory district organs, it would pay full attention to the desirability of establishing them on a multi-racial basis.

In most of the Territory the village still forms the largest political unit, and is the basis of the local administration of the indigenous inhabitants. Village officials appointed by the Administration consist of luluais and tultuls.

Luluais have certain statutory authority relating generally to maintenance of law and order, sanitation, hygiene, census compilation and similar matters. Their powers in relation to the maintenance of law and order are restricted to the power of arrest and issue of orders. Tultuls have restricted authority and responsibility, and their main duty is to see that the lawful orders and instructions of the luluais are carried out.

The Papua and New Guinea Act, 1949-1950, provides for the establishment of Advisory Councils for Native Matters and Native Village Councils.

The Administering Authority reported to the Trusteeship Council at its twelfth session that a total of six Native Village Councils had been established but that no Advisory Council for Native Matters had yet been set up. As far as practicable, the Native members of such Councils were to consist of persons who had performed meritorious service as members of village councils and there were not a sufficient number of the latter to provide members for advisory councils. A Native Authorities Section had been established within the Department of District Services and Native Affairs and the necessary guidance and assistance was being given to the village councils, particularly in the early stages. Guidance and tuition in local government were also being given to unofficial village councils, functioning as advisory bodies, to assist them towards assuming the responsibility of official councils.

The 1953 Visiting Mission was favourably impressed by the degree of autonomy that had been granted to the official village councils, but considered that their development should be carefully watched as the transition from the chief and luluai system to the council system, the Mission felt, might easily be marked by power struggles in village politics, with resultant frustration and disappointment if the old system died too hard.

The Mission held meetings with members of all six Native Village Councils and was greatly impressed by the enthusiasm of the people for this new development. It noted that their work embraced more than local government. Their Council houses were being used as centres for social and sporting activities. They were encouraging indigenous production by purchasing motor trucks and boats to carry produce to markets and by opening stores for the purchase of produce and for trade goods. They had plans for such projects as the purchase of unoccupied plantations, the establishment of saw mills and the operation of rice mills.

Although it was clear to the Mission that large groups were not yet at the stage where councils could usefully be introduced, there were many who lacked only assistance from the Administration in order to take this step.

The Mission learned that the development of councils in Kavieng, Wewak, Madang and Lae would commence as soon as the population had sufficient income to enable them to function efficiently, a condition being fostered in three of the districts by rural progress societies and/or co-operative activities. Councils would be established within about two years, but would be developed immediately in the New Ireland and Manus Districts.

The Mission was firmly convinced that a speedy development of the village council system would do much to hasten the political advancement of the Trust Territory. It stated that it had gained the impression that some administrative officials were not always ready to appreciate fully the degree of political preparedness reached by the people.

The Administering Authority subsequently emphasized that, despite difficulties facing it, six Native Village Councils had been established, including two since 30 June 1952, and that the policy was gradually to replace the direct rule system of village officials by properly constituted Native councils. Any attempt to accelerate the pace of political development, by more or less forcing local government upon the indigenous people before they were ready for it, would merely give those people an unenlightened sort of local autonomy and would inevitably result in failure, and probably in loss of confidence in the Administration.

The Mission believed that, in view of the importance of the task for the development of the Territory, the Administration should take all possible steps to increase the personnel for this

type of work or take such other steps which might enable officers of the districts to assist the people in the establishment of such councils. It suggested that in certain parts of the Territory with comparatively dense populations, the possibility of beginning the work of political education within larger geographic areas might be considered.

The Special Representative of the Administering Authority stated at the twelfth session of the Trusteeship Council that the policy of the Administering Authority was gradually to replace the direct rule system of village officials with properly constituted Native councils, and to establish councils whenever and wherever the Native people were ready and able to accept the responsibility.

The Trusteeship Council, endorsing the view of the Mission and welcoming the statement of the Administering Authority, noted further that a number of village councils already had jurisdiction over areas containing a group or groups of villages and urged the Administering Authority to proceed with the development of such wider units of local government, having due regard to the desirability of adapting the pattern of their organization to the varying conditions and requirements of the peoples concerned.

During its twelfth session, the Trusteeship Council examined a petition from the Tavuilu Committee (T/Pet.8/7) in which opposition was expressed to the establishment of a village council and a desire expressed for the establishment of a co-operative. The Trusteeship Council (839 (XII)) drew the petitioners' attention to its recommendation on local government and recommended that the Administering Authority should make an additional effort to explain to the petitioners the advantages of a village council. It also drew the attention of the petitioners to the Administering Authority's policy, as part of the economic development of the Territory, to give every assistance to persons desiring to establish co-operatives.

No judicial tribunals composed of indigenous inhabitants are recognized by the Administration as a part of the judicial system of the Territory; village courts exist but have no statutory authority. Their decisions, however, are recognized administratively in the interests of administrative contacts and the encouragement of co-operation between the people and the Administration.

The 1953 Visiting Mission felt that statutory recognition of village courts throughout the Territory would be quite impossible with the many varying levels of development which now exist. However, it viewed such courts as the next step

after the establishment of the Native Village Councils since, in its opinion, there was nothing to prevent people who were conducting a village council satisfactorily from maintaining also their own court with specified statutory powers. It considered the frequent recognition of decisions by courts which themselves were not recognized to be a tacit acknowledgment of the competence of those courts, and that it would be no major step in certain advanced areas to give them statutory recognition.

After investigating the Paliau movement⁴⁰ the 1953 Visiting Mission concluded that undue apprehension had been aroused by the movement. It was responsible for bringing the traditionally unfriendly sea-faring and land-dwelling groups of Manus people into friendly co-operative work, and its adherents had pressed for the establishment of the Baluan Native Village Council, which had shown excellent results and to a considerable extent had absorbed the movement. Baluan, where the movement originated, impressed the Mission as one of the most orderly, progressive, and prosperous communities that it had encountered in the Territory.

The Mission suggested that the handling of the Paliau movement might serve as an important precedent for the supervision of indigenous leaders and movements in the future. By giving constructive attention and assistance, the Administration had directed and encouraged the aspirations of the indigenous people to the mutual benefit of both.

The Mission learned that cult movements in the Madang District, noted by the 1950 Visiting Mission, no longer existed and that there was nothing at present to indicate any active manifestation of cargo cults in areas of the Territory not visited by the Mission.

b. ECONOMIC DEVELOPMENT

The economy of New Guinea is based upon agriculture and the development of land resources generally. The principal industries are the production of copra and cocoa, mining and forestry. There are no major secondary industries. Apart from locally grown crops, which are largely consumed by the indigenous inhabitants, the Territory is dependent upon external sources of supply for manufactured goods and foodstuffs. Merchandizing, shipping and air services, mining, lumbering and most commercial agricultural operations are largely controlled by Europeans. The economy of the indigenous inhabitants is primarily based upon subsistence agriculture.

The Administering Authority drew attention to considerable progress in the establishment among the indigenous inhabitants of co-operative movements dealing with consumption and production. During 1951, a Native Economic Development Ordinance was passed, providing for the registration and supervision of co-operative societies. Two schools were being maintained to give fundamental training to members of the societies in co-operative principles, procedure, bookkeeping and general business principles and advanced training was provided at the headquarters of the Co-operative Section. By 30 April 1953, the Administering Authority stated, the registration of 50 societies and three associations had been approved.

The 1953 Visiting Mission stated that it had been informed that, at the moment, a long-term plan for the Territory's economic development could not be developed; apart from the difficulty caused by the lack of knowledge of the resources of the Territory and the backwardness of the indigenous inhabitants, no forecast was possible of what financial provisions could be made over a period of 20 to 25 years. The Administration preferred to state long-term objectives and then, within those objectives, to develop plans as information and resources became available.

Since little development could take place without capital, the Administration was endeavouring to arrange for the introduction of capital by providing public works and other facilities to enable private enterprise to invest its capital, establish projects and develop the country.

The Mission stated that, although the level of economic advancement was extremely low, geographical and historical factors were to a very large degree responsible, and the destruction brought by war and the need to rebuild had greatly retarded development. No detailed knowledge existed concerning the Territory's economic resources or its economic potential and therefore little economic development and exploitation of resources had thus far taken place. The economic advancement of the indigenous people had been slow, and in many areas they remained totally unaffected by the introduction of new crops and new methods of cultivation. The economic development which had taken place was primarily in the hands of the European planters, a few mining companies and a few trading firms, and all these activities had not appreciably affected the general development of New Guinea. The Mission considered that the time appeared to be approaching when more ener-

⁴⁰ See Y.U.N., 1952, p. 592.

getic steps for the economic improvement of the Territory should be urgently undertaken.

The Mission noted that the Territory's social, educational and political advancement was directly dependent on the expansion and broadening of its economic structure but recognized the great obstacles which the Administration faced in this regard. It was of the opinion that, irrespective of the amount of the financial assistance which the Administering Authority would continue to be able to give for the economic development of the Trust Territory, these subsidies should be fitted into a development plan, covering five or ten years, so as to guarantee a fully co-ordinated programme and establish the guide-lines for the type of economic expansion judged best fitted to enhance the future prospects of the inhabitants.

The Council at its twelfth session endorsed this view and recommended that the Administering Authority again study the desirability of proceeding on these lines and incorporating into such a plan those of its long-term objectives which might be adapted to the purposes of the plan.

At the twelfth session of the Trusteeship Council, the Special Representative of the Administering Authority stated that the Administering Authority was fully aware of the desirability of adequate planning. For the time being, however, it felt that a more realistic approach to developmental problems was to have long-term objectives and to plan for the fulfilment of these objectives by means of annual work programmes.

The Administering Authority had clearly in mind its objectives, which were in accordance with its obligations under the Trusteeship Agreement. In fact, plans for economic and social development had already been devised and put into operation which had produced and would continue to produce satisfactory results and progress, having regard to physical and human resource difficulties with which it was faced.

Since it appeared that it was essential to the economic development of the Territory that its natural resources should be properly known and assessed, the Mission expressed the opinion, which was endorsed by the Council, that all possible steps should be taken to undertake the necessary surveys. It was glad to learn that the Administration was aware of the need, and expressed the hope that a concerted effort would be undertaken in this regard.

The Administering Authority subsequently informed the Council that arrangements had been concluded for the Commonwealth Scientific and Industrial Research Organization to carry out a

survey of the natural resources of the Territory. The Administering Authority further stated that the immediate economic policy was to encourage development on the basis of the experience gained thus far in terms of suitable crops and lands and through the construction of new roads. To facilitate the acquisition of land in suitable areas by settlers, a Land Development Board had been established and had initiated surveys with a view to the future development of certain areas.

At the twelfth session of the Council, the Special Representative of the Administering Authority stated that the Administering Authority would press on with its survey of the resources of the Territory, although the full results of the survey would not be available for some time. With reference to co-operatives, he stated that the Council would be kept informed of the progress made in this field. The Council welcomed the intention of the Administering Authority to proceed with existing and proposed surveys and expressed the hope that adequate staff might be made available for this purpose to ensure that the essential studies were completed as soon as possible. It also welcomed the intensified efforts of the Administering Authority to foster the development of co-operative organizations among the indigenous producers, and expressed the opinion that activities of this kind should be given a prominent place in the formulation of an economic development plan.

The Mission believed that the problem of European settlement presented the Administration with a very real problem. On the one hand, the Administration pursued a policy of prohibiting the alienation of indigenous land but, on the other, it realized that only non-indigenous people were likely to have the capital and the skills which were needed for the development of the Territory at this particular time. The Council felt that emphasis in planning should be placed upon the role of the indigenous population in general and accordingly drew the attention of the Administering Authority to the Visiting Mission's observation that a decision by the Administration on this important question was likely to determine to no small degree the economic future of the Territory.

With regard to export production and trade, the Administering Authority reported that the value of imports and exports had increased from £6,186,669⁴¹ and £5,436,617, respectively, in 1950-1951 to £8,154,102 and £6,517,881 during the year 1951-52. Exports of local origin showed an increase of £749,204, the principal contributing

⁴¹ All figures in this section are in Australian currency: £A125 = £ Sterling 100 = \$US280.

items being cocoa, copra, coffee, gold, shell, silver and timber.

Import restrictions on imports from sources other than Australia were introduced in March 1952 in order to conserve overseas exchange.

The Papua and New Guinea Copra Marketing Board was established in 1952 to take over the duties and functions of the Australian New Guinea Production Control Board in relation to the purchase, disposal and export of copra from the Territory.

Revenue in the form of a direct grant by the Australian Government increased from £2,356,310 in 1950-1951 to £3,126,059 during 1951-1952, and internal revenue increased from £1,219,411 to £1,486,375, making a total of £4,612,434 in revenue from both sources, the Administering Authority reported. Expenditure, totalling £4,612,434, was £1,036,713 more than in 1950-1951.

No direct income, business or head tax is levied in the Territory except for taxes raised by Native Village Councils. Internal revenue comes from import and export duties, various fees and duties, and royalties on gold and timber.

The Administering Authority reported that it had not been considered administratively practicable or desirable to introduce a general system of income tax, as previously recommended by the Trusteeship Council, into the Territory in its present state of development.

The 1953 Visiting Mission learned that a committee of inquiry investigating the economic structure of the Territory had not yet submitted a report summarizing its views.

It noted that the Papua and New Guinea Customs Inquiry Committee, the terms of reference of which were "to inquire and report on future customs policy in the Territory of Papua and New Guinea," had found its inquiry considerably limited due to the dependence of the Territory on import and export duties for its internal revenue. The Committee's main conclusion had been that there should for the present be no fundamental change in the tariff policy of the Territory, but added that there should later be a comprehensive examination of the whole financial system of the Territory, of which tariff policy was only a part. A statistical officer had been appointed to obtain fundamental information on taxation, but he had not yet taken up his duties.

The Mission attached considerable importance to the Customs Inquiry Committee's conclusion that there should be a comprehensive examination of the whole financial system of the Territory. It thought that no important means of increasing

revenue would be found by any internal adjustments in customs tariffs or in other indirect taxes currently levied and that no major contribution could be made by direct taxation. The Territory's revenue was inadequate and, in the Mission's opinion, it would remain so until further economic development furnished new sources of revenue both among indigenous and non-indigenous inhabitants.

The Special Representative of the Administering Authority said at the twelfth session of the Trusteeship Council that his Government would give close attention to the recommendations of the Papua and New Guinea Customs Inquiry Committee and to the comments of the 1953 Visiting Mission on fiscal policy. The question of direct taxation was receiving close examination.

The Trusteeship Council endorsed the view of the Mission that there should be a comprehensive examination of the whole financial system. It also expressed the hope that in carrying out a further examination of the matter the Administering Authority would consider introducing some form of direct taxation and requested it to include further information on the matter in its next annual report.

The total area of the Territory is 93,000 square miles, or 59,520,000 acres, the Administering Authority reported. Alienated land consists of 519,380 acres held in freehold and 175,817 acres held in leasehold by non-indigenous persons, 291,875 acres held by the Administration, and 26,611 acres vested in the Director of District Services and Native Affairs as Native reserves. This represents an increase in alienated land in the past year of 5,595 acres held by private individuals and 67,826 acres held by the Administration.

All unalienated land is regarded by the Administration as "Native-owned land" and may be sold or leased only to the Administration.

The New Guinea Land Titles Restoration Ordinance, 1951, provides for the compilation of new registers and official records relating to land, mining and forestry, in place of those lost or destroyed during the recent war. A new Native Land Registration Ordinance, 1952, made by the Legislative Council, provides for a Land Commission, consisting of a Chief Commissioner and such other Commissioners as the Administrator considers necessary, to determine the rightful and hereditary property of indigenous persons or communities by customary right. The 1953 Visiting Mission learned that, in order to implement this new Ordinance, a Chief Commissioner had been appointed on 15 July 1952 and a Land Commissioner on 21 October. The latter took up duty at Rabaul in

November and his work was currently confined to the Gazelle Peninsula of New Britain. Work on the restoration of titles had proceeded very slowly since nearly all the land records had been lost during the war. However, improvements in the administrative services and a recent organization of the Lands Department were considered to be the first step towards the solution of the problem.

In the Rabaul area, the Mission learned that 25 to 30 persons were preparing claims to present to the Commission, and it was estimated that probably 4,000 or 5,000 claims might be expected. Since the Commissioner could only dispose of about 100 of these per annum, it was believed that a great expansion of the Land Commission would be necessary. As the indigenous people in other areas became aware of the Commission's work, the Mission foresaw an increasing demand for registration of their land.

Both the Titles Branch Commission and the Native Land Commission had been established too recently for the Mission to draw any conclusions regarding their activities.

The Mission noted that the indigenous people in general showed no desire to dispose of their land and sometimes desired to repossess alienated land. It found no evidence of hardships arising due to land alienation in any areas where the indigenous people displayed any apprehension concerning their land. However, continued caution must be exercised, the Mission held, in determining where land might be made available to foreign settlement, particularly in the Highland areas where the heaviest concentrations of population occurred.

The Special Representative of the Administering Authority informed the Council that the Administering Authority was most anxious to ensure that the interests of the indigenous peoples in regard to land were fully safeguarded. The object of the Native Land Registration Ordinance was to ascertain the precise extent of Native lands and the tribal or individual ownership of them. It would then be very much easier to gauge the extent of available lands, so that they could be leased to persons, whether indigenous or non-indigenous, who might desire to make use of them. He also pointed out, in this connexion, that the Administration was at present considering the possibility of permitting indigenous owners to lease their lands under conditions which included an obligation to restore them at the expiration of the lease in as productive a state as at its commencement.

The Council, recalling its previous recommendation that the Native Land Commission should

be organized without delay, was pleased to note that the Commission had now begun its work in part of the New Britain area, and recommended that the earliest possible steps be taken to extend the activities of the Commission to other parts of the Trust Territory.

Noting from the report of the Visiting Mission that indigenous inhabitants in some areas had shown a desire to repossess land previously alienated, it invited the Administering Authority, when such land became available for transfer of ownership, to give sympathetic consideration to applications which might be received from indigenous persons, with a view to according them all possible preference in the acquisition of title.

Copra, the main export crop, amounted in 1951-52 to approximately 63,000 tons, of which about 15 per cent was produced by the indigenous inhabitants.

To assist in improving the varieties and methods of producing the present subsistence crops grown by the indigenous inhabitants and to encourage them, as well as Europeans, to develop new agricultural industries, the Administration during 1951-52 created eighteen new scientific posts in the Department of Agriculture, Stock and Fisheries and began recruiting entomologists, plant breeders, chemists and soil survey officers. During the year, specialists visited the Territory to advise in regard to the cultivation of tea, kenaf, hemp, cinchona and rice and upon agricultural mechanization and fibre processing.

Three agricultural experimental stations were engaged in work on cinchona, tea, coffee, manila hemp and other crops, and investigations were made into the conservation of soil fertility in the rotation of indigenous food crops. District Agricultural Stations served mainly as demonstration areas for the Districts and provided a base from which extension officers carried out their work. The Department of Agriculture, Stock and Fisheries had continued its supervision of two indigenous rice projects and an indigenous cocoa project. As a result, the number of cocoa trees planted by indigenous growers had increased from 200,000 to over 500,000 in the past year. The Administering Authority informed the Council that arrangements had been made for a recognized world authority on coconut cultivation and improvement to visit the Territory.

The Administration, aiming to introduce animal husbandry in order to provide a source of protein in the peoples' diet and improve their methods of land utilization, maintained six livestock stations, the activities of which included survey and

experimental work, the introduction, propagation and distribution of stock, the promotion and development of animal industries, and animal health.

The Visiting Mission reported that it was greatly impressed with the work which was being done at some agricultural stations. Among some indigenous people there was a definite desire to improve their agriculture and some signs of improvement were already noticeable. While considering that too great an improvement could not be expected in the near future, the Mission believed that an impressive start had been made. Although realizing that the effect of these stations upon the native economy was thus far slight, it believed that, if vigorously supported, particularly by an increase in the trained personnel, their influence and effectiveness would grow.

Forests cover more than 70 per cent of the Territory, but the inaccessibility of many areas has prevented their effective utilization. Most of the forests are indigenously owned and before timber can be disposed of the land or timber rights must be acquired by the Administration. District Commissioners must ascertain that such acquisitions are not detrimental to indigenous interests before they may proceed with purchases.

The value of exports of log and sawn timber increased from £24,332 in 1950-51 to £126,971 in 1951-52, the Administering Authority reported.

The consumption of logs by sawmills operating during the same period increased from 7,677,901 to 16,300,000 superficial feet.

During the year, a joint public company was formed by agreement between the Commonwealth of Australia and Bulolo Gold Dredging Ltd. to engage in lumbering, the manufacture of plywood, and the marketing of timber and timber products. The Visiting Mission learned that the production of plywood in the factory then under construction would begin by the end of 1953 or soon thereafter.

The principal mining activity in the Territory is the production of gold. During the past year the quantity produced was valued at £1,707,401, the Administering Authority reported. The Administration receives a royalty of 5 per cent of the value of all gold won; this amounted to £79,665 during 1951-52.

Five local mining companies and eleven foreign companies, with a total nominal capital, respectively, of £738,000 and £13,191,388 and \$6,000,000, were operating in the Territory. In addition, some gold was mined by a number of European and indigenous individuals. The latter produced bullion with a declared value of £6,263 in 1951-52.

With regard to increasing the revenue from gold production, the Administering Authority reported that full detailed information, as requested by the Council, on the costs of production and profits of the gold industry were not yet available. Investigations were proceeding, but they were necessarily protracted because of the limited information available in published statements of the operators and the difficulties of determining costs as between various sections of the field worked by one operating concern.

The Administering Authority stated that the current tax, on the product rather than on profits, was considered to be extremely high. Any increase could not be carried by a number of mining operators because the current price of gold gave them little margin over the costs of production; it would also seriously limit work on what were at present marginal or sub-marginal operations, and would be a deterrent to investment in new fields. Consideration had been given to the introduction of a sliding scale of royalties based on profitability as recommended by the Council. Practical difficulties, however, included the question of earnings on minerals won in association with gold; the fact that one operator might have some undertakings which were profitable and some which were temporarily unprofitable; and the necessity of allowing for a level of profits to pay for further exploration of lodes and expenditure on development.

The Administering Authority stated also that there appeared to be no justification for singling out the gold-mining industry from the rest of the community in the application of a tax on net income, and that consequently it did not propose to consider the imposition of any charges on the industry based on profitability, other than through such general form of income tax as might be made applicable to the whole community.

The Special Representative of the Administering Authority at the Council's twelfth session said that, in regard to gold royalties, it was necessary to ensure an adequate balance which, on the one hand, would return a reasonable contribution to the revenue and, on the other hand, would ensure that capital investment would not be unduly discouraged. The present royalty rate was fair and equitable in all the circumstances, he said.

The 2,346 miles of vehicular roads and 20,457 miles of bridle-paths in the Territory represented an increase of 366 miles in roads and 753 miles in paths in the year under review, the Administering Authority reported. During the period expenditures on roads and bridges amounted to £397,359.

The Administering Authority stated that a steady programme of road construction was being followed and that, during the year, the construction of a bridge across the Markham River, at a cost of £178,000, had been approved.

The Visiting Mission was impressed by the physical difficulties encountered in road building in the Territory. In placing emphasis on the development of roads, however, the Mission was not unmindful of the fact that air transport might for many places remain an important part of the Territory's transport system. The Mission was satisfied that the Administration realized the importance of an adequate transportation system for the economic development of the Territory, and hoped that it would continue the policy which it had initiated a few years ago.

At its twelfth session, the Trusteeship Council noted that the Visiting Mission had observed that, in spite of the physical difficulties and high cost of road construction in the Territory, the Administering Authority recognized its importance for general economic development and was pursuing construction wherever possible. It noted also the continuing increase in the funds allocated for road construction and again emphasized that an effective road network was essential to large-scale economic development and to social cohesion, and urged the Administering Authority to intensify its efforts in this direction.

c. SOCIAL DEVELOPMENT

The Administering Authority stated that the objective of all Departments of the Administration was the improvement of the social conditions of the indigenous people; due to the nature of indigenous society the Administration had not found special legislation dealing with social services to be necessary.

The standard of living of the majority of the indigenous people is based on hamlet and village units and a subsistence economy involving gardening, hunting, fishing and the collection of certain foods. The Administering Authority stated that its general policy in relation to health, education, agriculture and housing was aimed at the gradual raising of living standards. No special surveys of living standards were made but such matters were reported to be investigated by all administrative officers in the normal course of their patrols and their functions. The Trusteeship Council had previously requested that cost-of-living surveys should be conducted in selected areas, but the Administering Authority considered that, in view of the subsistence nature of the indigenous

economy, it was not practicable to conduct such surveys.

Workers employed in the Territory at 30 June 1952, consisting of 16,405 engaged by agreement, 10,846 casual workers and 8,587 Administration employees, totalled 35,838, the Administering Authority reported. All were indigenous inhabitants, with the exception of 903 workers from Papua. An additional 2,564 indigenous inhabitants of New Guinea were employed in Papua.

The employment of indigenous labour is regulated by the Native Labour Ordinance, 1952. This Ordinance, amending the Native Labour Ordinance, 1950, which substituted a system of agreements for employment for the system of contracts previously in force, introduced a number of important changes. A worker under agreement may be engaged for a maximum period of two years in the first instance and, subject to the concurrence of the worker and the approval of a government officer, a second agreement may be entered into on the expiration of the first for a period not exceeding twelve months. On the termination of their agreements, workers are to be paid their deferred wages in the district in which they have been employed. Monetary payments in lieu of rations are restricted to casual workers with permits issued by District Commissioners, after it has been established that they are competent to purchase rations from a store or that they reside in their own villages during the period of employment.

The Visiting Mission learned that the new Ordinance came into operation on 1 December 1952, but that administrative action had been taken to defer the enforcement of the amendment which provided that workers were to be paid their deferred wages in the district in which they had been employed. It was informed that amending legislation might be necessary to restore the original provisions whereby the parties to an agreement could specify a particular district in which deferred wages would be paid. The Mission was informed that all available evidence pointed to a smooth change-over and to the acceptance of the new legislation by both workers and employers.

At the twelfth session of the Council, the Special Representative of the Administering Authority remarked that the minimum rates fixed and the provision of food, lodging, clothing and medical attention had been decided upon after a full consideration of the circumstances of the indigenous inhabitants. To a large extent, the salaries and other emoluments paid or made available to the worker were supplementary to other income or

subsistence derived from village and tribal activities, and there was certainly no hardship suffered by the families of absent workers.

The Council, at its twelfth session, considered two petitions in connexion with wages. The Paramount Luluai of the Bianga People complained (T/Pet.8/8) that he had received no pay for serving as luluai. The Council noted (resolution 840(XII)) that action was being taken to pay the petitioner any sum which might be due him and requested the Administering Authority to inform the Council at its fourteenth session of what payment might have thus been made. With respect to a petition from Mr. Kanabi (T/Pet.8/9) requesting an increase in wages, the Council (resolution 841(XII)) drew the attention of the petitioner to the Administering Authority's observation that he was receiving ten shillings a month more than the wage prescribed for the position and recommended that the Administering Authority consider the petitioner's claim sympathetically in the light of the general conditions of wages and service obtaining in the public service of the Territory.

The number of hospitals, dispensaries and clinics maintained by the Administration increased from 398 to 506 during the year 1951-52, the Administering Authority reported. These included eight European, three Asian and 39 Native hospitals, 444 aid posts, eight welfare clinics and four leprosaria. The official medical personnel included 170 Europeans and 2,235 non-Europeans, an increase of one European and 129 non-Europeans over the previous year. The European staff included 28 medical officers, two dentists, 40 nurses, 63 medical assistants, and other staff members. The non-European staff consisted of medical assistants, orderlies, sanitation workers and other staff members.

Expenditure on public health, including aid to religious missions, increased from £826,613 to £987,465 during 1951-52. An additional £31,494 was expended on hospital construction.

The Administering Authority reported that improvements in the health services were indicated by the fact that hospital admissions of indigenous persons and those treated by European medical personnel on patrol or sent to hospital for treatment had increased by 3.84 and 21.9 per cent respectively over the previous year. A total of 215,872 persons from 1,942 villages were medically examined during patrols. Special health projects included research and treatment for the control of malaria, tuberculosis, Hansen's disease, granuloma venereum and endemic goitre.

An Assistant Director (Medical Training), appointed during the year, was sent to Fiji to study methods at the Central Medical School at Suva. Two indigenous students were also attending the course for assistant medical practitioners at Suva and arrangements had been made for indigenous students to attend a school for dental mechanics established at Port Moresby.

Courses for Native medical and hygiene assistants, given at five medical training schools in the Territory, were attended by 97 students at the end of the year under review. During this period, 198 students graduated, bringing the total number of graduates up to 609. Of these, 481 remained in the employment of the Administration.

The 1953 Visiting Mission, while recognizing the great financial contribution made by the Administering Authority to the improvement of the health services, stressed the great amount of work which needed to be done in the field of public health. Many of the indigenous hospitals were in urgent need of improvement, while, in contrast, many of the European hospitals were more than adequate, as far as both equipment and facilities were concerned, the Mission observed.

It was informed that the Administration furnished ample medical supplies and that no hardships were experienced due to lack of these. The Mission learned with regret that due to financial considerations it had been necessary to modify the plan proposed in 1951 for the construction of hospitals at an estimated cost of £4,500,000 and to adopt a less costly type of construction. However, provision had been made for a base hospital at Lae, on which construction was expected to commence before the end of 1953, and for a regional hospital at Wau and an indigenous hospital at Nonga, near Rabaul, in 1953-54. It was expected that construction of regional hospitals at Madang and Wewak would be undertaken during 1954-55.

The Administering Authority subsequently informed the Council that the reason why the hospital construction programme drawn up in 1951 had not been implemented was that it had been decided that the centres concerned did not require the type of hospitals originally planned.

The Mission, stressing the importance of the adequate training of indigenous practitioners, considered that the present system of training indigenous medical assistants was unsatisfactory. It believed that such students should be better selected and should be given at least an additional period of training so that they would be able to render adequate services. The Mission further

suggested that provision should be made for reorientation courses at frequent intervals so as to give indigenous medical assistants the opportunity to improve the standards of their work.

The Special Representative of the Administering Authority, at the twelfth session of the Trusteeship Council, pointed out that, regarding the medical assistants who had been trained to give simple medical treatment in villages and outlying areas, the system was purely auxiliary to the health services and, as such, performed a very useful function.

The Trusteeship Council, noting the increase in hospital, dispensary and clinic facilities and in the number of persons receiving hospital care or skilled medical treatment during the period under review, and noting also the opinion of the Visiting Mission that many of the existing hospitals were in urgent need of improvement, and the fact that the 1951 plan of new hospital construction had not been implemented, invited the Administering Authority to take into consideration, in revising the hospital programme, the views expressed by the Visiting Mission. The Council expressed the hope that the revised plan would provide for the ultimate establishment of an integrated system of hospitals adequate in number, equipment and location to satisfy the needs of the Territory, and requested the Administering Authority to include in its next annual report its definitive plans in this respect.

The Council also noted that the dispensaries or aid posts in the Territory are for the most part staffed by indigenous medical assistants without supervision except for the occasional visits of administrative officers, and drew the attention of the Administering Authority to the opinion of the Mission that the present system of training indigenous medical assistants was unsatisfactory, and that they should be better selected, better trained and their work regularly supervised by properly qualified medical personnel. It recommended that the Administering Authority take measures to review and improve the existing systems of selection, training and supervision, in the light of the observations of the Mission.

During 1951-52, the laws of the Territory relating to corporal punishment were reviewed and amendments were effected which abolished such punishment for all offences other than certain offences by juveniles, sexual offences against females, certain offences of violence and prison offences relating to mutiny and gross personal violence. The Administering Authority stated that it supported the principle of abolition of corporal

punishment and that the action taken represented a substantial step towards complete abolition.

At its twelfth session, the Trusteeship Council reaffirmed its view that corporal punishment should be formally abolished and expressed the hope that the Administering Authority would do so as soon as possible.

The Council at its twelfth session noted with interest the community development project being carried out on Tabar Island in co-operation with the South Pacific Commission, recommended that the Administering Authority devise plans to undertake projects of this kind in other parts of the Territory, and invited it to explore the availability of expert assistance under the United Nations technical assistance programme for the planning and execution of such projects.

d. EDUCATIONAL DEVELOPMENT

The educational system of the Territory includes schools operated by the Administration, by religious missions (most of which receive educational grants from the Administration), and a few recently established by Native village councils.

Education is free but not compulsory. Transportation, books or materials and food are provided to the pupils attending Administration boarding schools and higher training centres.

The aims of the Administration's educational programme include:

- (1) universal literacy and as high a standard of general education as possible;
- (2) training for the practice of skilled trades and professions, and the development of manual skills;
- (3) emphasis on education relating to planned projects in community development, and the encouragement of economic self-determination;
- (4) the recognition of schools as the points of focus of community interest; and
- (5) the fostering of such activities as the Boy Scout and Girl Guide movements and the indigenous co-operative movement.

The number of Administration schools increased from 65 to 69 during the year 1951-52 and the number of pupils enrolled increased from 3,675 to 3,757, the Administering Authority reported. There were nine European schools with 272 pupils, three Asian schools with 310 pupils, two part-indigenous schools with 60 pupils and 55 indigenous schools with 3,115 indigenous pupils, of whom 2,594 were in elementary schools, 355 in central schools, and 166 in secondary or higher training centres.

All the schools for non-indigenous pupils gave primary instruction and some secondary classes were taught in one Asian school. During the

year, financial assistance was granted to 136 approved European pupils for secondary education in Australia. Schools for indigenous pupils had four levels of instruction.

The 1953 Visiting Mission was informed that the segregation of indigenous pupils was largely due to the fact that they could not keep pace with European children, and that some Asian children and some half-castes classed as Asians were in the same category.

During 1951-52, the Department of Education expended a total of £303,152 on education, including grants-in-aid to missions amounting to £41,485 as a general grant and £7,394 for reconstruction training. Expenditure by the Department for the preceding year totalled £245,270.

The Visiting Mission learned that the Administration proposed to increase the educational facilities between 1953 and 1958 to provide for 80 area schools, 20 training schools for boys and ten for girls, eight manual training units attached to central schools and two higher training institutions. The annual enrolment in all types of Administration schools for indigenous pupils at the end of the five-year period was expected to be approximately 15,000. The total costs involved were estimated at approximately £3,000,000, of which nearly 90 per cent would be allocated for indigenous education, principally above the village school levels.

The great majority of pupils attend mission schools. The total number of such schools increased from 2,407 to 2,560 during 1951-52 and the number of pupils enrolled increased from 87,134 to 91,389, the Administering Authority reported. Four schools for Europeans, Asians and pupils of mixed race had 488 pupils, and only indigenous pupils attended the remaining schools: 80,673 in village schools, 8,036 in intermediate schools and 2,192 in higher training schools.

The Administration assists the educational work of the missions by financial grants-in-aid, by the supply of basic school materials, and by the issue of syllabi which are designed to establish uniformity of standards of attainment.

The Visiting Mission observed that the Central Highlands had the fewest educational facilities and were the least advanced educationally in the Territory.

Although realizing the great obstacles which the Administration faced, the Mission was of the opinion that the expansion of educational facilities must be one of the primary duties of the Administering Authority. It considered that no sound economic and political advancement was

realizable as long as vast segments of the population remained illiterate. Although placing primary emphasis on the importance of teacher training, the Mission expressed the hope that the Administration would push forward with its plans for the general improvement of education at all levels of instruction.

The Administering Authority subsequently informed the Council that, since the submission of the annual report, an Education Ordinance had been adopted. It provided, among other things, for the establishment of an Education Advisory Board, the establishment of a District Education Committee for each district, and the establishment and maintenance of schools, including pre-school, adult education and vocational training institutions. The Director of Education would determine the language or languages to be used for secular education in a school. The Ordinance also provided for compulsory attendance at specified places and for the registration and recognition of schools, and stated that no person would be permitted to conduct a school unless it had been registered or recognized.

The Visiting Mission learned that regulations under the new Ordinance were being drafted. These would provide for the registration of mission schools and for the inspection, supervision and control of non-Administration schools in all matters that concerned secular instruction.

At the twelfth session of the Trusteeship Council, the Special Representative of the Administering Authority said that the Administration was fully aware of the immensity of its task, and would exert every effort to extend and improve the educational system, especially in teacher training and in secondary and vocational education. It was also the Administering Authority's policy to do everything possible to reduce the incidence of illiteracy.

The Trusteeship Council endorsed the opinion of the Mission that the expansion of educational facilities must be one of the primary duties of the Administering Authority and that it should push forward with its plans for the general improvement of education on all levels. It again drew attention to the fact that, although some facilities for general secondary education were available in the Territory for Asian students and in Australia for the children of Europeans, no such facilities were provided for indigenous students, and recommended that the Administering Authority take the necessary measures, including the provision of scholarships, to give indigenous students access to secondary and other more advanced levels of education. It recommended further that, in revising the educational pro-

grammes for training indigenous medical personnel (see above), the Administering Authority take into account the desirability of ensuring that the programmes were so designed as to facilitate the selection and adequate basic education of candidates for medical and other specialized training.

The Administration stated that it subscribed to the policy of children mastering the skills of reading and writing in the vernacular and recognized the need for certain of its Education Officers to become proficient in the local languages. However, it considered the use of English to be the ultimate solution to the problem of linguistic diversity in the Territory. Except at the village school level, English is the only approved medium of instruction and the policy of the Administering Authority is to make this language universal throughout the Territory.

The Visiting Mission learned that it was not intended to perpetuate the use of "pidgin" (a mixed jargon developed in the earlier years of contact between Europeans and Pacific and Asian peoples) as a medium of instruction in non-Administration schools, but at the present time it was often the only practical medium of communication between pupils and teachers. Under the new Education Ordinance, the Director of Education was empowered to prescribe the language of instruction to be used in any particular school. The Administration considered that in principle it was undesirable to forbid the use of "pidgin" at the present time and that it was at least preferable to use it for teaching purposes rather than force upon the pupils as a so-called lingua franca some Native vernacular which was quite unlike their own.

With regard to the general use of "pidgin," the Visiting Mission was glad to note that it was the policy of the Government to use only English in institutions of higher education. However, it noted that "pidgin" was used on lower levels of instruction as well as in certain non-governmental schools and that all administrative officials were using "pidgin" in all their contacts with the indigenous population. The Mission was strongly of the opinion that "pidgin" was not only not a suitable language for instruction, but that it had characteristics which reflected now outmoded concepts of the relationship between indigenous inhabitants and immigrant groups. The most energetic steps should be taken to eradicate it from all instruction given within the Territory, and plans should be urgently developed to eliminate it from the Territory completely, the Mission felt.

At the twelfth session of the Trusteeship Council, the Special Representative of the Administering Authority said that, despite the shortcomings of "Melanesian pidgin English," it was a language of great adaptability and facility, with a synoptic vocabulary of over 1,300 words; that through these 1,300 words it was possible to translate about 6,000 English words; and that it was quite as exact as any Native language, more adaptable and capable of embracing any subject. It should not be confused with the painful jargon of broken English and sonorous twaddle which too many persons passed off for "Melanesian pidgin." To ban the use of this practical lingua franca and try to use all 53 Native languages would obviously hamper the Administering Authority and the progress of the people of New Guinea and it would seriously retard their economic, political and educational advancement. The Administering Authority had made it quite clear, he stated, that the ultimate objective was to make the indigenous inhabitants literate in the English language, and during the transitory period the continued use of "Melanesian pidgin" was in the best interests of the Native people.

The Council, noting that the Administering Authority had determined that English should be the approved medium of instruction and the universal language of the Territory, and at the same time noting from the report of the Visiting Mission the wide extent to which "Melanesian pidgin" was at present used both in the lower levels of education and by all administrative officials in their contacts with the indigenous population, endorsed the opinion of the Mission that "Melanesian pidgin" was not only not suitable as a medium of instruction but had characteristics derived from the circumstances in which it was invented which reflected now outmoded concepts of the relationship between indigenous inhabitants and immigrant groups. It recommended that the Administering Authority take energetic steps to eradicate it from all instruction given within the Territory, that it urgently develop plans to eliminate it completely from the Territory, and that in areas where the population was as yet unfamiliar with "Melanesian pidgin" its use should be officially prohibited immediately.

The Council, noting that a linguistic map of the Territory was in course of preparation and that work had begun on the examination of languages suitable for regional use in vernacular instruction, and noting the interest expressed by the United Nations Educational, Scientific and Cultural Organization (UNESCO) in this project, requested the Administering Authority to

keep it informed of the progress and the results and to consider the desirability of seeking the collaboration of UNESCO in completing the project.

The teaching staff of Administration schools was increased from 191 to 200 during the year under review. It consisted of 49 Europeans, 138 indigenous inhabitants, two of mixed origin, and eleven Asians. Indigenous teachers are trained at education centres at Dregerhafen and Kerevat. At each there is a central or higher elementary school, and a higher training institution for the training of teachers. At the beginning of 1952, both centres were reorganized. A higher standard is now required for admission, and the training course has been lengthened. Trainees at both schools totalled 61 in June 1952.

The Visiting Mission learned that, under the Administration's five-year educational expansion programme, provision had been made for the employment of total personnel of approximately 616, consisting of 200 Europeans, 20 Asians and persons of mixed origin, and 396 indigenous persons. The Mission felt that, at this point, the Administration would need to pay particular attention to the creation of a large and competent corps of elementary school teachers by the establishment of new teacher-training centres and by the employment of more European teachers.

The Administering Authority informed the Council that it had approved an increase in the staff of the Department of Education and that, under this approval, 30 European teachers had already been appointed.

The Council, reaffirming its previous recommendations for the expansion of facilities for the training of teachers, endorsed the opinion expressed by the Visiting Mission on this matter, and drew the particular attention of the Administering Authority to the fact that the substitution of standard English for "Melanesian pidgin" and the consequent raising of the general level of education depended very largely upon the institution of an intensive programme of training of teachers competent in the use of standard English.

3. Nauru, Administered by Australia, on Behalf of Australia, New Zealand and the United Kingdom

Nauru has an area of 5,263 acres. Its indigenous population, according to the annual report⁴² of the Administering Authority, totalled 1,672 in June, 1952. In addition, there were 560 Gilbertese, 759 Chinese and 253 Europeans. During

1951-52, the Administering Authority reported, there was an increase of 424 in the number of Gilbertese and Ellice Islanders. The Chinese community, however, decreased by 652.

a. FUTURE OF THE NAURUAN COMMUNITY

At previous sessions, the Council had considered the problem of the future fate of the Nauruans after they can no longer depend on the phosphate industry for their livelihood and had recommended that, if possible, other economic enterprises should be developed.

The Trusteeship Council's Visiting Mission in 1953 noted (T/1076) that the Nauruans had progressively adapted themselves to a European way of life but were becoming concerned about their future on the island because of the prospect of the exhaustion of the phosphate deposits. There were no other natural resources capable of commercial exploitation, the Mission noted, and the possibilities of agricultural development were limited by irregular rainfall and mediocre soil.

Representatives of the Administering Authority informed the Mission that the Administration hoped to start a study of the local resources of Nauru, including the possibility of rehabilitating the worked-out phosphate land, in order to determine how many Nauruans might be able to get a reasonable existence from the land when the phosphate deposits were exhausted. Consideration had also been given to the possibility of resettling the Nauruan community elsewhere in the Pacific, but as yet no suitable location had been found where they could settle as a community. It was felt, however, that the solution offering the greatest possibility of success would be to educate and train the Nauruans up to a standard where they could find avenues of employment, either in groups or individually, anywhere in the Pacific. It was estimated that the Long-Term Investment Fund derived from phosphate royalties would ultimately provide the Nauruans with £2,500,000,⁴³ which might be used to establish elsewhere those Nauruans left on the island when the phosphate deposits came to an end.

⁴² Commonwealth of Australia, Report to the General Assembly of the United Nations on the Administration of the Territory of Nauru from 1st July 1951 to 30th June 1952 (Sydney, 1952). For detailed discussions of this report in the Trusteeship Council, see Trusteeship Council, Official Records, Twelfth Session (16 June-21 July 1953); summaries of the observations of individual members are included in the Council's report to the Assembly (A/2427).

⁴³ All figures in this section are given in Australian currency: £A 125 = £Sterling 100 = \$US280.

The Mission doubted whether at that time Nauru would be habitable for a people who could be expected to have achieved a relatively high level of advancement, and it saw no alternative to the resettlement of the population elsewhere. It believed that every effort should be made to minimize the social impact of the transfer and felt that this might well be achieved if the movement were to be made gradually by individuals, by groups or as a community. A plan for gradual resettlement should be agreed upon as soon as possible; it should aim to reduce the number of older people on Nauru when the phosphate deposits became exhausted and to provide the younger generation with more vocational training to fit them for employment in other Pacific areas. Responsibility for such transfer, the Mission held, should rest in a measure upon the British Phosphate Commissioners (see below) who should give Nauruans all possible help for the transfer.

The Mission felt that the primary responsibility of the phosphate industry was to provide for the future welfare of the Nauruans after the mining of phosphate had apparently made necessary their resettlement elsewhere, and that it should assist the people whose lands would be made useless and aid them in re-establishing themselves outside their island by purchasing land and contributing to their other needs. The Mission felt that consideration should be given at an early date to the establishment of a capital fund to be used for the resettlement of individuals or groups of the Nauruan community in accordance with a plan of gradual resettlement. It felt that the existing Nauruan Community Long-Term Investment Fund might not be sufficient to meet the requirements of such a plan.

At the twelfth session of the Trusteeship Council, the representative of the Administering Authority noted that the people of Nauru were attaining an advanced political and social position and said that his Government was fully aware of the need for ensuring their continued well-being. A review of the resources of Nauru was being conducted specifically at the request of the Nauruan people and against the possibility that some Nauruans might not wish to leave the island. Policy was being directed towards a gradual and progressive resettlement. Plans had already been made for increased vocational training for the younger Nauruans and the question of funds for resettlement was also being closely studied. The Administering Authority would inform the Council on the progress of these plans.

The Council, in resolution 842(XII), noted that the views of the Visiting Mission and the Administering Authority on the need for resettlement were in general accord and recommended to the Administering Authority that it formulate plans, in consultation with the Nauruan people, for resettlement, consider the ways and means of livelihood for those Nauruans who might wish to remain in the Territory and also give consideration to the Mission's views on the establishment of a capital fund for that purpose.

b. POLITICAL DEVELOPMENT

An Administrator, appointed by the Government of Australia, has full powers of legislation, administration and jurisdiction. He is assisted by an administrative staff which, on 30 June 1952, the Administering Authority reported, consisted of sixteen Europeans, 280 Nauruans and 31 Chinese.

Three Commissioners, one appointed by each of the partner Governments, manage the phosphate enterprise, on which the Territory depends for its livelihood. The first Visiting Mission had noted that the Phosphate Commissioners were virtually independent in administrative matters and that, as a result, there existed a duality of administration in numerous areas of activity. The 1953 Visiting Mission gained the impression that some duplication of administration was unavoidable, but that there had been considerable improvement in the relationship between the Commissioners and the Administration.

The Nauruans play a part in the government of the Territory through an elected and advisory Local Government Council, whose members also exercise administrative functions in their districts, and through the employment of Nauruans in the administrative services.

At the end of 1951, the Nauruan Council of Chiefs, which had been established by Nauruan custom and which advised the Administrator on Nauruan affairs, was replaced by the Nauruan Local Government Council, members of which are elected by universal suffrage. The Administering Authority stated that the new Council had fairly wide powers to take part in the legislative work of the community and also to engage in business undertakings, which the Council of Chiefs did not have. Its composition, powers and functions are defined by ordinance; the Council of Chiefs had had no statutory basis. The functions of the new Council include advising the Administrator on Nauruan affairs, including the enactment of new ordinances and making rules, with the approval of the Administrator, for reg-

ulating the peace, order and welfare of the Nauruans. It may also co-operate with the Administration in providing public or social services. It submits yearly to the Administrator estimates of its receipts and expenditure. Deficits are payable from the Nauru Royalty Trust Fund.

The Administering Authority, while indicating that the new Council had not undertaken any functions additional to those transferred to it from the former Council of Chiefs, stated that discussions were taking place with the Administrator as to the future functions and activities of the Council. The Administering Authority stated, at the Trusteeship Council's twelfth session, that the new Council had not availed itself of all the powers which were granted to it by ordinance, but that there was no doubt that its members would do so when the implications of the Ordinance were made clear to them.

The Administering Authority had taken steps to provide greater assistance and advisory services from the Administration to help encourage the Nauru Local Government Council in the understanding and exercise of its powers and functions.

The 1953 Visiting Mission held a meeting with the Local Government Council and was impressed by the ability and seriousness shown by the councillors. The Mission observed, moreover, that harmony existed between the Administration and the Council. Dissatisfaction was expressed, however, by the councillors concerning a number of clauses in the Ordinance relating to the Council's participation in the administration and especially in regard to the financing of the Council's activities, the Mission stated in its report (T/1076).

The Mission was informed by the Secretary of the Department of Territories at Canberra that, in his opinion, the functions and duties of the Council were clearly set out in the Ordinance, as was also the manner in which the Council would get funds to operate. He believed that the Nauruans did not yet fully understand the Ordinance and were not well enough versed in the procedure and forms of local government, the methods by which they should proceed to work and the types of regulations and by-laws they should make. The Council needed education and guidance, which the Administration would make every effort to provide.

The Mission noted this statement, but nevertheless felt that the present Ordinance did not fully satisfy the persons directly concerned. It believed that the question of revision of the Ordinance

should be studied anew so as to remove all possible misunderstanding which might exist at present; it believed also that all possible steps should be taken to explain to the Nauruan people the functions and duties of the Council.

A complaint was received by the Mission on the manner in which the first elections for the Local Government Council, which took place at the end of 1951, had been conducted in the Boe District. It was claimed that, owing to a certain ambiguity in the Election Ordinance, the popular candidate had been declared ineligible. The Mission was informed by the Administering Authority that the candidate in question had been declared ineligible because his nomination had been submitted in an irregular manner. Since there had been only one other candidate, he had been automatically declared elected unopposed. There was no provision in the Election Ordinance for invalidating an election and therefore the Administration could not accede to requests from the Boe District electors for a new election.

The Mission, while considering the situation unfortunate, appreciated that it would be difficult for the Administration to make an exception in applying the electoral law. It believed, however, that in future elections every effort should be made to explain the electoral procedures to the population well in advance of the date for submission of candidates.

Noting the statement of the Administering Authority and the Visiting Mission's opinion that the question of the revision of the Ordinance should be studied anew to remove any possible misunderstanding, the Trusteeship Council, at its twelfth session, endorsed the views of the Mission and expressed the hope that the Administering Authority would give the question further attention.

The Administering Authority reiterated to the 1953 Visiting Mission that it is its policy to prepare Nauruans to assume greater responsibilities, and that the Nauruan staff is given every opportunity and encouragement to gain experience and to qualify for higher public offices.

Up to February 1953, when 269 of the total of 480 male Nauruans over the age of sixteen years were in the employment of the Administration, only one Nauruan, the Head Chief, held a position of high responsibility in the Public Service, the Mission noted. He held the post of Native Affairs Officer, and was also one of the two District Magistrates. The Mission reported with regret, however, that he had died on 11 April 1953. The Special Representative of the Administering Authority informed the Trusteeship Coun-

cil, at its twelfth session, that the Local Government Council had since elected a new Head Chief who was also Acting Native Affairs Officer.

The Local Government Council in its petition (T/Pet.9/8) raised with the Mission the question of employing more Nauruans in the Public Service. Referring to representations made by the former Council of Chiefs to the first Visiting Mission concerning the education of Nauruans, it stated that the situation had not much improved and pointed out that after thirty years of compulsory education there was only one Nauruan holding a key position.

The 1953 Visiting Mission, while noting the observations of the previous Mission concerning the difficulty of finding suitable persons who could occupy higher positions in government service, was of the opinion that the Administration should continue its efforts with a view to ensuring to the Nauruans greater participation in government activities, and to that end intensify its programme of training Nauruan officials to fill higher positions.

The Trusteeship Council, in considering the petition at the twelfth session, drew the attention of the Administering Authority to the views of the Visiting Mission (842(XII)).

At the twelfth session of the Trusteeship Council, the representative of the Administering Authority stated that it was the firm policy of the Administering Authority to advance Nauruans to responsible positions in Government service as and when they were capable of giving reasonably satisfactory service in these positions. Arrangements had been made to intensify the programme of training Nauruan officials.

The Council in resolution 842(XII) endorsed the view of the Visiting Mission that the Administering Authority should intensify its programme of training Nauruan officials to fill higher positions.

The Nauru Local Government Council also raised in its petition (T/Pet.9/8) the question of direct participation of the indigenous people in the work of the Trusteeship Council and requested that part of the expenses entailed should be borne by the United Nations.

The Visiting Mission informed the Local Government Council of resolution 554(VI) of the General Assembly on this matter and the Trusteeship Council's subsequent recommendations in resolution 466(XI) to the effect that the Administering Authorities should associate suitably qualified indigenous inhabitants of the Trust Territories in the work of the Council as part of their

delegations or in any other manner which they deemed desirable. The Mission explained that no provision, however, had been made for separate indigenous representation or for financial contributions to meet the expense involved.

The Trusteeship Council at its twelfth session (842(XII)) drew the attention of the petitioners to Council resolution 466(XI), to Assembly resolution 653(VII) and to its own decision (647(XII)) to establish a Committee to study further the question of the participation of the indigenous inhabitants in the work of the Council in the light of the Assembly's resolution.⁴⁴

Under the judicial system of the Territory, the Administrator himself constitutes a Court of Appeal and has the power to appoint and remove members of the lower courts, which consist of a Central Court, a District Court and fourteen Native Courts. There are two resident European judges and one European magistrate in the Central Court, two magistrates (one European and one Nauruan) in the District Court and fourteen chiefs in their respective District Courts. The Central and District Courts have civil and criminal jurisdiction; the Native Courts deal with offences committed by Nauruans.

During 1952, the Judiciary Ordinance 1922/52 was amended to enable one judge or magistrate to exercise the jurisdiction of the respective courts.

c. ECONOMIC DEVELOPMENT

The economy of Nauru is almost entirely dependent upon the phosphate industry. Earnings from this industry, which, according to the Visiting Mission, supplies more than half the phosphate needs of Australia and New Zealand, financially support the Administration, as well as provide funds for various Nauruan Trust Funds.

The only other industrial activity is the production for export of small quantities of copra, which was revived in 1950. A total of 7.3 tons of copra had been exported in 1950-51, but there was no export in 1952 because the coconut trees had not recovered from the drought of 1950. The land is regarded as suitable for the cultivation of coconuts, pandanus, small quantities of other tropical fruits and some vegetables; the Territory is now mainly dependent upon outside sources for its supply of food.

The smallness of the island, the absence of pastureland and the limited water supply preclude the keeping of livestock with the exception of

⁴⁴ See also pp. 653-54.

some pigs, goats and poultry. There is no large-scale fishing, but some Nauruans are occupied in fishing to supply local requirements. The Nauruan Co-operative Society, operated under the direction of the Local Government Council, engages in general trading and conducts a piggery, poultry farm, bakery and other enterprises.

The 1953 Visiting Mission found (T/1076) that the material rehabilitation of the island from the effects of the Second World War had been achieved to a remarkable extent and that there were signs of general economic prosperity among all sections of the population.

The Mission stated that the phosphate industry had now been completely restored and provided with modern equipment. Production was above pre-war levels and for 1952 had established a record, being 52,531 tons in excess of the 1949-50 record output of 1,009,266 tons. The value of the phosphate exported was given by the Administering Authority as £1,725,420.

The Trusteeship Council had earlier requested the Administering Authority to make known to it the separate financial operations of the British Phosphate Commissioners in respect of Nauru and the actual prices received for the phosphate, all of which is exported either to Australia or New Zealand, in comparison with the world market price for phosphate. This matter was also raised by the Local Government Council with the 1953 Visiting Mission. In asking for an increase in the royalties payable by the Commissioners to the Nauruans, the Local Government Council pointed out its inability to determine what was a reasonable increase due to lack of information on the finances of the Commissioners.

The information contained in the 1952 annual report of the Administering Authority in respect of the economics of the industry was similar in scope to that provided in previous years. The financial accounts submitted covered the Commissioners' operations in respect of Nauru and Ocean Island combined.

At its twelfth session, the Trusteeship Council, recalling its earlier recommendations, urged the Administering Authority to make every effort, in agreement with the British Phosphate Commissioners, to provide in its next annual report the information earlier requested.

The Local Government Council, as the Council of Chiefs before it, is responsible for negotiating with the British Phosphate Commissioners the amount of royalty to be paid into the Nauruan Royalty Trust Fund. The Lands Ordinance prescribes the conditions under which the phosphate

or non-phosphate bearing land is leased, together with the royalty rates or rents which are determined by agreement between the Nauruan Local Government Council and the British Phosphate Commissioners.

Both the General Assembly and the Trusteeship Council had recommended that the Administering Authority should prepare the indigenous inhabitants for participating in all government activities affecting the phosphate industry. The Council had also recommended that the dominant economic position of the phosphate industry should not adversely affect the interests of the indigenous population in general.

The Administering Authority stated that all government activities had an indirect effect on the phosphate industry and referred to its efforts to increase participation of Nauruans in government activities. The Administering Authority also said that the Nauruan population benefited from the industry by the receipt of royalty payments and by employment in the industry.

The Local Government Council, in a meeting with the 1953 Visiting Mission, pointed out that a greater participation by Nauruans in the Administration would enable them to have a more compelling voice in the negotiations with the Commissioners, and the Mission was requested to obtain assurances from the Commissioners that Nauruans, when properly qualified, would be given some of the responsible positions with the Commissioners.

Except for a small amount of revenue derived from import duties, postal revenue and sundry other items, all moneys accruing to the Territory's budget are obtained from royalties or advances made by the British Phosphate Commissioners. In addition, the Commissioners pay certain royalties which go into trust funds for the immediate or long-term benefit of the Nauruans.

The royalties payable to the Administration on each ton of phosphate exported by the Commissioners, the Administering Authority reported, was 2s. 6d. in 1951-52, compared with 2s. 3d. the previous year and 1s. 6d. during 1949-50. Of the amount of 2s. 6d. an amount of 1s. was paid to meet the ordinary expenses of the Administration, 9d. to repay the rehabilitation advance and the remaining 9d. to repay the advance for Nauruan housing. Royalties paid to or on account of the Nauruans, the report stated, totalled 1s. 4d. during 1951-52, which equalled the amount paid during the previous year and was 3d. higher than the amount paid during 1949-50. Of the amount of 1s. 4d. an amount of 6d. was paid to the owner

of the land from which the phosphate was extracted, 3d. was paid to the Nauruan Royalty Trust Fund to be used exclusively for the benefit of the Nauruans, 2d. was to be invested for the benefit of landowners in the Nauruan Landowners' Royalty Trust Fund, and 5d. was to be invested for the benefit of Nauruans in the Nauruan Community Long-Term Investment Fund.

The greater part of the cost of the Administration was, until recently, met from the proceeds of the 1 shilling royalty and from payments made by the Phosphate Commissioners in respect of customs duties and other charges, the Administering Authority reported. In addition, the Phosphate Commissioners agreed in 1946-47 to advance to the Administration two sums of money, one to cover the cost of the reconstruction and rehabilitation of the island and the other to cover the cost of Nauruan housing.

At its twelfth session, however, the Administering Authority informed the Trusteeship Council that, as from the financial year 1952-53, the British Phosphate Commissioners were paying the Nauru Administration a sum to cover the whole estimated annual Administration expenditure and charges, in place of the 1 shilling royalty on each ton of phosphate exported and the commutation of payments in respect of customs duties. For the year 1952-53, the sum involved, £162,000, was the equivalent of 3s. 3d. a ton of phosphate.

Explaining this change, the representative of the Administering Authority stated that basically its effect was to increase the payment by the Commissioners so as to cover all Administration costs. It did not in any way place the Administration in a position of dependence upon the Commissioners, nor did it in any way limit the expenditure of the Administration on developmental and other projects.

The amount fixed for the rehabilitation advance in 1946-47 was £200,000 but, as this proved inadequate, it was subsequently increased to £300,000 and again in 1951-52 to £350,000, the Administering Authority reported. The total payment, as of June 1952, from this advance amounted to £325,000, which is repayable with interest. The second advance, for Nauruan housing, amounted to £200,000. To repay these advances the Administration levies two royalties on the British Phosphate Commissioners. These royalties each amounted to 9d. per ton of phosphate exported during the year ending 30 June 1952. As from 1 July 1952, however, according to information received by the Council at its twelfth session, the rehabilitation royalty was increased to 10½d. a ton.

The total revenue received by the Administration in 1951-52 amounted to £155,414, as compared with £145,019 in 1950-51, and was made up of £50,660 from the royalty rate of 1s. per ton on phosphate exported, £27,000 from commutation of payments of customs and other charges of the Administration, £65,000 from the rehabilitation advance, and £12,754 from other sources, the Administering Authority reported. It also reported that expenditure on both the administration and reconstruction activities totalled £146,742 during the year, as compared with £130,491 in 1950-51.

Most of the expenses of Nauruan education and of the Nauruan Native Administration are paid for out of the Nauruan Royalty Trust Fund, financed from the royalty of 3d. a ton. During 1952, the income accruing to this Fund amounted to £12,665 and expenditure to £13,932, the balance at the end of the year being £9,754. A recommendation had been made earlier by the Trusteeship Council that the Administering Authority should pay for such expenditures out of the budget proper, and not from the Trust Fund.

In addition to the royalty of 6d. a ton to the landowners from whose property the phosphate is extracted, the Commissioners pay a lump sum of £45 an acre to the landowners for all the phosphate land leased to them and a rent of £4 10s. an acre per annum for all non-phosphate-bearing land.

For the long-term benefit of the Nauruans, two Trust Funds have been established, the Nauruan Landowners' Royalty Trust Fund and the Nauruan Community Long-Term Investment Fund. The first, financed by the royalty of 2d. a ton, totalled £135,770 in June 1952; and the second, financed by a royalty which was increased from 2d. to 5d. a ton in 1950-51, stood at £55,042.

In its petition (T/Pet.9/8) to the Visiting Mission, the Local Government Council claimed that the current royalty rate of 1s. 4d. a ton payable to or on behalf of the Nauruans was insufficient, and requested that the rate should vary according to the rising cost of living. Provision should also be made whereby the royalty agreement could be reviewed at more frequent intervals.

Various individual requests were also made to the Mission for an increase in the royalty rates and another request was made that the sums credited to the Nauruan Landowners' Royalty Trust Fund should be released to the individual landowners.

The view of the Administering Authority, according to the Visiting Mission, was that it was

doubtful whether the Commissioners had any legal obligation to pay more than the costs of administration of the Territory. However, their actual payments amounted to considerably more than that sum and they had agreed to consider the possibility of an increase in the royalty payments. In the past they had been reluctant to increase payments to individual landowners, preferring to pay any increases to trust funds for the benefit of the whole Nauruan community.

The Mission considered that the Local Government Council's request that the royalty rate should increase in proportion to the cost of living was basically legitimate. It was not, however, in a position to determine whether the cost of living had in fact risen since the royalty rate was last adjusted.

In considering the petition, the Trusteeship Council noted (842(XII)) the Mission's views and drew them to the attention of the Administering Authority.

At the Council's twelfth session, the representative of the Administering Authority said that the various comments made in the Council had raised the issue of the extent to which the Trusteeship Council should inquire into the internal affairs of commercial undertakings in Trust Territories. It appeared to the Administering Authority that the Council's over-riding function was to concern itself with the fiscal policy of the Administering Authority in the Territory and to ensure that adequate provision was being made for the well-being and advancement of the inhabitants, leaving to the discretion of the Administering Authority the raising of the financial means necessary. He suggested that too inquisitorial an attitude towards commercial and industrial concerns might tend to have a discouraging effect on investment in Trust Territories; without investment the pace of economic development would be adversely affected and the advancement of the people retarded.

He referred to the benefits derived from the phosphate industry by the Administration and the Nauruan landowners and pointed out that the amount of royalty paid by the British Phosphate Commissioners was in no way dependent upon the market price of the phosphates or on the profits of the company. Furthermore, a trust fund was being accumulated from year to year with a view to safeguarding the economic future of the Nauruan people.

At its twelfth session, the Trusteeship Council expressed the hope that full details of the new financial arrangement between the Administering

Authority and the British Phosphate Commissioners would be furnished in the next annual report.

Of Nauru's total area of 5,263 acres, 1,147 are coconut, lagoon or non-phosphate land and 4,116 are phosphate-bearing, situated on the central plateau and of inferior quality for agricultural purposes. By far the greater part of the land is owned privately by indigenous landowners, and when required for the mining of phosphate it is leased to the British Phosphate Commissioners. As of June 1952, the Commissioners held under lease approximately 1,200 acres of phosphate-bearing land and 137.757 acres of non-phosphate-bearing land. The Lands Ordinance 1921-1951 prescribes the conditions under which the land is leased to the Commissioners, together with the royalties and rents, which are determined by agreement between the Nauruan Local Government Council and the Commissioners. Disputes regarding land ownership are settled by a Land Committee composed of indigenous members, and the Land Ordinance makes it illegal for any sale, lease, contract or agreement to be concluded without the consent of the Administrator.

The Local Government Council informed (T/Pet.9/8) the Visiting Mission that it desired an over-all review of the lands agreements in order to provide landowners with a greater voice in land matters. The agreements, the Council felt, should also be subject to review at more frequent intervals than was the current practice.

With regard to phosphate lands, the Local Government Council requested that provision should be made in the Lands Ordinance for landowners to negotiate a new rate of payment for phosphate removed from their land if it were to be used for other purposes than the manufacture of superphosphate fertilizer.

As for non-phosphate-bearing land, the Local Government Council requested that different rental rates should be applied according to stipulated conditions, to be agreed upon by the Council for the landowners and by the Administration for the Administering Authority. Some payments should also be made, the Council considered, for rock and other substances not containing phosphate which were used for construction purposes. Various other requests concerning land problems were also made to the Mission.

The people of the Boe and Yarren districts, who had complained in 1950 about the use and permanent acquisition by the Australian Government of a Japanese-built airstrip located on some of their best land, requested (T/Pet.9/9) the Visiting Mission to assist them in obtaining the

return of their land. They stated that no fair solution for compensation or payment of back rental had been offered to them. In March 1952, the Mission reported, the Administering Authority had decided to extend the airstrip, to conform with international standards, from 4,300 feet in length and 200 feet in width to 5,200 feet in length and 500 feet in width.

The petitioners still considered that there was no value in having an airstrip in the Territory and that the land could be used with greater benefit by the inhabitants for the growing of food or for housing purposes. If an airfield were needed, it could be constructed on land from which phosphate had been extracted, with the assistance of community finance and labour.

The Administering Authority maintained that the airstrip was in the general interests of the Nauruan community and that no other site was practicable. Compensation provided in the Aerodrome (Acquisition of Land) Ordinance was, in its view, fair and reasonable, being fixed at twice the amount normally payable for the lease of non-phosphate land. Fair compensation would also be given for trees or buildings located on the land at the time of its acquisition. The value of the buildings would be fixed by a Committee comprising the Administrator, the Head Chief and the Councillor of the District. Landowners had been paid £6 an acre per annum as compensation by the Administration from 15 November 1945 to 30 June 1951 and £9 an acre per annum to the date of the acquisition of the land.

The Mission agreed that an airport was necessary for the island, even if it were not frequently used, and gained the impression that the people of Boe and Yarren would be ready to negotiate with the Administration to arrive at a fair solution provided the rate of compensation was raised. The former Council of Chiefs had previously proposed that £12 should be paid per acre instead of £9. The Mission was further of the opinion that the people who were most affected should be encouraged to resettle in other areas, particularly the abandoned east coast.

The Trusteeship Council, in considering the petition at its twelfth session noted (resolution 843(XII)) the Mission's views and expressed the hope that the Administering Authority and the petitioners would work out a satisfactory arrangement for providing the people concerned with other suitable land.

Several requests were also received by the Mission for war damage compensation. The Chief and people of Aiwo stated (T/Pet.9/10) that,

though the Australian Government had approved a certain sum as compensation to them, the Department of Territories had paid it into a fund for the purchase of furniture for Nauruans having houses under the housing scheme. This arrangement was unacceptable to them and they wanted a reconsideration of the whole question of war damages.

The Mission noted that, in 1949, the Council of Chiefs had negotiated with the Administering Authority for the settlement of war damages. The negotiations had resulted in £15,000 being paid by the Administration to establish the furniture fund, in view of the inability of the Nauruans to pay for the necessary furniture in their newly constructed homes.

At the twelfth session of the Trusteeship Council, the representative of the Administering Authority stated that the question of war damages had been fully considered by the Administering Authority and, with the support of the Council of Chiefs, it had decided not to meet requests for ex gratia payments as compensation for war damage of individual Nauruans. However, action had been taken by the Administering Authority to construct European-type houses for the Nauruans and an amount of £15,000 had been made available for a fund to provide furniture for the houses.

The Trusteeship Council (resolution 844 (XII)) drew the attention of the petitioner to the observations of the Administering Authority, namely: that in the view of the Administering Authority there was no legal liability to individual Nauruans for compensation for war damage and that the former Council of Chiefs had endorsed this policy; that the assessment of individual claims was impracticable; and that the money which the Administration had made available was better applied to carrying out certain community betterment schemes. The Council decided that in the circumstances no recommendation was necessary.

d. SOCIAL DEVELOPMENT

The Nauruan community, which is still in some respects organized along traditional lines, has modified its way of life as a result of the operation of the phosphate industry. There is almost complete employment of able-bodied male Nauruans for money wages. For food, Nauruans are now almost completely dependent on imported goods.

Immigrant communities are permitted to settle only in specific areas and, under the Movement

of Natives Ordinance, the movement of Nauruans, other Pacific Islanders and Chinese is controlled during the hours of darkness by means of a pass system. The Trusteeship Council had previously requested the Administering Authority to consider modifying the provisions of this Ordinance, as well as those of the Chinese and Native Labour Ordinance, with a view to removing the restrictions on the movement of the Nauruans and the Chinese.

The Administering Authority maintained that the Movement of Natives Ordinance was in the best interests of the Territory and the welfare of the communities concerned and that its continuance had the support of the Nauruan population. It reported, at the twelfth session of the Council, that, after full consideration of the matter, it had decided not to modify the present provisions or to revoke the Ordinance. It stated that the law was liberally interpreted and passes were issued without undue restriction so as to enable persons with valid reasons to move outside their district during prohibited hours. In the case of the Chinese and Native Labour Ordinance, the Administering Authority similarly considered it not to be in the best interests of the Territory that any change should be made in the direction indicated by the Council.

During 1952, there were 32 convictions for offences under the Movement of Natives Ordinance (28 Nauruans, three Gilbertese and one Chinese), the penalties imposed ranging from a caution to a fine of 5 shillings.

The 1953 Visiting Mission noted that it had received no complaints arising from the application of the Ordinance. However, although it was aware that the Ordinance had the support of the Nauruans, it believed that a question of principle was nevertheless involved and therefore welcomed the statement of the Administering Authority that the provisions of the Ordinance were liberally applied.

At previous sessions, the Trusteeship Council had made various recommendations to the Administering Authority concerning the conditions of Chinese workers.

The 1953 Visiting Mission found that the Chinese workers employed by the British Phosphate Commissioners, whose numbers were reduced by one-half during 1951-52, had now been assigned adequate quarters and that increased recreational facilities were being provided.

It was gratified to note that recently, under certain conditions, a few wives and families of Chinese had been admitted to the Territory. The

wife of the worker and not more than two children under twelve years of age were permitted to reside in Nauru for a period of three years. However, all members of the family, including children born on the island, were required to leave at the expiration of the permit. The Mission was informed that twelve Chinese families had been admitted and that consideration was being given to the admission of twelve others.

The Mission generally gained the impression that many of the difficulties to which the Chinese had been subjected in the past had been eliminated. At a meeting with the Chinese community it was informed that some of the workers who had returned to Hong Kong wished to obtain re-employment with the British Phosphate Commissioners.

The Council noted with satisfaction the measures taken by the Administering Authority permitting Chinese workers under certain conditions to bring their families to the Territory, and requested the Administering Authority to furnish full information periodically on the implementation of this programme.

The Administering Authority reported that, on 30 June 1952, 1,819 adults were employed in the Territory. Of this number, the British Phosphate Commissioners employed 1,360, compared with 1,597 in 1951, the reduction being due to the introduction of further mechanical methods of mining phosphate and the completion of the reconstruction and development programmes. The Visiting Mission reported that the number of Nauruans employed by the British Phosphate Commissioners had decreased since June 1952 to about 100. The Commissioners stated that this was due to the difficulty of inducing Nauruans to work steadily in the industry.

The basic labour legislation is the Chinese and Native Labour Ordinance, which lays down that every contract for work in Nauru for Chinese, Nauruans and other Pacific Islanders must be made in the presence of and subject to the agreement of the Administrator. Contracts for service are for one year. There are no labour organizations, but the Local Government Council acts for Nauruans in matters of wage rates and working conditions.

Labourers under contract were, until recently, subject to penal sanctions and six Chinese were convicted under the Labour Ordinance during 1952. The Administering Authority informed the 1953 Visiting Mission, however, that legislation for the abolition of penal sanctions was being drafted and that it would be completed very

shortly. The Mission welcomed this action, which it felt to be in accordance with recommendations made by the Trusteeship Council.

According to information given by the representative of the Administering Authority at the twelfth session of the Council, the wage rate of Nauruan employees of the British Phosphate Commissioners was increased, as from 14 April 1953, from 8s. 8d. to 12s. a day, equal to about £175 per annum, plus a mid-day meal valued at £40 per annum. With this increase, the wife's allowance was discontinued, but the child's allowance was retained.

The Commissioners also authorized an increase, as from 14 April 1953, in the basic wage rate of Chinese and Gilbertese labourers employed by the Commissioners from £8 to £9 per month, plus existing margins and adjustment for overtime rates. Wages under £8 were proportionately adjusted and the wages of Chinese mechanics were raised by £1 10s. 0d. per month (in July 1950, Chinese mechanics received from £14 to £16 per month).

The working week for Nauruans, other Pacific Islanders and Chinese in the phosphate industry is 44 hours; for Europeans, it is 40 hours. To a suggestion of the first Visiting Mission that the 40 hour week should be applied to all communities, the Administering Authority replied that a 44-hour week was considered suitable for the industry, but that in order to obtain essential European staff it had been necessary to engage Europeans on the basis of the 40-hour week, in conformity with conditions of employment in the country of their recruitment.

In the case of employment by the Administration, the Administering Authority informed the Council, at its twelfth session, that a further increase in the basic rate for Nauruans had been granted as from 1 July 1952. Under the new arrangements the minimum wage rate for Nauruan employees had been increased to £191 per annum, based on the living costs of a man and his wife. The additional wife's allowance previously paid was discontinued, but the child's allowance was retained.

The basic rate is paid to labourers and others; salaries rise above it according to the nature of the employment. Nauruan teachers, for instance, are paid from £144 to £210 per annum, a senior wireless operator £300, a native medical practitioner £270 to £312, and the acting head teacher of the secondary school £764. The Head Chief, who until his death occupied a senior position in the Administration, received £836 per annum, the highest salary paid to a Nauruan.

The public accounts of the Administration showed that the total salaries and wages paid in 1951-52 to the European staff, which numbered 17 in June 1952, were £20,421; to the Nauruans, numbering 280, £36,408; and to the Chinese, numbering 31, £3,729.

The 1953 Visiting Mission suggested that, in undertaking a review of wages previously urged by the Council, the Administering Authority should take into consideration any increase in the cost of living.

Representations were made to the Visiting Mission by Nauruan employees of the Administration for improved wages and working conditions. In particular, a senior laboratory assistant at the Nauru hospital complained (T/Per.9/14) that he received only £17 per month though he had been with the Medical Department for thirteen years and had had a good deal of training. He felt that he should receive £25 per month and pointed out that he would have to pay 6 shillings per week for his house under the Nauruan housing scheme.

The Chief of Aiwo, Mr. Thoma Q, complained (T/Pet.9/13) that he had received no remuneration for his services during his term of office as Chief of the Aiwo District. The Mission noted that this case and others had been considered by the Administration and by the former Council of Chiefs. It understood that senior employees of the Administration who were also chiefs with certain community obligations did not receive allowances in addition to their salaries. It believed that the case involved certain principles adopted by the Administration concerning the public responsibilities of the chiefs and therefore was unable to determine the right of the petitioner to receive the payments requested in his petition.

At the twelfth session of the Trusteeship Council, the representative of the Administering Authority stated that the question of the disparity in wage scales of the Nauruan and European inhabitants was one which, for obvious reasons, applied probably in all Territories simply because it was necessary, in order to carry out responsibilities under the Charter and the Trusteeship Agreements, to obtain the services of adequately qualified persons and to induce them to leave their own country and the financial and other advantages available there, in order to give their time and energy to the training and welfare of the inhabitants of less fortunate or less advanced lands.

He stated that it was felt that, with the new minimum wage rates fixed recently, the Nauruans were placed in a good financial position, bearing in mind the low rentals charged for the modern

houses which had been made available to them. He added that separate investigations had been made into the existing Nauruan wage margins for skill and responsibility, and that it was expected that decisions in regard to any variations of those rates would soon be taken.

With regard to the first petition (T/Pet.9/14), the Trusteeship Council (resolution 847(XII)) drew the attention of the petitioner to the Administering Authority's observations and expressed the hope that sympathetic consideration would be given to the request in view of the petitioner's seniority and length of service. The Council considered (resolution 846(XII)) that in the case of the petition by the Chief of Aiwo, no recommendation was necessary in the circumstances.

The completion of the first rehousing programme for Nauruans had been noted with satisfaction by the Council at its tenth session. The programme, made necessary by the destruction during the Second World War, was initiated in 1949 when arrangements were made for the construction of 250 European-style houses for Nauruans at an estimated cost of £200,000, the funds being supplied out of the housing advance made by the British Phosphate Commissioners.

The Administering Authority subsequently informed the Council that a further programme for the erection of 100 more houses had been approved. The Mission reported that, at the time of its visit, 62 of these houses were in varying stages of completion.

According to information supplied to the Mission, 1,041 persons were living in the completed houses, the number in each house varying between two and ten, and priority of allocation was given to married couples and families. The Mission was greatly impressed with the progress made under the housing scheme. Nauruans also, according to the Local Government Council, were very satisfied with the programme, except that they wanted an improvement in the electricity and water supply facilities. No rent was being charged for the houses at the time of the Mission's visit but a draft ordinance was under consideration for a rent of 6s. a week, or £15 12s. per annum, as compared with an earlier estimate of £12 per annum. The Mission was of the opinion that, since the intended rate represented less than the true economic rent of the houses, which had cost some £850 each, it must be regarded as reasonable.

Medical facilities provided by the Territory's Health Department consist of a general hospital, two out-patient clinics, a leper station and other clinics for tuberculosis, dental and infant care.

In addition, two hospitals, one for Europeans and the other for Chinese, are maintained by the British Phosphate Commissioners. European Government medical staff in June 1952 consisted of a medical officer, a qualified nurse and a mothercraft nurse; the Nauruan staff consisted of 22 medical personnel, including three medical practitioners. The British Phosphate Commissioners' medical staff consisted of a European medical practitioner, a nurse and a dispenser and ten hospital orderlies.

Expenditure by the Administration on health in 1952 amounted to £18,069, as compared with £19,712 in 1951 and £10,841 in 1950.

In June 1952, the Administering Authority reported, six Nauruan nurses were in training at the Administration hospital. Two Nauruans were in training in 1952 at the Central Medical School, Fiji, as native medical practitioners, and three graduates of the Fiji school were employed by the Health Department. Four students were also training in Australia, two as doctors, one as a chemist and one as a nurse.

The principal diseases treated by the Administration hospital during the year were filariasis bronchitis, enteritis, influenza, infantile diarrhoea and poliomyelitis. The Council, which had noted that the rate of leprosy in 1951 was high, 71 cases having been treated, received the report of a recent investigation by an expert into the treatment of the disease. The expert concluded that the position was under control and that the existing policy could hardly be bettered and was likely both to prevent any material spread of the disease and eventually to eliminate it. The Administering Authority further reported that no new cases of leprosy had been admitted to the leprosy station in 1952, or treated at the leprosy clinic. At the close of the year there were nine cases in segregation and 41 cases receiving treatment at the out-patients' clinic.

The 1953 Visiting Mission, while appreciating the efforts of the Administering Authority to provide medical facilities for the indigenous population, considered that the existing facilities were insufficient. The Administration hospital, it noted, was not fully equipped, had an insufficient number of beds and was far from meeting all the requirements of hygiene. Although it was aware that the facilities of the British Phosphate Commissioners' hospitals would be available in case of need, the Mission was of the opinion that all possible steps should be taken to improve the Administration's hospital and medical services, and it was glad to note that the Administration itself was aware of this need.

The representative of the Administering Authority informed the Trusteeship Council, at its twelfth session, that approval had been given for the construction of a new Administration hospital with a capacity of 25 beds and with facilities which the Administering Authority considered would be adequate for the needs of the Nauruan community.

At the Council's twelfth session, the representative of the Administering Authority stated that, with the construction of the new hospital, hospital facilities would be quite adequate to meet the needs of the population.

The Council, noting the observations of the Visiting Mission on medical and health questions, and noting the Administering Authority's statement regarding improvements which are to be made, welcomed the decision of the Administering Authority to construct a new hospital.

The 1953 Visiting Mission reported that many persons in the Territory had referred to a previous petition (T/Pet.9/3) requesting assistance to visit relatives in the Trust Territory of the Pacific Islands.

The Mission discussed the matter with both the Administering Authorities involved and was informed that there was no difficulty in principle in satisfying the request, but that all vessels visiting the Trust Territory travelled only between Nauru, Australia or New Zealand. The Mission was informed, however, that transport arrangements were being examined by the authorities in compliance with Trusteeship Council resolution 321(VIII).⁴⁵

e. EDUCATIONAL DEVELOPMENT

Education for Nauruan children between the ages of six and sixteen is compulsory. The cost of all indigenous education, both in Nauru or overseas is charged against the Nauruan Royalty Trust Fund. The Administering Authority reported that expenditure on Nauruan education during 1952 amounted to £11,179, compared with £5,936 in 1951. The main increases were salaries of teachers (£2,384) and cost of students overseas (£2,386). Expenditure on European education is charged against Administration general funds to which the salary of the Director of Education and other general expenses are also debited; in 1952 this expenditure amounted to £5,673, in comparison with £4,119 in 1951.

Education is controlled by the Administrator, and provision has been made for a European Director of Education to supervise the schools.

The teaching staff consists of four European teachers (two for European children and two for Nauruan children) and 26 Nauruan teachers.

There are six Administration primary Nauruan schools and a special school at the leper station. The Sacred Heart Mission also maintains a school at Arubo. There is one European primary school. Curriculum in the primary schools is based on that in Australia and includes instruction in English, arithmetic, manual training, geography, history, civics and nature study and appreciation.

Local facilities for secondary education were destroyed during the Second World War, and at its fifth and seventh sessions the Trusteeship Council had urged the Administering Authority to re-establish them in the Territory. In 1951, a secondary school with two classes had been opened in temporary buildings. The enrolment in 1952 was 44 pupils; in March, 1953, there were 58. During 1952, a European head-teacher was appointed to the school. He is assisted by two senior Nauruan teachers and other Nauruan instructors. The Administering Authority reported that plans were being prepared for a permanent building, and proposals were under consideration for the further development of secondary education to the intermediate standard with a bias towards technical training, domestic art and science and the needs of local employment. In March 1952, a secondary class was started at the Arubo Mission school, with an enrolment of fourteen girls. The 1953 Visiting Mission inspected the majority of schools in the Territory; it was impressed by the discipline and alertness displayed by the students and was pleased to observe that, on the whole, the schools were fairly well equipped.

In June 1952, 23 Nauruan students were studying overseas, as compared with eighteen in 1951. Of these, two male students were at the Central Medical School in Fiji and two were attending theological colleges. The remainder, comprising fifteen boys and four girls, were undertaking courses of secondary education at selected schools in Australia. Seventeen students were sponsored by the Administration, two by the religious mission and four by their families. The number of students abroad had increased to 35 by 31 March 1953. During 1952, a system of bursaries for European secondary education in Australia was instituted, the cost being borne jointly by the Administration and the British Phosphate Commissioners.

There are no teacher-training schools in the Territory, and most of the Nauruan teachers have

⁴⁵ See Y.U.N., 1951, p. 653.

no special training beyond that gained in the Territory's schools, except that the European teaching staff has held training classes for the Nauruan staff. The Administering Authority subsequently informed the Council, which had been concerned with the matter, that proposals were under consideration for the special training of Nauruan teachers. It also pointed out that ten potential teachers were attending secondary schools in Australia and that one junior male teacher was undergoing a special course there. The 1953 Visiting Mission, in examining this question, gained the impression that the training of some of the teachers was still unsatisfactory.

Adult and community education is given in evening classes for adults and senior scholars and through the medium of films. The Territory possesses two libraries. The development of an adult communal and welfare centre is under consideration by the Administration.

Dissatisfaction was expressed to the 1953 Visiting Mission by the Local Government Council on the manner in which Nauruan education was being handled. The Mission observed a scepticism regarding the progress achieved after 30 years of compulsory education. In its petition (T/Pet.9/8), the Council stated that a comprehensive report on Nauruan education had been sent to the Administrator for submission to the Department of Territories in July 1952. Six months had elapsed, however, before the matter was followed up. In December 1952, a Committee of five members, three of whom were members of the Local Government Council, had discussed the question and agreed upon certain principles to be recommended for consideration by the appropriate authority. These principles had yet to be considered and finalized, and experience had shown that it would be some time before this would be done. It was due to this dilatory way of handling Nauruan education, the petitioners concluded, that there was only one Nauruan holding a key position in the administration after 30 years of compulsory education. The Visiting Mission was therefore requested to take up the matter of Nauruan education with the Administering Authority with a view to arriving at certain conclusions which would ensure that progressive steps were taken towards Nauruans assuming most of the key positions in the Administration within a stipulated period.

The Mission, in discussing the future of Nauruan education and the complaints raised by the Local Government Council with the Administrator, was informed that the inauguration of future

educational programmes was awaiting the arrival of the Director of Education.

The Mission considered that the principles outlined in the Nauruan Local Government Council's petition were basically sound, and it was of the opinion that the Administration should take all possible steps to implement them in the near future. In this connexion, greater emphasis should be given to the training of qualified teachers as well as to the expansion of vocational training programmes.

Apart from the need for improving education generally, the Mission believed that it was imperative to devise a training programme designed to satisfy the special demands which might be made on the Nauruans in the future as a result of the inevitable exhaustion of the island's phosphate deposits. As an integral part of the plan of resettlement of the Nauruan people which it had suggested (see above), the Mission felt that Nauruans should be provided with educational and vocational training which would enable them to obtain employment or otherwise maintain themselves outside their island. It attached great importance, therefore, to the training of students abroad, not only in skills specially required within the Territory. The Mission was of the opinion that, unless this objective of mobility was clearly stated, it would be difficult to devise practical programmes of education which would meet the needs of the Nauruans.

While local leaders were generally familiar with the nature and purposes of the United Nations and the International Trusteeship System, the Mission noted that the general public still lacked information.

The representative of the Administering Authority, at the twelfth session of the Trusteeship Council, stated that his Government was fully alive to the necessity of providing the Nauruan people with the benefits of a sound and well-balanced education and would exert every effort to assure them the wide knowledge and training required to fit them for responsible posts and contribute to their ability to take their places in modern communities.

A new Director of Education had recently been appointed in the Territory, and he had been instructed to conduct a full examination of the existing education system of the Territory and to submit plans and recommendations thereon. The views of the Visiting Mission concerning the dissemination of information on the United Nations had been noted and consideration would be given to the inclusion in the work of the schools

of information regarding the organization and activities of the United Nations.

The Council, in considering the petition, noted (resolution 842(XII)) the observations of the Administering Authority and the Mission concerning the principles of educational policy.

The Council noted with satisfaction the increased number of Nauruan students studying abroad and hoped that the Administering Authority would continue its efforts in this regard in order to provide the greatest possible number of Nauruans with such training facilities.

4. Pacific Islands, Administered by the United States

This Territory, spread over some three million square miles, consists of three groups of Micronesian Islands: the Marshalls, Carolines and Marianas (except Guam) and contains 96 distinct island units with a combined land area of about 687 square miles.

The 1953 Visiting Mission emphasized the importance of the great area of ocean over which the, mostly very small, island units were distributed, the paucity of the Territory's apparent economic resources and the ethnic, cultural and linguistic diversity of its some 57,000 inhabitants as factors bearing on the administration and development of the Territory.

At its twelfth session, the Trusteeship Council endorsed the Mission's report and commended the findings and recommendations of the Mission in general to the earnest consideration of the Administering Authority. It also noted with pleasure the inclusion by the Administering Authority in its delegation, on the occasion of the examination of conditions in the Trust Territory, of two Micronesians resident in the Marshall Islands District.

The enactment of organic legislation for the Trust Territory, on which the Council had previously made recommendations, continued to await action by the Congress of the United States. The Administering Authority reported⁴⁶ that a draft law had been resubmitted to the Congress in January, 1953 and that hearings on it by the appropriate committee of the House of Representatives were planned for the month of July. A petition from the representatives of the people of Saipan (T/Pet.10/8), transmitted to the Trusteeship Council by the Visiting Mission, referred to the desirability of an organic act.

At its twelfth session, the Council recalled its previous recommendations favouring the enact-

ment of basic legislation for the Territory, and considered that the adoption of a suitable Organic Act would serve the best interests of the inhabitants. The Council noted with pleasure that a draft law had been resubmitted to the Congress of the United States, and expressed the hope that such legislation would be enacted in the near future.

Responding to a request made by the Council at its tenth session, the Administering Authority submitted a list of 16 international treaties, agreements and conventions which, in the course of a continuing review, it had determined to be applicable to the Trust Territory.

a. POLITICAL DEVELOPMENT

The Administering Authority reported that the transfer of the administration of the Trust Territory from the control of the United States Navy Department to a High Commissioner appointed by the President and responsible to the Secretary of the Interior had taken place smoothly and with virtually no interruption of government services. It submitted to the Council the texts of the relevant orders. They included a message from the Secretary of the Interior which forms, with the Charter and the Trusteeship Agreement, the basis of government for the Territory and which states, *inter alia*:

"The department will dedicate itself to the principle that the interests of the indigenous inhabitants are paramount, subject only to the requirements of international peace and security. It will foster the maximum practical participation by indigenous inhabitants in their own governmental, social and economic affairs."

The Visiting Mission reported that, by an Executive Order of 10 November 1952, an area including the islands of Saipan and Tinian (whose populations are 5,209 and 390 respectively) in the Northern Marianas had been returned, for security reasons, to Navy administration with effect from 1 January 1953. For reasons of administrative efficiency it was anticipated that this area would be administered by a local naval administration stationed at Saipan. The Mission was assured that every effort would be made to ensure continuity of administrative policy and the fullest

⁴⁶ United States Department of the Interior, Office of Territories, Report on the Administration of the Trust Territory of the Pacific Islands for the period July 1, 1951, to June 30, 1953, transmitted by the United States to the United Nations (U.S. Govt. Printing Ofc., Washington, 1953). For detailed discussions of this report in the Trusteeship Council, see Trusteeship Council Official Records, Twelfth Session (16 June-21 July 1953); summaries of the observations of individual members are included in the Trusteeship Council's report to the Security Council (S/3066).

co-operation with the High Commissioner and staff of the Trust Territory. On the islands of Saipan and Tinian, the Mission found no signs of dissatisfaction among the indigenous population with this change.

The Visiting Mission, while recognizing that the Chamorro people of the Saipan district had little in common with the other islanders and were more closely related to the people of Guam, expressed the hope that the closest attention would be given to preserving the unity of the Trust Territory by constant liaison on all matters of administrative policy and by encouraging the Saipanese to participate fully with the people of other districts in the political, educational and economic fields.

The Council at its twelfth session, noting the transfer of a part of the Territory to naval administration, requested the Administering Authority to ensure that the general policies applied in respect of all parts of the Territory might be so co-ordinated as to meet the evident need of the inhabitants for a period of stability in administration and to preserve the identity of the Territory as a whole.

Together with the Saipan district, the Trust Territory consists of five administrative districts—Palau and Yap (a sub-district until 1 July 1951) in the Western Carolines, Truk and Ponape in the Eastern Carolines, and the Marshall Islands—each of which is administered by a district administrator and his staff under the general supervision of the High Commissioner. The Visiting Mission found that a degree of autonomy was enjoyed by the District Administrators, to whom was delegated operational responsibility for the carrying out of programmes emanating from the High Commissioner and his headquarters staff.

This degree of autonomy was the result, the Mission observed, of the great distances involved. The Mission also considered that the tremendous distance which separated the headquarters of the High Commissioner, situated temporarily at Honolulu, from the scene of operations in the Territory, was the principal weakness in the present organization. The Trusteeship Council was informed at its twelfth session that Dublon Island in the Truk Atoll had now been designated as the permanent seat of government. The Visiting Mission inspected the proposed site and considered it to have all the desirable physical characteristics.

The Mission at the same time saw many disadvantages in transferring the headquarters to a

place within the Trust Territory, including: the distances (although reduced) to the various administrative centres; increased difficulties of liaison with government departments in Washington and Navy headquarters in Honolulu; and difficulty in retaining the existing senior staff and obtaining new personnel of a high calibre. The Administering Authority informed the Council that the factors involved would have to be carefully weighed and that no funds were yet being requested for the construction of the necessary facilities.

The Council at its twelfth session recalled the views it had previously expressed concerning the desirability of establishing the administrative headquarters within the Territory, and noted the opinions of the Visiting Mission and the Administering Authority. It recommended that the Administering Authority continue to study all the implications of a decision on the matter, having due regard not only to those of immediate practical importance but also to those which might arise from the progressive assumption of responsibility by the indigenous inhabitants. It asked that the results of such study should be included in the next annual report.

The Visiting Mission noted an increasing participation of Micronesians in government at the higher levels, especially in the educational and health services and the judiciary. The Administering Authority informed the Trusteeship Council that a training specialist was establishing in the Truk district, as a pilot project, an in-service training programme of wide scope with the purpose of accelerating the training of Micronesians to replace American personnel wherever practical. Micronesians employed by the district administrative units and the islands constabulary on 30 June 1952 totalled 1,564, as compared with 1,539 a year previously. Some 130 of them, mostly in the Palau and Marshalls districts, were classified as administrative assistants, accountants, interpreters, medical practitioners, school principals, etc. At the same date, a total of 301 United States civil service employees held higher posts, as well as a number of technical and clerical positions, in the headquarters and district administrations.

The Mission stated that it had been greatly impressed by the quality and devotion of the civil service personnel, particularly the senior staff at headquarters; some of the technical staff was also of high calibre. As regards the district personnel, however, it remarked that, with few exceptions, the administrative personnel did not possess a knowledge of the indigenous languages and that on certain levels a degree of segregation existed.

The Mission attributed these problems to the difficulty of obtaining highly qualified personnel for service in remote areas with few social amenities. Urging greater security of employment and possibilities of promotion, the Mission expressed the opinion that the existing regulations, which did not provide for adequate continuity of service, were contrary to the interests of the Territory. It also thought that greater emphasis should be given to pre-service and in-service training which would give personnel a greater understanding of the cultures, traditions and problems of the Micronesians and at least a familiarity with the languages.

The Administering Authority informed the Trusteeship Council of its awareness of these personnel problems. It stated that, on the whole, the staff met the necessary standards of education, training and performance, and that a steady increase in its quality and ability which had taken place over the previous two years would be continued. As regards special training, staff members were given an orientation in Honolulu before assignment to the Trust Territory, and attention was being given to an extension of this training to provide additional study in the fields of ethnology and anthropology.

The Council, at its twelfth session, commended the suggestions of the Visiting Mission in the matter to the continuing attention of the Administering Authority.

The Administering Authority stated that, because of the widely differing stages of development in various parts of the Territory, it could not estimate, in the terms of General Assembly resolution 558(VI),⁴⁷ a specific period of time in which the Trust Territory as a whole might achieve the objective of self-government or independence.

The absence of cultural and political homogeneity in the Territory and its people had led the Administering Authority to concentrate in the first instance on developing forms of self-government on a purely local scale. An increasing number of municipalities, as the Trusteeship Council had urged, had been encouraged to elect their officials, principally those known as magistrates, by methods of popular and secret vote. The Visiting Mission stated that, out of a total of 117 municipalities, 97 had elected their magistrates, an increase of 29 since 1950, leaving eight more conservative communities where the position was still held by hereditary chiefs and twelve in which the Administration made the appointment after consultation. The Mission felt that in some areas the adoption of democratic principles might be more

apparent than real, since the hereditary chiefs still retained their customary authority and might invariably be elected to office, but more generally it observed an increasing tendency to evaluate the capabilities and performance of seekers for office. The Administering Authority subsequently commented that it felt it desirable that there should not have been any drastic casting-off of traditional authority before the people were sufficiently adapted to the new cultures which they were meeting.

On the regional or district level, the Administering Authority and the Visiting Mission reported advances in the field of self-government, but at a slower pace than on the municipal plane. The Mission was impressed in particular by the bicameral Marshallese Congress, convened for the first time in 1950, which it considered to be one of the most effective of the local government bodies in the Territory. A new Congress for Ponape Island, rather than for the Ponape district as a whole, similarly constituted in 1952, of a house of hereditary leaders and an assembly of elected representatives, appeared to the Mission to be still in a somewhat rudimentary stage. The Truk district has two regional councils of chiefs but no district-wide organization; in October 1952, however, the Administration held a conference of all the island chiefs to discuss common problems, and the Mission considered that further conferences of a similar kind would be most desirable. The Administering Authority subsequently informed the Trusteeship Council that annual conferences were, in fact, planned as a step towards regional integration and the eventual formation of a regional congress.

In the Saipan district, approximately 86 per cent of the population resides in the municipality of Saipan. The Mission was informed that the establishment of a district council had been postponed at the request of the municipalities pending a decision on, among other things, the reorganization of the Saipan municipality; but it considered that the establishment of a district-wide council should not be delayed.

In the two remaining districts of Palau and Yap, the Mission found that little change had taken place since 1950. In Palau, which had been among the first districts to have a regional congress, it gained the impression that, in spite of the progress made, the Congress was at present somewhat lacking in effectiveness and relied unduly upon the leadership of the Administration. The Administering Authority indicated to the Council

⁴⁷ See Y.U.N., 1951, p. 777.

its general agreement with these views. The Mission, feeling that the Palauans were going through a difficult phase of adjustment after years of direct Japanese rule and of war, believed that every effort should be made to develop initiative in the Congress and to give it increasing responsibility compatible with the abilities of its members. In Yap, the least advanced of all the districts, the Mission found the people clinging strongly to their traditions and unlikely to show for some time to come a desire for democratic representation in local government.

In commenting generally upon these regional bodies, the Mission stressed that they were essentially consultative organs, although in practice the district administrators appeared rarely to seek to impose local regulations without first obtaining their approval. The principal weakness of the councils rested in their reluctance to express themselves in a forthright manner, but the Mission was satisfied that every effort was being made to induce greater confidence in them. The Administering Authority subsequently explained to the Council that it was seeking to provide assistance in the form of advice to members and explanation of procedures, rather than in the form of direct leadership by the Administration.

On the territorial level, the development of a territory-wide legislative body, the Administering Authority stated, was included in its long-range plans, but problems of transportation, communication and, even more important, the divisive effect of ethnocentricity had to be overcome before the plan could be carried out effectively. The Administering Authority again assured the Council at its twelfth session that it wished to develop a territorial advisory and eventually legislative body composed of local inhabitants as soon as possible. It intended, but had not yet found it practicable, directly to associate the inhabitants, as the Council had previously suggested, in the work of the newly-formed legislative advisory committee consisting of five heads of staff departments. The Visiting Mission was informed that, as a further step towards the eventual establishment of a representative body, the Administration would convene a conference of representatives of the district advisory bodies. The Mission observed that the conference—which the Administering Authority informed the Council would be held at Truk in July 1953—was intended to encourage the participants to assume responsibility in administering their own affairs and to provide them with an appreciation of the meaning of self-government.

The Mission, although attaching great importance to these developments, observed that the vast distances between islands, the lack of transportation, the cultural diversity of the Territory, the extreme insularity and the absence of a common language constituted formidable difficulties in the way of political unification. Undoubtedly these difficulties would be reduced as economic progress was achieved and a higher level of political consciousness reached, but a central body, if established, could not for some time be more than an inter-regional commission which might usefully attempt to co-ordinate economic and other problems. The Mission recommended that, at the present stage, attention should be devoted primarily to the development and improvement of the regional and district organs, and that these should be granted greater legislative authority as their capabilities improved, until ultimately they might become fully responsible for local legislation affecting their districts. It observed, with commendation, that a significant measure of political advancement had been achieved during the past seven years, and attributed this primarily to the fact that the Administering Authority had placed special emphasis upon education, advice and encouragement, thereby creating a desire among the inhabitants for political advancement and for increasing responsibilities compatible with their abilities.

At its twelfth session, the Council welcomed the observation of the Visiting Mission that, in spite of the peculiar difficulties arising from the geographical and ethnical characteristics of the Territory, a significant measure of political advancement had been achieved. It supported the decision of the Administering Authority to concentrate in the first instance on developing forms of self-government at the district level and, in this connexion, noted with satisfaction a further increase recorded during the past year in the number of municipalities electing their officials by methods of popular suffrage and the intention of the Administering Authority to hold a central conference of district representatives to discuss local and district matters of common concern.

The Council noted with interest the continuing efforts of the Administering Authority to establish representative organs of government on a district basis and, while encouraging the Administering Authority to proceed with its plans to create such organs in all districts, recommended that it take all practicable measures to ensure that in each district, and particularly for the time being in the case of Saipan, the island or atoll containing the district headquarters did not assume a dispropor-

tionately dominant position in relation to the interests of the outlying areas. It recommended further that the Administering Authority, bearing in mind the eventual establishment of a central representative organ for the Territory as a whole, endeavour to develop as far as practicable district forms of self-government along uniform lines.

The Council, recalling its previous suggestions in favour of the taking of all practicable steps towards the creation of a territory-wide legislative body, took note of the Visiting Mission's observation that the physical and cultural diversity and dispersion of the Territory and its inhabitants constituted formidable difficulties in the way of political unification, and supported the Mission's view that the most practicable approach to the establishment of a central legislature was by way of the development of regional and district organs and the grant to them of increasing legislative authority as their capabilities improved, until ultimately they might become fully responsible for local legislation affecting their districts.

As reorganized during the period covered by the annual report, the judiciary consists of:

(1) the appellate division of the high court, composed of three judges assigned by the chief justice from a panel of temporary judges designated by the Secretary of the Interior;

(2) the trial division of the high court (formerly the district court), consisting of the chief justice and/or the associate justice, appointed by and responsible to the Secretary of the Interior, together with special judges for each district in the trial of murder cases;

(3) a district court (formerly the justice court) for each administrative district, consisting of a presiding judge and one or more associate judges appointed by the High Commissioner upon recommendation of the chief justice; and

(4) a community court for each community consisting of a presiding judge and one or more associate judges appointed by the district administrator upon nominations by popular vote or otherwise.

The Administering Authority informed the Council at the twelfth session that Micronesians had been appointed to all judicial positions in the district courts. The only two permanent non-Micronesian judges were the two judges of the trial division of the high court. Twenty-one Micronesians had been appointed as special judges of the high court to assist in its work and there were in all 158 Micronesian judges, six Micronesian district clerks of courts, and 48 Micronesian clerks of community courts.

At its twelfth session, the Council noted that the judiciary had been reorganized in the year under review and welcomed the increasing participation granted to Micronesians in the judicial processes, in particular the appointment of 21 Micronesians as special judges of the High Court.

b. ECONOMIC DEVELOPMENT

Economic life in the Territory was described by the Administering Authority in its report as chiefly a family endeavour, with each member contributing goods and services to the family and to the clan. Regular employment for wages exists only where there is a centre of non-indigenous population. The most important local products are copra, trochus shell and hand-made articles. The Territory's only other resources of note are phosphate deposits, which are mined for export on one island, and fisheries which, although once exploited thoroughly by the Japanese, remain little developed by the indigenous inhabitants. This general paucity of natural resources, combined with the difficulties of transportation, presents problems, the Visiting Mission considered, even greater than those which exist in the political field.

The Administering Authority, however, believed that an adequate subsistence for the people of the Territory was assured by existing potential resources. Its policy, it stated, had therefore been, by means of research, education, financial and technical assistance and government enterprise, first, to develop and improve the agricultural economy with the object of making the Territory self-sustaining, and, secondly, to improve and as far as possible diversify production for export. The Mission considered the policy as basically sound but drew attention to the fact that the basic agricultural economy could not be expected to produce the revenue necessary for ambitious programmes. A subsistence economy, the Mission felt, imposed definite limitations on the amount of services and luxuries with which the islanders should be provided.

The Mission expressed the view that, although income levels were very low in most areas, substantial progress had been made during the past three years, among the most noteworthy achievements being the continued increase in copra production and the progress made in the formation of indigenous trading concerns. It considered, however, that greater progress might be achieved in the development of agriculture, which, in its view, must remain the chief economic activity of the Territory.

The main features of its agricultural programme, the Administering Authority stated, were the replacement of crops and livestock destroyed during the war; the operation of agricultural stations on Saipan and Ponape for the improvement and diversification of subsistence crops; and the improvement of indigenous farming through direct assistance, agricultural education in the schools,

youth farm clubs and adult extension courses. Special attention was being given to the development of cacao and, to a more limited extent, of coffee.

The Visiting Mission, while appreciating the soundness of this programme, felt that it met only minimum requirements. It saw a principal weakness in the fact that the agricultural advisers, being attached either to the education or island affairs services and having no separate funds, were restricted mainly to teaching. It urged the establishment of an integrated long-range programme of agricultural development on a scale greater than at present, and suggested the possibility of creating a separate department of agriculture.

The Administering Authority pointed out to the Council that it had created a field agricultural division. Under the chief agriculturist, who was stationed in the field, there were seven district and five inter-district agriculturists; the district staff spent the greater part of their time administering the district agricultural programmes and part of their time teaching and supervising indigenous teachers of agriculture. The combined expenditures on agricultural activities had totalled 90 per cent of all economic development expenditure in the past year, the Administering Authority stated, and drew attention to current research, training and agricultural education programmes, and to a long-term agricultural programme which had been approved since the visit of the Mission.

At its twelfth session, the Council endorsed the Mission's opinion that primary attention would be devoted to the development and improvement of agricultural production and welcomed the recent creation by the Administering Authority of a field agricultural division and the completion of plans for a long-term agricultural programme.

Trade is mostly carried on for the Micronesians by the trading arm of the Administration, the Island Trading Company, a non-profit corporation which buys the copra, handicraft and other products and sells them in the world markets, and imports trade goods into the Territory. Its net income has been used to repay the original financing of the Company by the United States Government and for the furtherance of the economic development of the Territory.

The Visiting Mission reported that the Company had performed an invaluable role in fostering indigenous enterprise and preventing exploitation. It had provided copra producers, even on remote islands, with a fair price and a regular market, had assured the equitable distribution of con-

sumers goods and had provided a major source of territorial revenue.

The Mission stated that it was perturbed to learn of a decision of the United States Congress that the Island Trading Company should cease operation on 31 December 1953. Coupled with this decision was a directive to the effect that all funds remaining on liquidation of the Company should be paid into the Treasury of the United States. The Administering Authority subsequently informed the Council, however, that efforts were being made to clarify the decision of the Congress in the sense that the funds to be repaid should be limited to the balance of a loan of \$1,800,000 which had been made to establish the Company, and of which \$1,200,000 had already been repaid. The Mission also stated that additional provisions appeared to be designed to ensure that none of the former activities of the Company could be assumed by the Administration under a different organization structure.

It has always been intended that the Company should withdraw progressively as indigenous trading organizations capable of supplanting it become established. The Visiting Mission found, however, that the existing private joint stock companies varied considerably in terms of efficiency, and, except in the Saipan district where the Island Trading Company does not operate, only one company, in Truk, appeared to possess the necessary competence, business enterprise and capital to assume responsibility for the commerce of the district. The companies would need to be provided with government loans either free of interest or at very low rates and with adequate assistance by the Administration, the Mission considered. The majority of these companies, it thought, could not at their present stage of development undertake responsibility for foreign marketing of their products without further assistance.

The only practical connecting link between the Territory and world markets would thus be non-indigenous commercial concerns, but, even if profit margins proved adequate to attract them, the profits would be lost to the Territory. The cessation of the other functions of the Island Trading Company would, in the Mission's view, cause a serious economic loss to the Territory, and it thought that every effort should be made to expand the economic activities of the Administration and increase the staff.

The Administering Authority subsequently informed the Council that it would like to see the services of the Company replaced, if possible,

by the activities of the Micronesians themselves, so that the greatest possible monetary return might accrue to them. This replacement might best be facilitated by temporarily extending the life of the Company, and this question was under consideration.

The value of the Territory's total exports fell from \$2.21 million⁴⁸ in 1951 to \$1.75 million in 1952, and imports from \$2.22 million to \$1.85 million. The principal item of export is copra, accounting in value for 62.9 per cent of the total. The entire crop is marketed through the Island Trading Company under a price stabilization system designed to give the producers reasonable protection against the fluctuation of world market rates. A stabilization fund was created out of part of the profits of the Company during 1950 and the early part of 1951, and it had to be drawn upon throughout the following year to support the price paid to the producers.

The Visiting Mission praised this policy, and considered it essential for the economic welfare of the indigenous population that a similar price support policy should be continued after the abolition of the Island Trading Company.

The Mission nevertheless heard several complaints about the copra price, together with requests for the abolition of the stabilization fund; it believed, however, that these complaints were due to lack of understanding, and that every effort should be made to explain to the people the reasons for price fluctuation and the purpose of the stabilization fund.

With regard to one of these petitions (T/Pet.10/19) the Council (resolution 857(XII)) drew the attention of the petitioner to the observations of the Administering Authority and in particular to the statement that if there had been no copra stabilization fund, the field buying price of copra would have fluctuated greatly. The Council also endorsed the view of the Visiting Mission that the Administering Authority was to be commended for the steps which it had taken to assure a fair and stable price to the producers of copra and that the Administering Authority should make every effort to explain to the people the reasons for price fluctuations and the purpose of the stabilization fund.

The Administering Authority pointed out to the Council that the stabilization principle had been explained repeatedly but stated that it was nevertheless aware of the need for continuing its campaign of explanation.

The Mission was gratified to note that the United States Government no longer (as from 12 June 1952) imposed a tax on coconut oil made from copra produced in the Territory.

One petition (T/Pet.10/18) on the subject of trade was forwarded to the Council by the Mission from Ponape. It requested the establishment of free trading channels with Japan because of the relatively higher price of United States goods. The Administering Authority commented that the Island Trading Company and Micronesian companies had traded with Japan for some years and a very considerable amount of goods had been purchased from Japan. The Company's policy had been to seek the export and import trade prices most advantageous to the Territory; the only barrier which existed was that of transportation. The Council (resolution 856(XII)) drew the petitioner's attention to these observations (T/Obs.10/1).

At its twelfth session, the Trusteeship Council stated that it shared the concern expressed by the Visiting Mission at the prospect of the early liquidation of the Island Trading Company. The Council welcomed the further study being made by the Administering Authority as to a temporary extension of the life of the Company, and also welcomed the assurance given by the Administering Authority that the financing and control of the general economic development activities previously undertaken by the Company had already been transferred to the Territorial Government, and that the copra price stabilization system might be maintained under other arrangements. The Administering Authority was recommended to continue to assist the development of indigenous trading enterprises in order to enable them to assume the functions of the Company in the trading sphere.

The fullest possible development of land resources in the Territory is somewhat impeded, the Administering Authority stated in its report, by the traditional land tenure patterns, which generally meet the needs of subsistence living but discourage diversity and expansion, and by the settlement of land ownership problems.

These latter problems arose primarily from the former Japanese administration. All unoccupied land was then taken over as public domain, in contravention of indigenous usage, and ownership of much of this land is now disputed by the inhabitants. Other disputed lands were acquired for military and administrative purposes by the

⁴⁸ Throughout this section, \$ = US dollars.

United States authorities during and after the military occupation.

All of this "public" land, totalling some 434 square miles out of a total land area of 687 square miles, the Administering Authority stated, is being held by the Administration for the benefit of the people while the claims are investigated. It estimated that most of the claims can be settled within about two years after two survey teams have been trained. The Visiting Mission found that most progress had been made in the Saipan district, where, out of 1,080 claims filed, 433 had been determined. Little had been done in the other districts beyond the acceptance and registration of claims, which totalled 91 in Palau, 64 in Ponape, 277 in the Marshalls and 48 in Truk.

The principal complaint heard by the Mission concerned the slowness of the Administration in acting upon the claims. In Saipan, a further source of grievance was that, in most cases where a preliminary determination had been made, land had been returned only on the basis of a revocable permit pending the outcome of further investigations; the people complained of the lack of security of tenure, but the Mission was assured by the Administration that in most cases their possession of the land would be confirmed. The Administering Authority subsequently explained further to the Council that these people, if they were not otherwise claiming title to particular lands, would be afforded the opportunity to remain permanently, on a "homesteading" basis, on the public domain presently under their cultivation.

The Mission, while realizing the difficulties involved, believed that the slowness in handling the question was irritating the population, and that all practical steps should be taken to hasten the settlement of claims and, wherever possible, to grant permanent titles. Every effort should be made to explain to the people the real aims of the Administration and to associate their representatives with the task of settling the problem. The Administering Authority assured the Council that the settlement of land problems was being given high priority and pointed out the difficulties occasioned by the fact that many land records and survey maps had been destroyed during the war and that such records as existed had to be translated from Japanese.

The Mission considered that the Administering Authority should give high priority to the settlement of claims against it for land destroyed or otherwise taken from the local inhabitants after United States occupation. The Administering

Authority informed the Council that such claims were currently under consideration. Claims resulting from the use of public land by the Trust Territory administration would also be looked into; in one case discussions had been in progress for some months.

The Special Representative of the Administering Authority told the Council at its twelfth session that a very large percentage of the public domain land was in forest reserves and steep slopes. All arable sections were being put to use by the Micronesians or by agricultural experiment stations for the Micronesians, and all Micronesians who so desired were supplied with land for their use.

A number of petitions on these matters were transmitted to the Council by the Visiting Mission. One such petition came from the representatives of the people of Saipan (T/Pet.10/8), five from persons in Ponape (T/Pet.10/13, 14, 16, 17 and 20), and one from Truk (T/Pet.10/10). From the Majuro Atoll, two petitions (T/Pet.10/22 and 23), bearing 94 and 304 signatures respectively, sought compensation for the use of land by the United States authorities.

At its twelfth session, the Trusteeship Council, recognizing the difficulties involved, welcomed the fact that the Administering Authority had defined policies to meet the interests of the Territory. The Council urged the Administering Authority to press forward with the disposal of claims, with due regard to a sound land utilization policy, and to implement its intention to explain the land policies to the inhabitants and to associate indigenous representatives with their administration.

With regard to the petition from the representatives of the people of Saipan, the Council (resolution 848(XII)) drew to the attention of the petitioners the oral and written observations (T/Obs.10/1) of the Administering Authority, and endorsed the views of the 1953 Visiting Mission that:

(1) although it was doubtful whether any equitable basis for compensation for trees and other possessions destroyed prior to or after United States occupation of the islands could be devised, the Administering Authority should give high priority to the settlement of claims against it for land destroyed or otherwise taken from the local inhabitants after the occupation;

(2) that the Administering Authority should hasten the settlement of land claims, wherever possible grant permanent titles, and should explain the aims of its land policy and associate indigenous

representatives with the work of the Land Claims Office; and

(3) that in principle the homesteading plan was sound.

It adopted somewhat similar recommendations (resolutions 850, 852, 853, 855, 858, 860 and 861(XII)) in regard to the other petitions.

Minerals in the Trust Territory of known commercial value are phosphate in Angaur and bauxite in Babelthuap, two islands close together in the Palau district. The phosphate has been mined since 1949 by a Japanese company which sells the product in Japan and operates under contract with the Government of the Trust Territory and the people of Angaur. Approximately 102,290 long tons of phosphate, valued at \$500,000, were exported in 1952, as against 143,738 tons, valued at \$741,935, in 1951. The estimated reserves in February 1953 were 10,000 metric tons authorized under existing contracts and 300,000 tons as yet unauthorized.

A severance fee of \$2 minimum per ton extracted is paid into a trust fund established for the benefit of the people of Angaur. The assets in the fund increased from \$370,678.17 in June 1951 to \$730,450.15 at the time of the Mission's visit, most of it being invested in United States Government securities yielding interest rates between 2.5 and 2.76 per cent. The fund provides an annual payment in perpetuity of \$15,000 to the island community, which also derives benefits from rentals and permanent improvements, including electricity supply. The Government of the Trust Territory receives a severance tax of 15 per cent on the value of the ore extracted. The company is required to take precautions to preserve agricultural resources, including the covering over of all mined areas with earth.

The Visiting Mission noted that the trust fund had been established with the consent of the Angaurese and that the mining of phosphate had been of benefit to the indigenous population of the Palau District although the advantage had been derived mostly by one municipality. It nevertheless heard expressions of dissatisfaction with the management of the fund, primarily because the people did not know what sums had been invested in it and also because they felt that the payments of \$15,000 per annum were insufficient. The Mission considered that a request which they made for periodic financial statements was a reasonable one.

It also suggested that careful consideration might be given to the possibility of exploiting the Babelthuap bauxite deposits, which have not hitherto been exploited.

The important commercial fishing industry conducted by the Japanese has not been restored by the indigenous inhabitants.

The Visiting Mission found substantial difficulties in the way of establishing such an industry, including: the lack by the indigenous inhabitants of the necessary temperament or the skills and techniques; the need for capital investments in ships and shore installations and for a highly competent and experienced foreign personnel to control and operate them; and the competition with other fisheries much nearer the world markets; and the general hazards connected with commercial fishing. The Mission considered that it would take many years of encouragement and training before the indigenous people could be prepared to play a dominant and effective role in deep-sea fishing.

The Administering Authority stated in its report that the transport facilities at the end of June 1952 compared favourably with those formerly provided under the Naval administration.

According to current plans, apart from the recent addition of a second large ship, the major change would be to replace the six existing district motor vessels with six auxiliary schooners. It was anticipated that these changes could enable twice the present number of administrative and trading visits to be made to outlying islands—previously visited every three months—at a cost less than half that of the motor vessels, and that the schooners could eventually be manned almost entirely by Micronesian crews. The Administration also hoped that commercial shipping might be induced to make regular calls within the Territory, thus obviating much of the high cost of the present necessity of transshipping cargoes at Guam. The Visiting Mission noted that an existing handicap was that, for security reasons, commercial shipping was restricted to United States flag vessels.

The Mission emphasized both the great difficulty and the importance of providing adequate communications. It felt that the facilities existing at the time of its visit were below the optimum level for efficient administration but was considerably impressed by the Administration's plans. It noted also with satisfaction that some progress, although not considerable, had been made in the past three years in encouraging indigenous shipping to enter trade within districts, especially in the Marshall district.

At its twelfth session, the Council commended the Administering Authority for its resolute approach to this problem and expressed the opinion that a satisfactory solution of the problem

awaited only the securing of the full number of schooners required for the intra-district services.

The Territory continued to rely heavily upon contributions by the Administering Authority in the form of "appropriated funds" in order to meet its public expenditures. Local revenues totalled \$346,326 in 1951 and \$602,241 in 1952 and were estimated at \$302,111 in 1953. The Visiting Mission noted that these figures included only general revenue and not that accruing from services and facilities provided by the Administration which, in 1952, brought the total local territorial revenue to \$1,704,725. Expenditures, however, amounted to \$7,557,109, \$5,062,639 and \$5,795,861 (estimated) in 1951, 1952 and 1953 respectively, the very large deficits being made up from specially and regularly appropriated funds.

The decline in expenditure from 1951 to 1952 was attributed by the Visiting Mission to the change in administration as the Department of the Interior, unlike the Navy, did not have at its disposal resources and funds in addition to those specifically appropriated by the Congress for the Trust Territory. It has thus been obliged to reduce staff and to curtail services and this, the Mission found, appeared to have had an adverse effect mainly in regard to transport facilities and building construction.

The chief local sources of revenue are various types of import and export taxes. Certain of these revenues, notably the tax on phosphates and, until 30 June 1952, the surpluses of the Island Trading Company, enter an economic conservation and welfare fund maintained as a separate account for the financing of economic projects. A head tax of \$2 is levied by the municipalities from each male resident between the ages of 18 and 60 years for municipal expenditures, which are also financed by property and luxury and other taxes and fees. The Mission concluded that, owing to the low level of cash incomes, a more modern form of levy on income than the head tax would be impractical.

At its twelfth session, the Trusteeship Council expressed the hope that sufficient budgetary appropriations would continue to be made available for the administration and development of the Territory so that the current level of public services could be maintained, especially educational services.

The Administering Authority reported that plans were under study to deal with the demands of the people of the Territory for reimbursement for Japanese yen held before the military occupation and for the settlement of Japanese postal

savings and other types of claims. The Visiting Mission found that no conclusions had yet been reached, and that the problem was among those which were uppermost in the minds of the people.

A preliminary estimate secured by the Mission indicated that the amounts involved were approximately 3 million yen in currency and postal savings and 198,000 yen in contractual obligations, such as bonds, stocks and insurance.

A number of petitions (T/Pet.10/8, 13, 14, 15, 16) which the Mission transmitted to the Council, particularly from Ponape, contained complaints on this matter.

At its twelfth session, the Council supported the view of the Visiting Mission that, although the Administering Authority was not legally liable for these claims, some final action should be taken on them at the earliest opportunity. The Council noted that the Administering Authority was considering the types of claims which might be included in any special arrangements to be negotiated with Japan under the provisions of the Treaty of Peace and invited it to include in its next annual report an account of further progress in the matter.

With regard to the petition from representatives of the people of Saipan, the Council (resolution 848(XII)) drew the attention of the petitioners to the oral statement and observations of the Administering Authority (T/Obs.10/1), particularly:

(1) that it was currently giving consideration to the type of claims which might be included in the special arrangements to be negotiated with Japan on behalf of the residents of the Trust Territory;

(2) that it hoped that progress towards settling the question of the redemption of Japanese postal savings and bonds might be reported during the coming year, and

(3) that the Administering Authority was aware of the difficult situation resulting from the partial redemption of yen currency and hoped to find a satisfactory solution during the year.

The Council also expressed the hope that negotiations between the Administering Authority and Japan might result in an expeditious settlement of these questions within the coming year.

Concerning four petitions from persons in Ponape (T/Pet.13-16), the Council (resolutions 852-855(XII)) drew the petitioners' attention to the Administering Authority's observations (T/Obs.10/1) and to the above resolution (848(XII)).

c. SOCIAL DEVELOPMENT

The Visiting Mission found living conditions in the Territory to be generally good, because food was abundant and the essential needs of the people in such matters as medical and education services were provided by the Administration. In general, the people appeared well fed, healthy and happy.

New social legislation promulgated during the past year has been directed towards maintaining the established policy of fair employment in the government service; setting up new policies for pardoning or paroling of convicted persons; authorizing district administrators to perform marriage ceremonies; and governing residence.

The Visiting Mission learned that the Bikini people, who were removed from their island to make way for atomic fission tests and resettled on Kili in 1948, were gradually adjusting themselves to their new home, but that some difficulties still persisted and the Administration was studying the question of providing further assistance. The Council was subsequently informed that the Bikini people, since Kili is without a lagoon which they need for their fishing activities, now desired an island of the atoll type, and efforts were being made to find one and to determine whether the cost of a further move would be warranted. The Special Representative of the Administering Authority indicated that it was hoped to find a solution to the problems of the Bikini people before the next annual report was presented.

At its twelfth session, the Council noted with pleasure that, while certain problems remained of readjustment from the devastation of war, the living conditions of the inhabitants were generally good.

About 5,000 persons, less than one tenth of the population, are employed as wage-earners, some one third of them by the Administration itself and the remainder in small business enterprises, salvage operations, work for the military and private employment.

The Administration, during the period under examination, made a general review of classification and wages, aimed at correcting past inequities. The Mission found it to be the policy of the Administration to apply the principle of equal pay for equal work to all its employees regardless of race and to replace American personnel, wherever possible, by Micronesians. It received and transmitted to the Council a petition (T/Pet.10/16) in which the Chairman of the People's House of the Ponape Congress made a brief request that Ponapeans who had acquired

skill in "foreign" jobs should be enabled to receive good wages. In amplifying its policy before the Council, the Administering Authority stated that salaries and wages paid to American officials were substantially higher than those paid to Micronesians in comparable positions. The Americans had to be paid at levels for which they would qualify in the United States; they had also had, in comparison with the Micronesians, long periods of training, and they carried out teaching and supervisory functions for which the Micronesians were not yet qualified. The Micronesians' wages were based, with their agreement, on other local incomes, particularly those of copra producers, so that the local economies should not be unduly disturbed and a wage structure not created which the Territory would be unable to support. The Administering Authority also stated that, since the establishment of new wage schedules in 1952, complaints about wages had subsided.

There were two labour disputes during 1951-52; a stoppage at Majuro and a walk-out of public works personnel at Palau. Settlements were reported to be based on the wage and classification survey mentioned above.

The Administering Authority stated that it had encouraged the entry of women into public life, and reported that the Marshallese Congress included five women and the Palau Congress two, while women had eagerly sought the chance for selection and training for the nursing and teaching services. The Visiting Mission observed that there appeared to be a noticeable improvement in the status accorded to women in some areas.

The Mission found at Koror a women's club whose members exercised an important voice in community affairs. This group asked (T/Pet.10/9) that women should be given a greater share in the formulation of local government policy, and asked, in particular, that women should be appointed as judges on the local courts. The Mission felt that due consideration should be given to this request. The Administering Authority informed the Council that there was no restriction on the participation of women in the courts, as in all other aspects of public life. The Council (resolution 849(XII)) expressed the hope that the Administering Authority would encourage in appropriate cases the election or appointment of women to the judiciary in Palau.

The Visiting Mission reported hearing at several places pressing requests that permission to enter the Territory should be granted to Japanese nationals married or otherwise related to citizens of the Trust Territory provided they renounced

their Japanese nationality. It transmitted to the Trusteeship Council two petitions (T/Pet.10/11 and 12) on the subject.

The 1953 Mission reported that it had been informed that, in each case where a request to return to the Territory had been received from a Japanese, the Administration had forwarded it to the Department of the Navy for security clearance. Thus far, the Department had given only negative decisions and no permits for re-entry had been granted. The Administering Authority informed the Council that although the return en bloc of former Japanese or other foreign residents was undesirable for social and economic reasons, the Administration would be willing, subject to security clearance and favourable circumstances, to permit the return of Japanese spouses and children of mixed marriages.

The Council (resolution 851(XII)) drew the attention of the petitioner to this statement, as well as to the Administering Authority's statement that the petitioners' requests, as well as all other requests for repatriation, would be reviewed in the light of this policy, and decided, in the circumstances, that no recommendation was necessary.

The medical and health services were extended during the period under review. Expenditure on the services for the fiscal year 1952 totalled \$648,368. New construction took place in the hospitals: a psychiatric unit at Saipan with two eight-bed wards for the Territory's mental cases, an addition to the Yap hospital, and a 20-bed tuberculosis ward at Ponape. The number of the more highly-trained personnel, both indigenous and non-indigenous, showed an increase. There were, for instance, seventeen non-indigenous medical and dental officers as against fourteen in the previous year, while the total of trained medical and dental Micronesian personnel increased from 37 in 1951 to 52 in 1952. Among the latter, the number of indigenous medical and dental practitioners and internes increased from fourteen to 22 and of graduate nurses from 23 to 30. In the lower categories, the number of Micronesian nurse aides increased from 43 to 92, while the number of health aides fell from 166 to 144. An event of the year was the award of a medical practitioner's license to the first Micronesian so trained under the present Administration.

As regards the training of new personnel, 50 students were studying medicine, dentistry and sanitation at the Central Medical School at Suva, Fiji; five students graduated from the X-ray school functioning on Saipan; and a school for nurses was established at Truk. The Visiting Mission,

which noted with satisfaction the rapid increase in the number of trained Micronesians and the increasing replacement of American personnel, learned that in three years' time, when eighteen indigenous dental practitioners would have finished internships, it was planned to turn over all the dental work of the Territory to them under the direction of one American supervising dentist.

The Mission felt that the Administering Authority was to be commended for the provision of the health services, which were contributing much to the welfare of the inhabitants and which appeared to have won their full approval. It reported a marked improvement in the standard of health, which had been generally poor at the end of the war. It noted that the formerly widespread disease of yaws had been greatly reduced by highly successful treatment with penicillin, and that the most pernicious diseases at present appeared to be tuberculosis and leprosy, for which improved services were planned. The Mission found that an existing problem was to devise means of improving the provision of medical services to outlying islands, and that the situation would be improved by current plans to increase the frequency of multi-purpose administrative field trips and to establish radio equipment on remote islands, and by the acquisition of a schooner equipped with medical apparatus.

In the field of research in tropical diseases, the Administering Authority informed the Council of the start of a controlled pilot study on the island of Saipan of the use of a new drug (isonicotinic acid hydrazine) in tuberculosis treatment, and the continuation of an extensive investigation of the problem of filariasis.

At its twelfth session, the Trusteeship Council noted with satisfaction the further successful efforts of the Administering Authority to train indigenous medical and health personnel and to entrust them with increasingly higher responsibilities.

The Council shared the view of the Visiting Mission that the provision of medical services to the inhabitants of the outlying islands should be improved, and expressed the hope that this might be achieved by the present plans of the Administering Authority for better and more frequent means of transportation within the districts.

d. EDUCATIONAL DEVELOPMENT

Approximately 90 per cent of the children of school age (normally eight to fourteen years) are, according to an estimate of the Administering Authority, enrolled in the public elementary

schools, of which there were 139 in 1952, ten new ones having been built during the year, and 142 at the time of the Mission's visit, with 5,767 pupils. The elementary schools are primarily the responsibility of the municipalities, subject to over-all supervision by the Department of Education. They are staffed entirely by indigenous teachers. Instruction is primarily in the local vernacular, with English taught as a secondary language.

The intermediate schools, of which there continue to be six in the public system (with 835 pupils at the time of the Mission's visit) and five conducted by the Catholic and Protestant missions (with 368 pupils), complete a nine-year course consisting of six years of elementary and three years of intermediate schooling. The public intermediate schools are established at the headquarters of each district, are supported entirely by the Administration, and are administered by American principals with teaching staffs composed of about half American and half Micronesian teachers. English is the predominant language used. Entry is gained by various means of selection by a scholarship committee in each district. The Administration furnishes scholarships (505 in 1952) covering subsistence and costs of incidental requirements.

The one higher school, now known as the Pacific Islands Central School, was organized in order to offer four different fields of study, carrying the students two years beyond the intermediate level: namely, teacher education, general education, radio communications and agriculture. It has subsequently been reorganized on the basis of a general education curriculum. The Visiting Mission found the principal emphasis to be towards teacher training and preprofessional education. The school had at that time 135 students, selected from among the best graduates of the public intermediate schools. It has an American principal and five American teachers.

The Administering Authority reported that the entire educational programme of the Territory had been re-examined to ascertain its suitability to the needs and conditions of the people. In the elementary schools the curriculum had been reduced to the social studies and the correlation of English, science, health and hygiene with the experience and surroundings of the Micronesian people. In addition, such activities had been added as cultivation of crops, woodworking, handicrafts, fishing, and basic arithmetic. The curriculum of the intermediate schools had been devised as an extension of those subjects, while the Central School afforded training in them in

addition to the specialized fields of teaching, agriculture and radio communications.

The Mission stated that it was favourably impressed by the development of the educational programme from a formal academic curriculum towards a functional programme in which teaching was directed primarily towards preparing students to assume an active role in community life.

Above the elementary level, the Mission felt that the high element of selectivity in the apportionment of vacancies in the intermediate schools and the Pacific Islands Central School was undoubtedly to be regretted, and that facilities at these levels should be expanded wherever possible. The Mission also felt that, in so far as resources permitted, attention should be given to the improvement of school buildings, which were not always adequate at the elementary schools visited by the Mission.

At its twelfth session, the Council noted with interest and satisfaction the reorganization of the educational programme of the Territory in order to broaden and otherwise adapt it more adequately to the particular needs of the inhabitants, and joined the Visiting Mission and the United Nations Educational, Scientific and Cultural Organization (UNESCO) in approving this practical approach to the problem of education in the Territory.

The biggest problem of education in the Trust Territory, in the view of the Administering Authority, is the education of teachers themselves. There are still approximately 50 teachers, out of the total of 301 in all the public schools, who have not been educated beyond the five-year elementary schools of the former Japanese administration or the present six-year elementary schools.

The Administering Authority reported that greater effort was being made to provide in-service education of the teachers by employing a teacher trainer in each district. Students at the Central School would be selected as teachers while undertaking the general education course, and go back to their districts for a year of specialized education for teaching. An eight-week summer school programme is held each summer in each district for all indigenous teachers, and there have been additional programmes in Palau.

The Visiting Mission described as urgent the need to increase the numbers and qualifications of indigenous teachers. It remarked also that the fact that the elementary teachers' salaries were paid out of local municipal revenues meant that their salaries varied considerably according to the

wealth of the community, and that in some cases lack of funds might be a factor affecting the amount of education provided. Subsidies paid to municipalities for this purpose increased to \$9,090 in 1951, but the amount in the following year was \$3,300. Micronesian teachers' salaries varied from \$90 to \$1,020 a year.

At its twelfth session, the Council, noting that the need to increase the numbers and qualifications of indigenous teachers constituted the most urgent problem in the educational field, welcomed the plans of the Administering Authority to provide more extensive in-service training for teachers in addition to the regular summer training courses.

There are at present no facilities within the Territory for advanced education and training beyond those provided at the Pacific Islands Central School and by apprentice training in the Administration. The Administering Authority has, however, sent medical and dental students to Fiji and

also student nurses to Guam for training. In 1952, a total of 101 other students were attending schools outside the Trust Territory.

The Visiting Mission described as one of the principal problems the difficulty which graduates of the Territory's Central School faced in obtaining scholarships for advanced training overseas, including those under the United Nations technical assistance programme, due to the fact that the Central School did not as yet provide education up to the level of a senior secondary school. Consideration should be given, it felt, by both the Administering Authority and scholarship granting organizations to special provisions which would enable outstanding graduates of the school to bridge this gap. The Administering Authority commented that experience had suggested that the most practicable solution would be for the students to attend for one year at high schools in Hawaii or elsewhere before entering the universities.

F. CONDITIONS IN SOMALILAND UNDER ITALIAN ADMINISTRATION

During its twelfth session, held from 16 June to 21 July 1953, the Trusteeship Council examined the Administering Authority's annual report, for the year ending 1952, on the Trust Territory of Somaliland.⁴⁹ The Council also examined individually 119 petitions concerning the Territory.⁵⁰ In examining the annual report and petitions, the Council took into consideration the report of the Advisory Council for Somaliland for the year ending 31 March 1953 (T/1048) and the observations of the United Nations Educational, Scientific and Cultural Organization (UNESCO) on the annual report (T/1062 & Add.1) and on the draft five-year plan for educational development in Somaliland (T/1061 & Add.1).

A brief description of the conditions in the Trust Territory of Somaliland is given below, together with summaries of the conclusions and recommendations of the Council in connexion with its examination of the annual report and of petitions of a general nature. The General Assembly, at its eighth session, also considered the question during its examination of the annual report of the Trusteeship Council (A/2427).

The Territory consists of approximately 500,000 square kilometres. According to the annual report⁵¹ of the Administering Authority, its estimated population at the end of 1952 numbered 1,275,584 indigenous inhabitants, 23,000 Arabs and 1,000 Indians and Pakistanis; there were

also 4,053 Italian residents, as compared with 4,744 at the end of 1951.

In its annual report for 1952, the Administering Authority stated that in view of the political development which had taken place it appeared that the time had arrived for the drafting of legislation defining the national status of the indigenous inhabitants and that a mixed committee of experts and representatives of the population might be established for this purpose.

The Council, at its twelfth session, was informed by the Special Representative of the Administering Authority that the question of the adoption of a national flag had been discussed in 1951 by the Reduced Committee of the Territorial Council, which considered that to a certain extent it was premature to discuss the matter at that time. However, it was stated, the Administrator of the Territory was favourably disposed to the early discussion and settlement of this question.

⁴⁹ See chart on the Examination of Annual Reports, p. 619.

⁵⁰ For list of petitions examined during 1953, see table, pp. 630-33.

⁵¹ Italy, Ministère des Affaires Étrangères, Rapport du Gouvernement italien à l'Assemblée générale des Nations Unies sur l'administration de tutelle de la Somalie 1952 (Rome, 1953). For detailed discussions of this report in the Trusteeship Council, see Trusteeship Council, Official Records, Twelfth Session (16 June to 21 July 1953); summaries of the observations of individual Council members are included in the Council's report to the General Assembly (A/2427).

In its annual report for 1952, the Administering Authority stated that, despite the results achieved thus far in the political, social and economic fields, it was unable to formulate its development plans in their final form, particularly since the drafting of specific programmes would depend in large part on a thorough investigation of the economic aspect.

The representative of Italy informed the Council at its twelfth session that, assuming that progress in both the educational and political fields would maintain its current pace, there was ground for hoping that by the end of 1960 the minimum conditions required for an independent existence would be attained. On the other hand, the attainment of this objective was contingent on the substantial transformation of many aspects of the economic and social life of the Territory; this would be difficult in view of the time factor and considerations both of a material and psychological nature which the Administering Authority had yet to overcome.

The Trusteeship Council at its twelfth session noted the steps already taken by the Administering Authority in planning for the future independence of the Territory, particularly in the political and educational fields. It noted further that, as the time for the attainment of independence approached, the need for detailed plans in all fields in terms of a definite time schedule became urgent, and recommended that continued efforts be made by the Administering Authority to draw up and implement such plans.

The Council further suggested that henceforth the annual reports of the Administering Authority comment specifically on whether the rate of progress in training the Somalis for self-government was increasing rapidly enough in view of the objective of independence for Somaliland in 1960, and whether the Territory could maintain an adequate level of government services without continued outside aid.

1. United Nations Advisory Council

The United Nations Advisory Council,⁵² established under the Trusteeship Agreement to aid and advise the Administering Authority, reported (T/1048) on its activities during the year, 1 April 1952 to 31 March 1953. It stated that a total of 26 meetings had been held during the period and that it had replied to requests on the part of the Administration for advice on fourteen subjects.

The Advisory Council felt that its advice should have been sought on certain matters which were

communicated to it for information only. Among these were a decree of the President of the Italian Republic defining the powers of the Administrator and of the fundamental organs of the Trusteeship Administration; ordinances establishing an Appeals Section at the Court of Assizes in the Territory, providing for the control of cotton cultivation, and covering private schools; and agreements between the Administering Authority and petroleum companies.

The Advisory Council stated that it had agreed with the Administering Authority on the majority of cases transmitted for its advice. In those cases where it had disagreed, its advice had been accepted, but in certain cases no action had as yet been taken by the Administering Authority on the advice given. With regard to those subjects transmitted for information, the Advisory Council stated that in the great majority of cases it had been in full agreement with the Administering Authority. In other instances, however, certain changes it had proposed had not yet been acted upon by the Administering Authority and in some cases administrative measures had been communicated to the Advisory Council only after having become law.

The Advisory Council reported that it would seek to reach an agreement with the Administering Authority as to which matters should be transmitted for advice and which for information only. Steps had already been taken to establish closer contact and to maintain a permanent liaison with the Administration.

The Advisory Council reported that it had continued to maintain contact with the population through conferences with individuals, groups and organizations as well as through field trips, and had continued to receive communications referring to conditions or problems in the Territory.

For its part, the Administering Authority informed the Trusteeship Council that its relations with the Advisory Council had been marked by a close and cordial spirit of collaboration. The Special Representative of the Administering Authority had assured the members of the Advisory Council that the Administering Authority would be very happy to proceed to a friendly exchange of views concerning the provisions of article 8 of the Trusteeship Agreement, with the purpose of avoiding, in future, any doubts or misunderstandings.

The Trusteeship Council, noting with satisfaction the spirit of co-operation between the Advisory Council and the Administering Authority,

⁵² For members of the Council, see Appendix I.

and the atmosphere of harmony now existing within the Advisory Council, welcomed the measures taken and those contemplated to strengthen co-operation between the Advisory Council and the Administering Authority.

2. Boundary between the Trust Territory and Ethiopia

The question of the provisional border between the Trust Territory and Ethiopia, which the 1951 Visiting Mission had described as an urgent matter and of which the Trusteeship Council at its eleventh session⁵³ had hoped for a satisfactory settlement by negotiation, was again raised at the Council's twelfth session.

Certain petitions and communications reiterated previous complaints in respect of the provisional boundary which, it was claimed, divided many Somali families and made certain water holes on the Ethiopian side inaccessible. One petition (T/Pet.11/338) contained requests, *inter alia*, for the return of grazing lands and water holes and on the posting of a medical officer at an out-station. Complaints (T/Com.11/L.11, L.36, T/Pet.-11/339) were also made of frequent raids across the frontier into the Trust Territory.

The Council in this connexion (resolutions 730 (XII), 731(XII), 752(XII)) reiterated the conclusion it had adopted at its eleventh session, concerning the question of the frontier with Ethiopia, in which it had expressed the hope that conversations between the Governments of Italy and Ethiopia would lead to a satisfactory settlement.

The Administering Authority informed the Trusteeship Council that conversations between the Ethiopian Government and itself had not progressed beyond the exploratory stage.

The Trusteeship Council, recalling its conclusions at its eleventh session, considered that the settlement of the boundary question remained an urgent matter in view of the objective of independence for Somaliland by 1960, noted that direct negotiations between the Governments of Italy and Ethiopia were continuing, and expressed the hope that a satisfactory settlement would be reached as quickly as possible.

3. Political Development

According to the annual report, there was no major change during 1952 in the structure of the administration, in which the Administrator, representing the Administering Authority, holds the executive and legislative powers. He administers

the Territory through six Regional Commissioners and 28 Residents and with the assistance of a Secretary-General and seventeen administrative, financial and technical departments.

The role of the indigenous population in the administration of the Territory consists of representation on consultative bodies (the Territorial Council and Residency and Municipal Councils); the exercise by tribal chiefs of responsibilities for tribal matters; and employment in the administrative services, at present mainly on the lower levels, the Administering Authority reported.

During 1952, the number of political parties which the Administering Authority considered as active increased by two to a total of eight, the new groups being the Lega Nazionale Somala and the Lega Democratica Somala. The Somali Youth League was said by the Administering Authority to comprise 12,000 members and to continue to favour a rapid and radical change of the structure of the Territory, in particular the abolition of traditional institutions. The other active parties were estimated by the Administering Authority to include some 30,000 members and were said to favour a more gradual development and replacement of traditional institutions.

At its eleventh session, the Trusteeship Council had endorsed the view of the 1951 Visiting Mission that much of the political party activity lacked direction and purpose and had urged the Administering Authority to put into effect as soon as possible a new law concerning the establishment of political parties.

At its twelfth session, the Trusteeship Council considered a number of petitions and communications from branches or individual members of the Somali Youth League charging the Administration with misrule, ill-treatment and discrimination against and persecution of League members or persons affiliated with it.⁵⁴

Charges were made by the League that the Administration favoured and employed only members of pro-Italian parties, principally those of the Lega Progressista Somala.⁵⁵ The Administering Authority (T/Obs.11/3) replied that no person had been deprived of work for not joining the Lega Progressista Somala, and that no discriminatory practices existed. These observations were drawn to the attention of petitioners by the

⁵³ See Y.U.N., 1952, pp. 629-30.

⁵⁴ T/Com.11/L.33, L.58, L.59; T/Pet.11/248, 258, 261, 273, 276 & Add.1, 289/Add.1, 298, 302, 307, 313, 330, 342, 343/Add.1, 345; T/Pet.11/L.3.

⁵⁵ T/Pet.11/246, 276 & Add.1, 289/Add.1, 307 & Add.1, 313 & Add.1, 343/Add.1, 347; T/Pet.11/L.3.

Trusteeship Council in resolutions 666(XII), 676(XII), 724(XII) and 753(XII).

In certain cases,⁵⁶ the Council⁵⁷ noted a statement by the Special Representative of the Administering Authority that there had been a considerable improvement in relations between the League and the Administration during recent months.

Charges of a similar nature were also made by a number of persons, members of political organizations other than the Somali Youth League who claimed that they had been threatened by the Administration with dismissal from their jobs unless they changed their party affiliation (T/Com.11/L.59; T/Pet.11/265, 335). The Administering Authority denied all such allegations of ill-treatment, persecution or discriminatory practices (T/Obs.11/7 & 17). The Council (resolutions 680(XII) & 727(XII)) drew the petitioners' attention to these observations.

On the other hand, petitions⁵⁸ emanating from various branches of four other political parties, the Hisbia Dighil and Mirifle, the Lega Progressista Somala, the Unione Africana della Somalia and the Unione Nazionale Somala, deplored the activities of the Somali Youth League and expressed solidarity with respect to an incident at Chisimaio when participants in a political demonstration had attacked a group of police.⁵⁹ Similar views were expressed by a number of persons or groups not identified with any particular political party.⁶⁰

With respect to these petitions, the Trusteeship Council (resolution 691(XII)) expressed profound regret over the incident, noted with satisfaction the statements by the Administering Authority that it had never considered suppressing any political party in the Territory and expressed the hope that the various political organizations would endeavour to maintain a harmonious relationship among themselves and with the Administering Authority.

In the course of the hearing of petitioners from the Territory, at the 465th meeting of the Trusteeship Council, the representative of the Somali Youth League, referring to complaints of political persecution against members of the League, stated that he had been informed that in recent months the political temperature of the Territory had dropped considerably and that relations between the Italian Administration and the Somali Youth League had improved.

At the twelfth session of the Council, the representative of Italy stated that, in order to carry out a far-reaching programme of development in the short period which remained, the Administer-

ing Authority must be able to rely upon the co-operation of the indigenous inhabitants. Fortunately, this co-operation existed in a very large measure and was a hopeful sign for the future. It would be more completely established if and when a handful of fanatical elements, evidently still swayed by the violent propaganda of past years, would refrain from irresponsible acts. The latest serious manifestation of lawlessness on the part of these elements had been the brutal assassination of a member of the Territorial Council, one of the best men in the Territory. This, however, did not affect the peaceful conditions which prevailed and he expressed the hope that the moral condemnation expressed in all quarters might induce those few individuals to desist from activities which were so damaging to their country.

The Trusteeship Council considered that the effectiveness of the Government of the independent State of Somaliland would depend largely on the constructive activities of the political parties from which would come the nucleus of the civil service and the Government. It noted that there had been a reduction of political tensions in the Territory and that relations among the political parties and between the parties and the Administering Authority had notably improved, urged the constructive co-operation of all political parties in achieving the objectives of the Trusteeship Agreement, and expressed the hope that the political parties and the Administering Authority would henceforth surmount together the many, difficult obstacles that remained to be overcome before the Territory could hope to stand by itself.

The Trusteeship Council noted the repeated assurances given by the Administering Authority concerning its determination to maintain the free activity of political groups in the Territory, and welcomed the increased representation given to political parties in the Territorial Council which, it said, should have the effect of increasing the concern of political parties with the many pressing problems which had to be faced.

The powers of the Territorial Council, the Administering Authority stated, had not been changed since the Trusteeship Council last

⁵⁶ T/Pet.11/273, 276/Add.1, 286, 289 & Add.1, 298 & Add.1, 317, 342, 343 & Add.1; T/Pet.11/L.3.

⁵⁷ Resolutions 685(XII), 687(XII), 705(XII), 695(XII), 697(XII), 699(XII), 710(XII), 734(XII) and 753(XII).

⁵⁸ T/Com.11/44, 46, 49, 51; T/Pet.11/282, 300, 308, 309, 311, 315.

⁵⁹ See p.609

⁶⁰ T/Com.11/47; T/Pet.11/299, 301, 303, 304, 306, 310, 312, 314, 316.

examined conditions in the Territory⁶¹ but its numbers had been further increased to augment the representation of political parties.

Out of its 44 members, 21 are regional representatives who, the Administering Authority stated, are designated by secret ballot. Eleven others are representatives of political parties, seats being assigned to each of five parties in direct relation to the number of its branches; the nominations are made by the Administrator from lists containing twice as many names as the number of seats to be filled. Eight members are representatives of economic groups, one represents cultural groups, and there is one representative each of the Italian, Arab, Indian and Pakistani communities.

The Trusteeship Council, at its eleventh session, had recommended that the Administering Authority should proceed with its plans to hold direct elections in the towns and villages for members of the Territorial Council and also of the Municipal Councils and the Administering Authority reported that a decree had been issued increasing to a total of eighteen the number of seats allocated to political parties. The Special Representative of the Administering Authority also informed the Council at its twelfth session that an electoral law was being drafted.

As to the powers of the Territorial Council, both the Trusteeship Council and the 1951 Visiting Mission had emphasized the need for an early and progressive grant of legislative powers in order that the population might have the maximum period of experience in the operation of legislative systems during the short period of Trusteeship. The Trusteeship Council and the Mission also urged the development of the use of functional committees in the Territorial Council. One such committee, established by the Administering Authority in 1952, was to be replaced in 1953 by two committees, one concerned with economic and financial matters, the other with social and political matters. The election by members of the Territorial Council of two vice-presidents, who would alternate as presiding officers, was also to be initiated in 1953. These two measures were endorsed by the Advisory Council (T/1048) and were noted with satisfaction by the Trusteeship Council at its twelfth session. The Trusteeship Council expressed the hope that the committee system would be further developed as rapidly as practicable, and urged the Administering Authority to take steps to grant progressively broader legislative powers to the Territorial Council.

Dissatisfaction with the method of nomination to the Territorial Council was brought to the

attention of the Trusteeship Council in a petition (T/Pet.11/267) in which it was claimed that the two representatives of Mudugh in the Territorial Council had been nominated because of their membership in the Lega Progressista Somala. Other petitioners (T/Pet.11/279), however, supported the view of the Administering Authority (T/Obs.11/6) to the effect that these two representatives had been freely elected. In the circumstances, the Council considered (resolution 681(XII)) that no recommendation was necessary.

Approximately one half of the members of the Residency Councils in 1952 were chiefs, about one third were notables and one sixth were representatives of political parties. Each of the 28 Councils is convened by the Resident concerned and may express its opinions on all matters affecting the interests of the district.

The Municipal Councils, which form part of the municipal administrations, increased by two to a total of 35 during the year. They have an advisory relationship to the Residents, who are responsible for the administration of municipal services, and members are for the most part designated by the Residency Councils.

The Trusteeship Council had previously, in welcoming the establishment of these bodies, attached importance to increasing the participation of the indigenous inhabitants in them and to constantly extending their powers and competence.

The Administering Authority stated that, following the establishment of a census and civil registry system in each municipality in 1953, members of the Municipal Councils would be elected by direct suffrage.

As regards the indigenous political structure, one communication before the Council at its twelfth session was concerned with the alleged abuse of powers by the local chiefs (T/Com.11/L.38), while two petitions contained complaints against existing procedures governing the election or recall of chiefs (T/Pet.11/265, 328 & Add.1).

The Council (resolutions 680(XII) & 720(XII)) drew the attention of the petitioners to the observations and statements of the Administering Authority. In the first case, it called attention to the statement that the persons concerned did not constitute a sufficiently large proportion of the tribe to justify the convening of a shir, and in the second case it stated that it considered that in the circumstances no recommendation by the Council was called for.

⁶¹ See Y.U.N., 1952, pp. 624-25.

The Trusteeship Council had recognized in the course of past sessions the urgent nature of the task of ensuring that, within the relatively short period before the Territory achieves independence, a sufficient number of Somalis would be trained and otherwise equipped to occupy the responsible posts in the civil service.

Information before the Council at its twelfth session showed that, at the end of 1952, of a total of 4,921 persons in the service of the Administration, 4,082 were Somalis, 819 were Italians and 25 represented other nationalities. This indicated an increase of 352 Somalis and 69 Italians over the previous year. The increase in Italian personnel was attributed to the influx of teachers, doctors, agronomists and other technicians. Eleven Somalis had also been commissioned as officers in the Security Corps, several had been appointed section chiefs in the departments of the Administration, one had been designated Vice-Resident of Afgoi, and nine had been appointed heads of police posts. Somali Residents had been assigned to the communities of Dinsor and Uanle Uen and other selections and appointments of indigenous Residents were being made. During 1953, the Administering Authority intended to appoint Somalis to a number of positions of considerable responsibility.

The Trusteeship Council examined a number of petitions which contained complaints of arbitrary dismissals from the police force and other branches of the public service.⁶² The Administering Authority, however, contended that these dismissals were justified and the Council decided that no action was necessary in the circumstances.⁶³

The Special Representative of the Administering Authority informed the Council at its twelfth session that the possibility of entrusting at least one of the Commissariats to indigenous administrators several years before 1960 was being considered.

The Trusteeship Council at its twelfth session noted that Somalis had been designated as vice-chairmen and as secretaries of the Territorial Council, as Residents and Vice-Residents, and as officers in the Security Corps; that over one half of the police posts of the Territory were entrusted to Somalis; and that the number of Somalis in the administrative services increased by 352 during 1952. It expressed the hope that this process of Somalization of the government would be intensified to the extent compatible with the efficiency of the services.

The Administering Authority stated in its annual report for 1952 that, in order to ensure

the full independence of the judiciary, as previously recommended by the Council, new legislation would provide for Commissariat judges who would exercise the judicial functions previously carried out by Regional Commissioners and Residents. In presenting its advice on the draft law establishing Commissariat judges, the Advisory Council, by a majority of two votes to one, recommended, *inter alia*, the deletion of a provision reserving to the Regional Commissioners the chairmanship of the Regional Courts, which apply collective sanctions, on the ground that this was contrary to the principle of the absolute independence of the judiciary. The Administering Authority reported that, beginning in 1953, the Commissariat judges would replace the Commissioners in this role.

The Trusteeship Council noted the steps taken by the Administering Authority to separate further the judicial and administrative functions and expressed the hope that steps would be taken to complete this separation as rapidly as possible.

In regard to the period of detention before trial, the Special Representative of the Administering Authority informed the Council at its twelfth session that, with the appointment of six judges to the Commissariats and the creation of a Court of Appeal for the judgments of the Court of Assizes, trials followed a far more rapid course and only in a very few instances, in which the gathering of evidence required a considerable period of investigation, were persons detained for the maximum period of detention allowed under the new law.

At its twelfth session, the Trusteeship Council was informed that, under a new law adopted during 1952, the sentencing of persons to imprisonment without trial had been abolished, but the procedure had been retained for the imposition of fines not exceeding 400 somalos. The Advisory Council endorsed the abolition of imprisonment under this system and recommended that the imposition of fines without trial should also be abolished. The Administering Authority replied that it could not abolish fines by penal decree but that the matter would be reviewed when the new judicial regulations came into force; in the meantime, a person sentenced to such a fine could always appeal to a higher court.

The Trusteeship Council learned that a draft law abolishing capital punishment had been

⁶² T/Pet.11/255 & Add.1, 285, 323, 327, 331, 334, 336, 337.

⁶³ T/Obs.11/6, 8, 11, 14, 16; Council resolutions 671(XII), 694(XII), 715(XII), 719(XII), 723(XII), 726(XII) and 729(XII).

examined during the period under review. Both the Advisory Council and the Territorial Council expressed themselves in favour of the retention of this punishment, and the Administering Authority therefore postponed further action pending the consideration of the new judicial regulations.

The Trusteeship Council was informed also that the new judicial regulations, which had been presented to the Advisory Council and to the Territorial Council for their advice, were being re-examined and that new texts would be submitted. A Court of Appeal was established in 1952 and a law establishing a Supreme Court in the Territory was promulgated.

The Special Representative of the Administering Authority informed the Council that, with the impending establishment of the Supreme Court, the Territory would have all degrees of justice, including a Supreme Administrative Court.

In connexion with the administration of justice, the Somali Youth League reiterated earlier complaints that its members were subjected to arbitrary arrest, both mass and individual, alleging that numerous individuals had been held by the authorities without proper charges being made against them and had frequently suffered long periods of detention pending trial by the courts; that severe sentences had been imposed; and that prisoners had been subjected to ill-treatment.⁶⁴ The Administering Authority denied these allegations.⁶⁵

The Trusteeship Council at its twelfth session noted the steps thus far taken to reduce the period of detention before trial, that a Court of Appeals had been set up, that a Supreme Court had been provided for by law and that judicial regulations were being drafted, and it expressed the hope that the Supreme Court would soon begin to function and that the judicial regulations would be completed as soon as possible.

The Council also noted that collective sanctions were still applied in inter-tribal disputes and expressed the hope that they would be replaced as rapidly as practicable by other penalties based on the concept of individual responsibility.

The Administering Authority reported that the Somaliland Police Corps comprised 1,951 members, all Somalis. During the year under review, it stated, the number of Italian carabinieri was reduced from 363 to 297 as Somali replacements became available. A group of eight Somalis was undergoing advanced training in Italy and Somali

non-commissioned officers had been placed in charge of 34 of the 64 police posts. As in the previous year, the number of Residency police, known as *llalos*, was 1,500.

The military forces comprised 759 Italian and 2,794 Somali personnel at the end of 1952, representing a reduction of 349 Italians and 326 Somalis. Eleven Somalis were commissioned as officers and 160 Italian specialists were replaced by Somalis.

As in 1950, armed conflict between various groups, notably the Saad and Soliman sub-divisions of the Averghidir tribe, the Averghidir and Merehan, and the Ghelidle and Dabarre, resulted in the loss of lives and of cattle. These incidents were attributed by the Administering Authority to the traditional animosity existing between certain groups, to inadequate water supplies and pasturage during periods of drought and to the fact that the provisional status of a sector of the frontier tended to debar certain groups from access to wells and pasture. The Administering Authority enumerated a series of steps which were being taken in an effort to solve this problem. These were the establishment of mobile police detachments and frontier posts and the improvement of their weapons, the encouragement of groups living along the frontier to enter into agreements with those across the line, the establishment of regulations governing transhumance and the use of water holes, and of neutral zones between groups most frequently in conflict, and the peaceful settlement of outstanding disputes.

Certain of these incidents were the subject of complaints placed before the Trusteeship Council.⁶⁶ In particular, the Somali Youth League branch of Galcaio alleged that, in the series of incidents between the Saad and Soliman groups, 127 persons had been killed between February and June of 1952, many of the wounded had died, and thousands of head of livestock had been lost (T/Pet.11/289/Add.1). The Administering Authority explained (T/Obs.11/4) that the Saad-Soliman incidents resulted from insufficient water and grazing during a period of drought as well as from the traditional enmity of the two groups. After efforts at conciliation had failed, and fol-

⁶⁴ T/Pet.11/245, 250, 258, 273, 276 & Add.1, 313 & Add.1, 317, 330, 342, 343, 347, 348.

⁶⁵ T/Obs.11/3, 4, 6, 7; Council resolutions 609(XII), 665(XII), 670(XII), 674(XII), 685(XII), 686(XII), 687(XII), 710(XII), 722(XII), 734(XII), 738(XII), 739(XII), 753(XII).

⁶⁶ T/Pet.11/270, 287, 289 & Add.1, 294 & Add.1 & 2, 326, 356.

lowing an outbreak of hostilities in which 99 persons were killed, the Administering Authority had felt compelled to dismiss certain chiefs, to seize 2,000 camels from the Soliman and 1,500 from the Saad, and to establish police control over disputed water holes. After prolonged negotiations the Chiefs of the two groups signed a truce. Damages and compensation were to be assessed upon the completion of penal proceedings.

The Trusteeship Council (resolution 699 (XII)) drew the attention of the petitioners to the Administering Authority's observations, noted in particular the Administering Authority's statement that, due to tension in the area, it had been necessary to detain a few persons briefly to prevent an incident similar to that of Chisimaio, noted the duty of the Administering Authority to maintain law and order, and expressed the hope that relations with the Somali Youth League would continue to improve.

A serious incident of a different kind occurred at Chisimaio in August when participants in a political demonstration attacked a group of police, killing three and injuring eleven. The incident led to a complaint by the President of the Somali Youth League that over a thousand persons, including women and children, had been arrested and deprived of food for several days, that some had died of starvation and that at least one had been shot dead by the police (T/Pet.11/298 & Add.1).

In its observations on this petition (T/Obs.11/9), the Administering Authority described the incident as an outgrowth of a policy of intimidation on the part of the local branch of the Somali Youth League by which it had unsuccessfully sought to block the development of other political parties in the area. The rapid growth of other parties had led to strenuous and open opposition to the authorities by the League and a series of unfounded accusations and charges of persecution had been made against the Administering Authority with the intention of causing serious incidents for which the local authorities could afterwards be blamed. On the day of the incident, the Administration had disallowed a request by the League to stage a protest demonstration against the local authorities on the occasion of the visit of the Acting Administrator; the police had been attacked when they sought to disperse a crowd gathered near the League's headquarters, but they had used no weapons and no injuries were recorded amongst the aggressors. As a result of the investigation 118 persons were held for trial.

The Trusteeship Council (resolution 705 (XII)), *inter alia*, urged the Administering

Authority to bring the accused to trial without delay in order that the harmonious relations existing between the parties would not be endangered. Certain petitions referring to the Chisimaio incident contained complaints against the Somali Youth League and requested that the activities of the League be stopped.⁶⁷

Another petition contained an allegation that 50 persons had been wounded in an incident at Bender Beila in February (T/Pet.11/250). In its observations (T/Obs.11/4), the Administering Authority stated that an armed crowd had attempted to unload several dhows without proper authorization and that when ordered to desist they had attacked the police, eight of whom had been injured. The police had eventually been forced to repel the attack by firing at the crowd, and three persons had been injured. In the investigation which followed 20 persons had been arrested and held for trial.

The Trusteeship Council (resolution 670 (XII)) expressed regret at the incident. Recognizing the paramount duty of the Administering Authority to maintain law and order, it hoped relations between the Administering Authority and the Somali Youth League would continue to improve.

In another petition (T/Pet.11/273), it was stated that, following an attempt on the life of the leader of the *Unione Africana della Somalia*, about 3,000 Somalis had been rounded up and detained for questioning. Those refusing to give their tribal affiliation were alleged to have been subjected to corporal punishment and humiliation. In its observations (T/Obs.11/7), the Administering Authority stated that the attack, as well as another made on a member of the Territorial Council, had produced panic and concern among the residents of Mogadiscio and that 234 persons had been detained overnight. Of these, 50 had been repatriated to their places of origin, and three had been detained on a charge of attempted homicide but had subsequently been found not guilty and released. It was further stated that those detained had not been subjected to ill-treatment or violence.

The Council, *inter alia*, urged (resolution 685 (XII)) the Administering Authority to continue to exercise the utmost circumspection in the arrest and detention of suspected offenders and expressed the hope that the Administering Authority would make every effort to reduce the period between arrest and trial.

⁶⁷ See p.605

4. Economic Development

The known economic resources of the Territory are meagre. It is estimated that 90 per cent of the population is engaged in pastoral and agricultural activities within the traditional subsistence framework. Production for export is limited, the main products being bananas, hides and cotton. Almost no industrial development has taken place.

The Administering Authority had previously proposed to the Council that the economic advancement of the Territory would depend to a considerable extent on assistance from international financial organizations. In this connexion, the Council had expressed the view that the investment of capital in the Territory would be encouraged if a general plan for economic development were elaborated by the Administering Authority, taking into consideration the report of the United Nations Technical Assistance Mission which visited the Territory in 1951, and asked the Administering Authority to draw up such a plan.

The representative of Italy informed the Council at its twelfth session that, as soon as the report of the Technical Assistance Mission was received, the Government of Italy had assigned a leading expert in economic and financial matters to draft a general plan for the development of the Territory's resources. Hence, the Administering Authority would soon be in a position to evaluate more exactly the effective possibilities of improving substantially the economic conditions of the Territory, with the aid of international technical and financial organizations.

The Trusteeship Council expressed the opinion that the economic deficiencies of the Territory and the problems arising in connexion with economic development presented serious obstacles to the achievement of economic viability for the future independent State, and considered that it was essential that all economic resources and possibilities be carefully reviewed in the light of the conclusions and findings of the United Nations Technical Assistance Mission.

The Council noted the steps taken thus far by the Administering Authority to draw up an economic plan for the Territory, based on the report of the United Nations Technical Assistance Mission. It urged the Administering Authority to complete the elaboration of a comprehensive economic plan as a matter of highest priority, taking into account the recommendations of the Technical Assistance Mission, particularly with reference to the future needs of the Territory as an independent State, and requested the Administer-

ing Authority to report specifically on the plan and its implementation.

Several petitions before the Council raised questions bearing on economic advancement in the Territory. Complaints were voiced that the Administering Authority had not effected improvements in the economic field and that it had failed to provide financial assistance in order that living standards might be raised (T/Pet.11/256). The Council (resolution 672(XII)) drew the attention of the petitioners to the Administering Authority's observations (T/Obs.11/7) on the subject. It invited the Secretary-General to send the petitioners a copy of its latest recommendations concerning the Territory's economic and financial problems.

The Council was informed by the Administering Authority that the over-all receipts and expenditures for the fiscal year 1951-1952 were respectively 36.2 and 65.7 million somalos,⁶⁸ leaving an actual deficit of 29.5 million somalos, which was equivalent to 44.9 per cent of the total expenditure. As compared to 1950-1951, this represented an increase in revenue of 3.9 million somalos and a reduction of 3.7 million somalos in the deficit.

The increased revenue, the Administering Authority reported, was due in large part to the higher yields of customs duties and taxes on production, which exceeded those of the previous year by approximately 2 million somalos. Expenditure on civil personnel in all services rose from 30.1 to 33.4 million somalos, due in part to the increase of European staff in the fields of agriculture, public health and education.

The Administering Authority reported that it had covered the budget deficit of 1951-52 with a grant of 29.5 million somalos and envisaged granting 37.1 million somalos to cover the estimated deficit in 1952-53.

Military expenditures, which are outside the budget, were 39.2 million somalos in 1951-52, and a decrease to 28.5 million somalos was envisaged for the fiscal year 1952-53.

The Trusteeship Council, at its twelfth session, was informed that, in line with its earlier recommendation, a tax on all cultivated lands, previously tax-exempt, held by indigenous persons had been introduced. The tax varied between two and twelve somalos on each shamba. During 1952, certain additional taxes, earmarked for the use of the municipal administrations, were also imposed

⁶⁸ 20 somalos = 20 East African shillings = £1 stg. = \$US 2.80.

on exports and imports and on the manufacture and importation of sugar.

The Council, while noting that the revenues from the Territory during the year under review had increased substantially over the previous years, observed that nevertheless these constituted less than 40 per cent of the total budgetary requirements of the Territory, and reiterated its view that the only sound basis on which the independent State could be set up was one of self-support

The Council recalled the suggestion of the 1951 Visiting Mission that an initial study of the level of government services which the Territory could support from its own resources should be made no later than the date of the next visiting mission of the Council to the Territory, and requested the Administering Authority to make a preliminary investigation of this matter in preparation for the mission which is expected to visit the Territory in 1954.

Merchandise trade for the year 1952, the Administering Authority reported, showed an excess of imports over exports equivalent to 58.6 million somalos. Imports totalled 105.2 million somalos, representing an increase in value of more than 10 per cent over 1951; exports, totalling 46.6 million somalos, showed an increase of 55 per cent due, partially, to the fact that the successful cotton crop of 1951 was exported during 1952. The Administering Authority stated that, in terms of the real value of exports, the deficit was considerably lower. It informed the Council that certain difficulties were experienced by merchants during the year under review, largely as a result of the drop in price of cotton goods and of the decrease in purchasing power due to poor harvests and the feeble demand for raw cotton and hides. Nevertheless, an increasing number of Somalis, encouraged by the Administering Authority, were entering into the import-export trade, and steps had been taken to regulate the supply of cotton goods. Measures taken to increase the export trade and to stimulate trade with the dollar area included the relaxation of certain customs and exchange procedures.

The Council at its twelfth session expressed the hope that in further developing crops for export the Administering Authority would exercise caution in order that the production of food crops would be sufficient to meet the needs of the people of the Territory.

The 1951 Visiting Mission had been of the opinion that the road situation presented a serious obstacle to economic development and had sug-

gested that the Administering Authority should study the possibility of establishing a regular coastal shipping service between the ports of the Territory. The Territory depended to a considerable extent on dhow traffic for transport between the different zones. An Italian firm was, however, expected to put into service a 600-ton ship, the Administering Authority reported, which would maintain service between the ports of the Territory and Aden and Mombasa.

Complaints were made about the state of roads and the inadequacy of communications in a number of petitions and communications before the Trusteeship Council at its twelfth session (T/Com.11/L.3, L.11; T/Pet.11/307 & Add.1, 340, 346; T/Pet.11/L.3, L.4). In its observation on two of these petitions, the Administering Authority stated that the roads had been repaired and were open to traffic (T/Obs.11/18). With respect to certain of these petitions, the Council (resolution 737(XII)) decided to inform the petitioners that the general questions of communications had been and would continue to be examined by the Council in connexion with its annual examination of conditions in the Territory. In the circumstances, no particular recommendation by the Council was considered necessary.

Under customary law, individual rights over land are limited and are based on the individual's membership in a community. In accordance with the pre-war legislation still in force, all lands occupied by indigenous groups are regarded as not disposable by the Administering Authority. Under the colonial regime before the Second World War, commissions were established to determine which lands not directly occupied or exploited were disposable for settlement.

In 1952, as in 1951, non-indigenous holdings were as follows: Arabs, 1,500 hectares; Indians, 5 hectares, and Italians, 72,842 hectares. The Administering Authority reported that no requests for concessions of land were considered during 1952, pending the drafting of new legislation by a committee comprising six officers of the Administration, two members of the Territorial Council and six Somalis designated by regional assemblies. A warning had also been issued to settlers who had entered into agreements with indigenous persons for the cultivation of their lands, to the effect that, lacking any legal rights over these lands, they incurred the risk of being dispossessed.

Some of the petitions before the Trusteeship Council at its twelfth session dealt with several aspects of the land question. One group requested that a survey should be made in order to determine

what land was reserved for Italian farmers, and what land was available for Somalis. Although they indicated that they would not raise any objection to the continued occupation by Italian farmers of land of which they were legally possessed, they considered that many of these settlers had acquired lands which could be useful to the population (T/Com.11/L.38).

Specific complaints of disputed ownership of land and of land alienation were also made,⁶⁹ and in some instances it was asserted that the Administration had placed obstacles in the way when redress before the local authorities and the United Nations had been sought. With respect to these complaints, the Administering Authority explained (T/Obs.11/8, 10) that land disputes had arisen as a result of concessions which had been granted to settlers by the Italian Colonial Administration prior to 1941, and that, in some cases at least, settlers had stated recently that any Somali wishing to cultivate within the boundaries of concessions might do so undisturbed, within the limits set by the work and development programmes of the estates.

The Council drew the attention of the petitioners to these observations (resolutions 678(XII), 689(XII) and 698(XII)).

The Trusteeship Council noted that no new concessions of land had been considered during 1952, and noted with satisfaction the initiative taken by the Administering Authority in drafting land legislation and that the committee entrusted with this task included members of the Territorial Council and other Somalis.

On three petitions (T/Pet.11/259, 260, 274) relating to disputes between the Società Agricola Italo-Somala and members of the Walamoi and Sagalo tribes—disputes which had been before the Trusteeship Council at its eleventh session (T/Pet.11/65 & Addenda, 242)—the Council noted that a mutually satisfactory agreement had been entered into during August 1952, noted the assistance given by the Administering Authority and the Società Agricola Italo-Somala to the Walamoi and Sagalo people for the creation and encouragement of agricultural co-operative societies and expressed the hope that such assistance would continue to be given.

Eight petitions emanated from ex-servicemen of the former Colonial Administration. On seven⁷⁰ of them—of which the author of one sought restitution for sequestered property, and the authors of the others claimed arrears of military pay—the Council decided that no recommendation by it was necessary. On the eighth (T/Pet.11/

283 & Add.1)—of which the author claimed restitution for war damage sustained during the Second World War—the Council, recalling its resolution 545(XI), expressed the hope (resolution 692(XII)) that the Administering Authority would arrange as soon as possible to deal with all claims for war damage.

The main wealth of the Territory is in the form of livestock, principally camels, cattle, sheep and goats. Agriculture is generally restricted to the vicinity of the rivers, certain coastal districts and the dry-farming area between the Giuba and Uebi Scebeli Rivers. The principal crops are sorghum, maize, beans, peanuts, bananas, sesame, sugar cane and cotton.

Frequent droughts are characteristic of the Territory. Abnormally dry weather had resulted in poor harvests throughout 1952 for indigenous farmers and crops such as cotton, sesame and grains had been seriously affected. Production of sorghum declined from 450,000 quintals in the previous year to 90,000 quintals, that of maize from 280,000 quintals to 80,000 quintals, sesame from 20,000 quintals to 13,000 quintals, and cotton from 18,000 quintals to 1,800 quintals. The production of bananas, on the other hand, increased from 400,000 quintals to 600,000 quintals. According to the Administering Authority, the effects of the drought would have been serious had there not been sufficient grain in storage. These supplies, held by merchants, the Administration and Somali farmers, were released on the market and were sufficient to meet the need and prevented an increase in prices. The shortage was also eased by the cultivation of grain on the irrigated lands of Italian farmers.

The Administering Authority reported that it was continuing its programme of building up stocks of grains and that plans had been drafted for large storage facilities in the producing centres. At the beginning of 1952, the reserves held by the Administration amounted to some 8,000 quintals of maize as against 15,000 quintals in 1951. An increase of storage capacity to 50,000 quintals was envisaged.

The Administering Authority had also continued to assist Somalis in the establishment of agricultural co-operatives, of which eleven were added in 1952 to the four already in existence. By the end of the year, 11 per cent, or 945 hec-

⁶⁹ T/Com.11/L.15, L.19; T/Pet.11/263 & Adds.1 & 2, 274, 275 & Add.1, 278, 288 & Add.1, 291, 292 & Add.1.

⁷⁰ T/Pet.11/249, 264, 284, 318, 329, 357; T/Com.11/L.12.

tares, of the total area of these co-operatives was irrigable and cultivated. The Administration's expenditure in this field in 1952 was 750,000 somalos. Assistance had also been furnished to three groups of farmers to construct ditches for the controlled inundation of their individually cultivated lands, which totalled 800 hectares, and the Administering Authority was studying the problem of mechanizing indigenous farming in connexion with these developments. Experience had shown, however, that extensive use of machinery was not feasible and that, at the present stage, efforts should be limited to the use of heavy equipment in clearing land and in the construction of ditches and catchment basins.

The Administering Authority planned to establish 50 more co-operatives along the Uebi Scebeli River, and considered that this step might double agricultural production among the 60,000 inhabitants of the area.

Along the Giuba River, 20 more schemes for the controlled flooding of 5,400 hectares of farm land to aid 6,000 families were envisaged. In the dry farming area centring on Baidoa, two pilot projects which would affect 10,000 families had been set up to assist and encourage the population to construct catchment basins, use draught animals in farming, and construct storage bins and other facilities.

In relation to the system of co-participation, a form of co-operation between European settlers and indigenous farmers for the growing and marketing of cotton, a decree regulating the system was enacted during the year. In considering this legislation, the Advisory Council had recommended, *inter alia*, that the system should be modified so as to encourage the growth of a class of indigenous farmers with greater economic independence; in this connexion, it had suggested that certain clauses in the co-participation contracts should be altered to render the arrangement more equitable to both parties. The Council was informed by the Administering Authority that, in practice, the decree had increased risks borne by the contractor, thus leading to a reduction in the use of the system. Consequently, it would be necessary to consider the entire question once more.

The Trusteeship Council at its twelfth session noted the achievements of the Administering Authority in fostering the growth of farmers' co-operatives, and noted with satisfaction the plans to expand this programme so that it would affect 100,000 Somalis.

The Council was informed at its twelfth session that the first steps had been taken to develop

the livestock industry by improving the quality of hides and ghee, improving methods of animal husbandry, and making more effective use of pasturage. In relation to this last aspect, the construction of new wells would play an important part since these would be located, in so far as possible, in the vicinity of the pastures.

The Council noted with interest the attention devoted by the United Nations Technical Assistance Mission to the development of agriculture and stock-raising and said that it awaited with interest the recommendations that would be made in this field in the comprehensive plan for the economic development of the Territory.

The Administering Authority informed the Council that fishing constituted a potentially important source of income for the Territory. Studies as well as practical measures were necessary to determine the best techniques and, in 1952, a mission was sent to the Territory for this purpose by the Food and Agriculture Organization of the United Nations (FAO).

The Council noted with satisfaction that a study of fisheries had been made by the Administering Authority with the co-operation of FAO, that a branch of the Maritime and Fishing School at Mogadiscio was being established at Bender Cassim and that the collaboration of FAO in the development of this school was being sought.

The problem of ensuring adequate supplies of water is one of the most difficult confronting the Territory, and both the 1951 Visiting Mission and the Trusteeship Council have encouraged the Administering Authority to continue its efforts and have urged the Somali population to give their full co-operation in the programme of improving water supplies.

The Administering Authority stated that, with the aid of the Mutual Security Agency of the United States Government, it was purchasing drilling equipment for the development of new supplies, and had received a grant of 135 million lire from the Agency for the construction of wells. At its twelfth session the Special Representative of the Administering Authority informed the Council that the first group of 100 wells was under construction.

The Council expressed the opinion that improved water supplies were essential to the economic progress of the Territory, to the stabilization of the nomadic population, and to the elimination of the inter-tribal conflicts in certain sections of the Territory and noted the measures taken by the Administering Authority. It expressed the hope that the Administering Authority would

continue these measures and urged it to give careful consideration to practicable measures for conservation of water for irrigation purposes, including the construction of surface catchment systems.

With regard to mining, the Administering Authority reported that, during 1952, it had granted concessions for the exploration and development of petroleum resources to the Sinclair Somal Corporation and the Societa Mineraria Somala, covering areas of 200,000 square kilometres and 28,000 square kilometres respectively. These agreements provide for a period of nine years for exploration and 40 years for production. The first well must be completed within four years and certain minimum annual expenditures in the Territory must be made.

In its report, the Advisory Council stated that copies of these agreements had been submitted for its information by the Administering Authority. It felt, however, that they should have been transmitted to it for advice and, consequently, it reserved the right to comment on them (T-1048).

5. Social Development

The Administering Authority informed the Council that drought in 1952 had resulted in the curtailment of the size of herds, thus reducing the food supply of the nomadic and semi-nomadic population. The production of sorghum and maize, which are staples, declined by approximately 80 and 72 per cent, respectively. The impact of this severe curtailment in production of food supplies was cushioned among some groups by the income received from the production of cotton and certain other commercial crops during 1951. Grain in storage was also released on the market.

Cost-of-living information gathered in 1952 on a typical Somali family showed an increase in the cost of food of approximately 18 per cent, a reduction of 3 per cent in the cost of clothing and a total increase of about 13 per cent in the cost of living between December 1951 and December 1952.

The total number of wage earners in the Territory, the Administering Authority reported, was 10,200 at the end of 1952.

Conditions of labour in the Territory and related questions, the Administering Authority stated, had been the subject of study by a mission of the International Labour Organisation (ILO), and the Administering Authority had undertaken to prepare a labour code, the various sections of

which it would adopt progressively. The first steps were taken in 1951 by the establishment of wage scales, the eight-hour working day, compulsory insurance against industrial accidents, and the establishment of labour inspectorates and labour offices. As regards the position of women workers, the Administering Authority informed the Council that, under legislation currently in force, women workers received the same benefits and protection accorded to men and that special legislation for the protection of women workers was being prepared with the assistance of ILO. The principle of equal pay for equal work would also be incorporated in the labour code. Measures for the protection of child labour and also concerning illness incurred at work, standards of health and safety, and apprenticeship would also be embodied in forthcoming legislation.

As regards immigration, the Administering Authority reported that, of a total of 307 persons who had received immigration permits during 1952, 236 were Italians and 57 Arabs.

The retarding effect of poor health conditions on social and economic development had been stressed by the Trusteeship Council which had called for the expansion of medical and health services, the training of personnel and an increase in the number of physicians. The need for effective measures in the field of public health was also stressed by the 1951 Visiting Mission.

The Trusteeship Council was informed at its twelfth session by the Administering Authority that there were 54 doctors in the Territory, as compared with 47 in 1950 and over 50 in 1951; of these eight were military surgeons. Although the Administering Authority considered that this was sufficient to ensure satisfactory service, it stated that three or four more doctors would be added during 1953. There were three general or principal hospitals in Mogadiscio, and five regional and two secondary hospitals in the interior, sixteen infirmaries and 78 dispensaries. As in 1951, the number of beds was approximately 1,500. The Administering Authority informed the Council that it regarded these facilities as adequate and that, barring unforeseen circumstances, no substantial expansion was contemplated. The number of beds would be increased by 150 by the end of 1955 and the creation of mobile units was under consideration. Expenditures on medical and health services were approximately 9 million somalos, representing an increase of 1 million somalos over 1951.

The Administering Authority reported that, as requested, a study of the problem of chronic

malnutrition and slow starvation had been carried out and the assistance of FAO had been requested. The programme envisaged would cover a minimum period of four or five years. The Administration, in the meantime, was continuing its efforts to alleviate this situation, both through economic measures and the distribution of vitamins.

At the Council's twelfth session, the Special Representative of the Administering Authority informed that the Medical Department was organizing an anti-tuberculosis campaign and was establishing soup kitchens for expectant mothers and delicate children.

The Council noted the development which had taken place in respect of the medical and health facilities and the increased attention being given to preventive health measures in collaboration with the World Health Organization (WHO) and expressed its interest in the campaign against malaria and tuberculosis to reduce the incidence of these two diseases.

The laws applied in the Territory, the Administering Authority stated, ensure the rights and freedoms of personal liberty, property, work, association and the Press; the presumption of innocence until proved guilty; and the inviolability of correspondence.

The Administration continued to publish the daily newspaper *Il Corriere della Somalia* and it was estimated that two-thirds of its readers were Somalis. A new journal, *Somalia Nuova*, which appeared during the year, was published by two Somalis and supports the programme of the *Unione Africana della Somalia*.

Daily radio broadcasts, the Administering Authority stated, are made from Mogadiscio. Six hours are devoted to Somali language programmes, prepared by indigenous persons, and an equal period to programmes in Italian. In keeping with its plan to establish receivers for public use in all the administrative centres, the Administration reported that such installations had been made in fourteen localities during 1952.

Petitions submitted by the Somali Youth League contained complaints that its members did not enjoy freedom of speech or association, that the police interfered in the activities of the League, and that the reading of newspapers was not permitted (T/Pet.11/342, 343 & Add.1, 344). The refusal of publication of a letter, based on the editor's view that certain passages in the letter would cause offence to the religious and judicial authorities, was the subject of a complaint by a group of petitioners (T/Com.11/71 & Add.1).

With respect to religious freedom three petitions contained complaints of interference by the Administering Authority in religious matters and of the arrest, imprisonment and deportation of a Scek (T/Pet.11/276, & Add.2, 313 & Add.1, 342). The Administering Authority replied that the Scek had been arrested because in sermons he had threatened those who co-operated with the Administration (T/Obs.11/3).

The Trusteeship Council considered that the questions were within the competence of the courts of the Territory and that no action was necessary (resolutions 686(XII), 709(XII), 734(XII)).

The Somali Youth League referred in a petition to three instances of the detention of members carrying League correspondence and the seizure of the correspondence (T/Pet.11/289/Add.1). In its observations (T/Obs.11/4) on this complaint, the Administering Authority stated that in all three instances the mail was either forwarded by it through postal channels or left in the possession of the individual.

The Council (resolution 689(XII)) noted particularly that the Administering Authority's statement that it had been necessary to detain a few persons briefly to prevent an incident similar to that of Chisimaio, and expressed the hope that relations between the Somali Youth League and the Administering Authority would continue to improve.

The Trusteeship Council was informed at its twelfth session that, during 1952, three prisons had been rebuilt and refurnished and two new ones completed. Three new prisons were planned, an institution for juvenile delinquents was under construction, and during 1953 a penal farm would be established. The Administering Authority added that these measures would complete the programme of expansion and modernization of prison facilities.

Under a law adopted during the year under review, prisoners serving sentences were no longer required to reimburse the Administration for the expenses of their upkeep in prison and new prison regulations were under study.

Several petitioners complained of bad prison conditions and of the need for new prisons (T/Pet.11/L.3; T/Pet.11/343 & Add.1, 348).

The Trusteeship Council (resolution 753(XII)) drew the attention of the petitioners to the Special Representative's statement that rations for prisoners at Gardo were adequate. In resolution 739(XII), it recommended that the Administer-

ing Authority improve the sanitary conditions in the prison at Eil.

Other petitions alleged that prisoners were ill-treated and tortured (T/Pet.11/307 & Add.1, 330, 342). With respect to the latter group, the Administering Authority denied the allegations (T/Obs.11/15).

The Council decided that no action by it on these petitions was called for since the matter was within the competence of the courts of the Territory (resolutions 708(XII) & 722(XII)).

The Council at its twelfth session noted with satisfaction the steps taken to repair and rebuild prisons and the assurance of the Administering Authority that juvenile delinquents and women offenders would be housed in separate quarters before the end of 1953.

6. Educational Development

The Administering Authority stated in its annual report that progress in the development of education could be seen in the increase in general expenditures, in the number of schools and textbooks available and in the opening of special schools.

The total expenditures on education in 1952 was 6.7 million somalos, as compared with 4.6 million somalos in 1951.

There were 82 elementary day schools of the Somali type in the Territory in 1952-53, as compared with 70 in 1951-52; these were staffed by 105 Italian, 102 Somali and nine Arab teachers, representing an increase of 36 teachers over 1951-52.

On the secondary and technical school level, there were nine schools in 1952-53 with a teaching staff of 53. An agricultural school which offers a three-year course and can accommodate 60 students, and a maritime and fishing school were established in 1952. In the latter, children follow a three-year course, whereas the course for adults is of two years' duration. The Special Representative of the Administering Authority informed the Trusteeship Council at its twelfth session that an upper middle school of the Somali type was being established. An experimental school for nomads, planned for 1952, had not been established because of the lack of adequate teaching staff and difficulties of transport.

Under an Ordinance regulating private schools issued during the year, the authorization of the Administration must be sought by any person intending to open a school. Koranic schools are exempt from the provisions of the Ordinance.

The Advisory Council suggested that, since government schools were unable as yet to provide education for all, private schools which might not have attained the education standards set by the Administration, or which might not be interested in obtaining official recognition, should be allowed to operate provided that they met minimum health requirements and did not disseminate subversive ideas. The Administering Authority replied that government control of private schools did not place any limitation on private initiative in education but aimed rather at co-ordinating and directing it. Once a school had complied with the requirements of the Ordinance, permission to open it would be granted.

The Administering Authority informed the Trusteeship Council that the opening of four private schools had been authorized.

Replying to a petition from the Somali Youth League complaining that the local authorities had closed down one of the League's schools (T/Pet.-11/332 & Add.1) the Administering Authority stated that, under the law, the operation of the school required a licence and that such a licence had not been requested by the League (T/Obs.-11/15).

The Trusteeship Council (resolution 724(XII)) drew the attention of the petitioners to the Administering Authority's statements and decided that in the circumstances no recommendation was called for.

During the school year 1952-53, the enrolment in elementary schools had been 15,269 compared with 10,885 in 1951-52, in secondary schools 536 as against 537 and in technical and special schools 233 compared with 224 the previous year.

The Special Representative of the Administering Authority informed the Council that between 22,000 and 23,000 students would be enrolled in the schools of the Territory during the forthcoming academic year.

Three Somalis had been enrolled in Italian-type middle schools in 1952. During the year, the third-year course was added in the Somali-type lower middle schools; graduates of this course will be able to enter the upper middle school for Somalis and the teacher-training school, both of which were to be established in 1953. Of 38 students studying in Italy under bursaries in 1952, one-half were teachers and the rest were primary and secondary school students.

The Council was further informed that in certain districts school attendance had declined to less than one-half of the number of pupils enrolled. School committees, comprising parents as

well as other interested persons, had been established in fourteen localities as a means of overcoming parental indifference. In certain instances, chiefs and notables had been informed by the Administration that new schools would not be established in their districts unless attendance at those already in existence attained a certain minimum level.

A second textbook in Italian had been published for use in the schools of the Territory and a first textbook in Arabic was in preparation. In addition, 20,000 books in Italian and 18,000 in Arabic had been purchased abroad for use in the schools. The Administering Authority stated that parents of students in certain areas were unwilling to purchase textbooks for their children.

Rapid expansion of education, the Administering Authority stated, was impeded, in particular, by the problem of the languages of instruction, a dearth of trained indigenous teachers, and the necessity of recruiting Italian and other non-Somali teachers, who, in some instances, were handicapped initially by the lack of knowledge and understanding of the language and culture of their pupils.

The fact that Italian and Arabic are the languages taught in schools, although Somali is the sole language spoken throughout the Territory, has made the rapid spread of education difficult.

The Administering Authority informed the Trusteeship Council at its twelfth session that differences of opinion continued to exist among the Somalis on the development of the Somali language. It drew the Council's attention to the existence of a Somali script known as "Osmani", and stated that its attitude in this matter, was to await the crystallization of public opinion and to encourage public discussion. An expert of the United Nations Educational, Scientific and Cultural Organization (UNESCO) was expected to visit the Territory and advise the Administering Authority on the question.

At the Council's twelfth session, the Special Representative of the Administering Authority referred to the steps that had been taken to reduce the Somali language to written form and stated that the Administering Authority would continue along these lines, trusting also in the collaboration of those Somalis who were interested in the matter.

The Trusteeship Council considered that the development of the Somali language in written form was a matter of great urgency and that an appropriate alphabet for this purpose should be decided upon as soon as possible.

In 1952, there were 197 indigenous teachers in service and, of these, 50 held a teacher's diploma, having completed a course of study on the lower middle school level. According to the Administering Authority, the recruiting of teachers and teacher training students had become a very serious problem; 45 teachers and 60 students had been sought in 1952 but only nineteen teachers and 21 students had been recruited. The Administering Authority stated that the demand for personnel with a minimal degree of formal education in government and private employment was in part responsible for the little interest displayed in a teaching career.

Due to the shortage of teachers and the absence of those who were continuing their studies in Italy, it was necessary to recruit 25 persons on a temporary basis as replacements. A three-year teacher-training programme on the higher secondary level was proposed for 1953 and the Special Representative of the Administering Authority informed the Trusteeship Council that the establishment of this school was under way.

Italian teachers received in salary from 980 to 1,200 somalos per months, teachers of Arabic recruited abroad received 1,600 somalos, and Somalis received from 125 to 470 somalos, but could attain a maximum of 970 somalos.

As yet there are no institutions of higher education in the Territory. The Administering Authority informed the Council in this connexion that, although no Somalis were educationally qualified to pursue studies on this level, it was possible that two indigenous persons might undertake such studies upon the completion of their secondary education in 1953. The Administering Authority also stated that it was considering sending the first group of graduates of the school of political administration to Italy for further study in order that they might qualify for enrolment in the school when it was reorganized as an institution of higher education.

The Administering Authority also reported having continued its efforts in the field of adult education on the primary school level, 9,058 students being enrolled in the evening courses for adults. It drew the Trusteeship Council's attention to the lack of a written form of Somali, and to the lack of qualified indigenous staff, as factors which also seriously impeded progress in respect of mass education, and stated that it had requested the assistance of two UNESCO experts in 1953 for the study of the question and the formulation of a programme.

The Trusteeship Council noted that the assistance of UNESCO was being sought in developing a programme of mass education and expressed the opinion that a considerable expansion of this programme could be effected by the development of the Somali language in a written form. It hoped that the mass education campaign would be vigorously pursued, and, in this connexion, noted the increasing use that was being made of the system of public broadcasting.

On the basis of advice given by UNESCO, the Advisory Council and the Territorial Council, the five-year plan for education was revised in collaboration with UNESCO and submitted by the Administering Authority to the Trusteeship Council at its twelfth session. The following goals were envisaged for 1956-57 under the plan: 140 elementary schools; three lower middle schools and one upper middle school of Somali type; a three-year teacher-training course on the upper secondary level; and a broad programme of technical and vocational education.

The goals for 1952 of the original five-year plan had been achieved in respect of the number of schools, classes and teachers on the elementary level, and enrolment, teachers and classes in the middle schools, the Administering Authority reported. Primary school enrolment was below the level set for 1952. A school of Islamic studies had been established a year ahead of schedule, whereas the opening of a domestic school for girls, scheduled for 1952 had been postponed until 1953 for lack of adequate quarters.

The Advisory Council examined (T/1048) the original five-year plan and decided, *inter alia*, to await the conclusions of the experts of the Technical Assistance Mission and UNESCO, which had been consulted by the Administering Authority on the plan. It stated in its report that UNESCO had as yet been unable to forward its official comments to the Advisory Council.

At the Trusteeship Council's twelfth session, the Special Representative of the Administering Authority stated that in a period of three years the scholastic population had increased nearly tenfold; these were concrete results which, as UNESCO had pointed out, led the Administering Authority to feel confident that the five-year plan for education would be fully carried out. It was not possible to envisage the solution of the problem of mass education by means of a language different from the one that was spoken and understood by the entire population. The problem of the language of instruction, however, should be

solved when the large-scale education of the nomadic population was initiated.

Certain petitions before the Trusteeship Council contained complaints that education in general was being neglected and that educational facilities were inadequate.

The Council in one instance (T/Pet.11/346) informed the Somali Youth League, Branch of Garoe (resolution 737(XII)), that it would continue to examine the general question of educational facilities and in reference to the other petitions (T/Pet.11/307, T/Pet.11/L.3) decided no recommendation was necessary.

Other complaints were more specific in nature, dealing with such questions as teacher training and the need for more evening schools (T/Pet.11/257, T/Pet.11/L.4). With reference to these complaints, the Administering Authority drew the Trusteeship Council's attention to the existing facilities and to the steps being taken to develop education in various districts. The Council noted the observations of the Administering Authority (resolution 674(XII)) and expressed the hope (resolution 754(XII)) that the population of Alula would co-operate with local authorities in ensuring better school attendance and in promoting better education facilities generally.

The Council welcomed the five-year plan for education as a significant contribution to educational advancement in the Trust Territory and noted the following statement of UNESCO appraising the plan:

"The most important point at present is that the Italian administration should be able to execute the five-year plan as set forth in the third draft. Successes achieved by the Administration since 1950 are a sure guarantee that it intends to make every effort to execute the plan in its entirety. Thus Somaliland will have a whole network of primary, secondary and vocational schools capable of raising the general standard of education and of improving economic and social conditions, and sufficiently numerous to meet the limited needs of the country with very meagre resources, where the main source of livelihood is cattle-rearing. This plan has the further advantage of not requiring the expenditure of large sums of money which the Somali State would be incapable of finding."

The Trusteeship Council congratulated UNESCO for its helpful collaboration with the Administering Authority. The Council said that it awaited with great interest information on the implementation of the five-year plan, and considered that the effective development of education in the Territory required the further expansion of the teacher-training programme and a continued increase in budgetary allocations.

TRUSTEESHIP COUNCIL'S EXAMINATION OF ANNUAL REPORTS FROM
ADMINISTERING AUTHORITIES

	ANNUAL REPORTS EXAMINED DURING TWELFTH SESSION				
	Nauru	New Guinea	Western Samoa	Trust Territory of the Pacific Islands	Somaliland under Italian Administration
Period covered by annual reports	1 July 1951- 30 June 1952	1 July 1951- 30 June 1952	1951 1952	1 July 1951- 30 June 1952	1952
Date transmitted by the Secretary-General to Council members	16 Mar. 1953 (T/1046)	16 Mar. 1953 (T/1045)	14 Nov. 1952 25 May 1953 (T/1038, 1058)	14 Apr. 1953 (T/1047)	5 June 1953 (T/1059)
Opening statement by special representative of Administering Authority	470th meeting 29 June 1953	471st meeting 30 June 1953	475th meeting 7 July 1953	467th meeting 24 June 1953	462nd meeting 17 June 1953
Oral questions by Council members and answers by special representative	470th, 471st meetings 29, 30 June 1953	472nd, 473rd meetings 1, 2 July 1953	476th, 477th meetings 8, 9 July 1953	467th, 468th meetings 24, 25 June 1953	462nd-465th meetings 17-22 June 1953
General discussion by the Council on the annual report	471st, 472nd meetings 30 June, 1 July 1953	473rd-475th meetings 2, 3, 7 July 1953	477th-479th meetings 9, 10, 13 July 1953	468th-470th meetings 25, 26, 29 June 1953	465th-467th meetings 22, 23, 24 June 1953
Appointment of a drafting committee ⁷¹	471st meeting 30 June 1953	474th meeting 3 July 1953	478th meeting 10 July 1953	470th meeting 29 June 1953	466th meeting 23 June 1953
Report of the Drafting Committee and additions proposed by the Secretariat and Council members	T/L.335 & Corr.1, 374, 383,386	T/L.357 & Corr.1, 385 & Corr.1, 400,402	T/L.363 & Corr.1, 390, 403	T/L.353 & Corr.1, 366, 382, 387, 389	T/L.338 & Corr.1, 361,378, 380
Consideration of the draft report by the Council	479th, 483rd meetings 13, 21 July 1953	482nd, 483rd meetings 20, 21 July 1953	482nd, 483rd meetings 20, 21 July 1953	479th, 483rd meetings 13, 21 July 1953	475th, 483rd meetings 7, 21 July 1953
Adoption of report	483rd meeting 21 July 1953 (10 votes to 0, 2 abstentions)	483rd meeting 21 July 1953 (10 votes to 0, 2 abstentions)	483rd meeting 21 July 1953 (10 votes to 0, 2 abstentions)	483rd meeting 21 July 1953 (11 votes to 0, 1 abstention)	483rd meeting 21 July 1953 (11 votes to 0, 1 abstention)

⁷¹ Members of the drafting committees were as follows: Nauru—Belgium, El Salvador, Thailand, United States; New Guinea—China, France, Syria, United Kingdom; Western Samoa—Australia, Belgium, Dominican Republic, Thailand; Trust Territory of the Pacific Islands—Dominican Republic, France, Syria, United Kingdom; Somaliland under Italian Administration—China, El Salvador, New Zealand, United States.

7. Consideration by the General Assembly at its Eighth Session

At its 377th meeting on 23 November, the General Assembly's Fourth Committee acceded to the request of the Italian Observer to the United Nations, as representative of the Administering Authority for the Trust Territory of Somaliland, to be allowed to participate in the work of the Committee during its examination of the report of the Trusteeship Council (A/2427). The report of the Council contained a chapter on Somaliland under Italian Administration, together with an account of the Council's consideration of conditions in that Trust Territory (see above).

The Committee also decided, at its 319th meeting on 29 September, by 39 votes to 4, with 11 abstentions, to grant a request for an oral hearing made by the Somali Youth League (A/C.4/234) and, at its 349th meeting on 2 November without opposition, approved a similar request (A/C.4/244) from representatives of seven political organizations in Somaliland (Unione Nazionale Somala, Lega Progressista Somala, Unione Africani Somalia, Hisbia Dighil e Mirifle, Unione Giovani Benadir, Associazione Gioventu Abgal and Hidalet Schidle e Mobilen). By a telegram dated 21 November, however, these seven organizations informed the Committee that instead of sending a representative to give an oral presentation, they would submit a written memorandum. At its 385th meeting on 1 December, the Committee agreed to circulate the memorandum (A/C.4/256). While appealing for greater international aid, it outlined the progress made in the Territory in the political, economic, social and teaching fields, and expressed appreciation of the work of the Italian Administration.

Abdullahi Issa, representative of the Somali Youth League, made a statement (A/C.4/253) at the Committee's 377th meeting on 13 November, and at the two following meetings answered questions put to him by members of the Committee.

Mr. Issa urged that Italy should take further measures to prepare Somaliland for its independence in 1960. He said that there was a suggestion that Italian rule over the Territory of Somaliland might be prolonged and that the period until 1960, when Somaliland would be granted independence by the General Assembly, was dangerously short. The existing economic and social conditions in the Territory were presented to justify the prolongation of Italian rule, he claimed. It was also being said that the remaining period of Trusteeship was insufficient to encourage the

investment of capital in the Territory. Mr. Issa contended that Administering Powers were seeking the extension of the period of Trusteeship as a trial case, as the outcome might affect other Territories under their control.

The political, economic, social and educational conditions in Somaliland were far from satisfactory, Mr. Issa stated. He asked that the General Assembly should urge Italy, as Administering Authority, to carry out reforms in all these fields to ensure the achievement of independence in 1960.

Among the measures which the Somali Youth League sought, he said, were:

- (1) repeal of proclamations and laws incompatible with the new status of Somaliland as a Trust Territory;
- (2) abolition of systems of imposing fines without trial and limitation to a period of 48 hours of the detention of persons awaiting trial;
- (3) establishment of legislative and executive organs through elections based on universal adult suffrage;
- (4) the grant to the people of Somaliland of early self-government, pending the achievement of full independence;
- (5) settlement of claims for land alienation;
- (6) the sending of a special Visiting Mission of the Trusteeship Council to the Territory;
- (7) budgetary reforms and completion of "the long overdue economic plan" for the Territory;
- (8) improvement of the basic economy of Somaliland;
- (9) improvement of communications;
- (10) removal of restrictions to enable Somalis to trade with neighbouring areas;
- (11) the use of technical assistance provided through the United Nations and the specialized agencies and the issue of an invitation to States to contribute toward the development of the country;
- (12) improvement of conditions in education, labour, employment, public health and the standard of living;
- (13) abolition of systems of collective punishment; and
- (14) diversion of military spending to schemes of economic, social and educational advancement.

Mr. Issa also told the Committee that he thought the necessary security should be given for capital investment covering the period beyond 1960, when the period of Trusteeship was to end. The Somali Government established at that time, he said, would approve concessions which it felt to be in the interest of the Territory.

No difficulties were placed in the way of Somalis who wished to travel abroad, Mr. Issa said, but difficulties were encountered in travelling between areas of what he called "Somaliland proper".

At the 379th meeting on 24 November, the representative of Italy said that impressions of prevailing conditions in Somaliland given by Mr. Issa were out of date.

In the political field, representation of political parties was being increased in the Territorial Council, a body organized by the Italian Administration when it assumed responsibility for the Trust Territory three years ago. The Territorial Council had also considered a bill for the organization of elections which would shortly be held in all the towns and villages of the Territory. Somalis were being trained for important posts in the Administration, he said, and four had already been entrusted with responsibility as heads of districts. In the last twelve months, there had not been a single political "incident".

In the economic field, the representative of Italy said, the Administration had shown initiative. Over 50,000 quintals of millet and maize were currently stored by the Wheat Pool and production was being encouraged by a price higher than that in the open market. The following spring, he said, a system of agricultural credit at short-term interest would be launched. Meanwhile the Administration was drafting a canal scheme for irrigation and had provided in the current budget a half million dollars for drilling oil wells, as part of an 800-well programme target for 1960.

Although a solution of all health problems could not be achieved in three years, four new hospitals had brought to over 100 the total number of hospitals, dispensaries and infirmaries covering the whole Territory. There were now 50 physicians at work, compared with 21 in 1950, and eleven schools were training 250 young Somalis as medical assistants.

Tensions in Somaliland when Italy assumed responsibility made necessary the presence of 5,000 troops and 1,000 police, he said. The numbers had now dropped to 600 troops and 200 police. The following year, there would be in Somaliland only sufficient non-commissioned officers necessary to train an army in accordance with the terms of the Trusteeship Agreement and one police officer to organize a police force.

Since 1950, stated the representative of Italy, the numbers of students had swelled from 2,500 to 21,000. Of the 1,000 students in secondary schools, 700 were Somalis. The over-all allocation for education in the budget comprised 10 per cent and a similar amount was being spent on public health. Seventy students were now qualifying in Italy, 70 in Egypt, and the number of teachers in Somaliland had risen from 70 to over 500 and the number of classes from 80 to 800.

Though financial restrictions were limiting the activity of the Administration, he stated, Italy

was spending 10 million dollars yearly doing its duty. It was confident, he said, of the understanding and moral support of the nations who had entrusted it with that very difficult task.

At the 387th meeting of the Committee on 2 December, the representative of Italy made a further statement. He said that Somaliland would achieve independence in 1960, as determined by the General Assembly, and allegations of an intention to prolong the period of Trusteeship beyond that time were unsubstantiated. Although many delegations had emphasized that only seven years remained of the Trusteeship period for Somaliland, none of these representatives had recalled that Italy had been the Administering Authority for the Territory for only three years.

In those three years, he stated, Italy had completely fulfilled its duty under the Trusteeship Agreement. The tense political situation existing in Somaliland in 1950 had completely disappeared; Italy had organized the Territorial Council for Somaliland and had given it increased powers. Elections would take place the following year, and, when the Council had assumed legislative functions, the Administering Authority would organize executive powers for the Council to prepare its members to become Ministers of the new Somali State in 1960. Italy had done all it could in appointing Somalis to offices in the Administration. Progress was also being achieved in economic and social as well as in the political field. When the ten-year period of Trusteeship came to an end it would be seen that it had been impossible to have done more.

References to Somaliland were made during the general debate on the report of the Trusteeship Council by a number of representatives, among them those of Brazil, Colombia, Czechoslovakia, the Dominican Republic, Egypt, France, Guatemala, Lebanon, Poland, Syria, Uruguay and Yugoslavia.

The representatives of Czechoslovakia, Egypt, Guatemala, Poland and Yugoslavia were among those who reminded the Committee that the decision of the General Assembly to grant independence to Somaliland in 1960 placed special obligations on the Administering Authority and on the Assembly; it was incumbent on both to do everything possible to ensure that Somaliland would be able to attain her independence at that time. The representatives of Egypt, Lebanon and Poland, among others, also pointed to the need for the implementation of plans for the economic development of the Territory.

The representatives of Lebanon and Uruguay expressed approval of the announcement by the Administering Authority that elections for the Municipal Councils were to take place soon; the representatives of Czechoslovakia and Guatemala, however, urged that the powers of these Councils be extended. The representatives of Brazil, the Dominican Republic, Egypt and Lebanon were among those who commented on the improved relations between the Advisory Council for Somaliland and the Administration. The need to solve frontier difficulties between Somaliland and Ethiopia was stressed by the representatives of the Dominican Republic, Guatemala and Lebanon. The representatives of Poland, the USSR and Yugoslavia, stated that the situation in Somaliland was far from satisfactory and they called for reforms in economic, social, educational and political fields which would promote the interests of the indigenous inhabitants.

The Fourth Committee had before it a joint draft resolution by Egypt, Haiti, Indonesia, Iraq, Lebanon, and the Philippines (A/C.4/L.323), recommending specific action by the Administering Authority. A number of objections to the draft were expressed by, among others, the representatives of Australia, Belgium, Colombia, the Dominican Republic, France, New Zealand, the United Kingdom and the United States. These representatives referred to what they regarded as inconsistencies in the joint draft and suggested a number of drafting amendments. The draft was described by the representatives of Australia, Belgium, France and the United Kingdom as Utopian and unrealistic in concept. The representatives of Australia and New Zealand characterized it as unnecessarily mandatory in tone and considered that it might hinder progress through the stipulation of rigid rules. The representative of Colombia said that the draft might adversely affect the prestige and authority of the Advisory Council for Somaliland by making the General Assembly comment on matters more properly within the competence of the Advisory Council.

The sponsors subsequently revised (A/C.4/L.323/Rev.1) the joint draft, and were joined by Burma. The representatives of Brazil, Chile, Cuba, Ecuador, Israel, Peru and Venezuela expressed support of the revised text, the representatives of Brazil, Chile and Ecuador supporting the acknowledgment in the revision of the efforts by the Administering Authority. In its revised form, the draft provided that the General Assembly would:

(1) note with appreciation the efforts made by the Administering Authority to fulfil its obligations;

(2) outline a series of six steps which it would recommend the Administering Authority, in consultation with the Advisory Council, to take to prepare the Somali people progressively for the attainment of complete independence; and

(3) recommend that Italy and Ethiopia should intensify efforts to achieve a settlement of the question of the frontier between Ethiopia and the Trust Territory of Somaliland. (For text of the resolution, as adopted, see below.)

The sponsors accepted:

(1) A joint amendment by Pakistan and Saudi Arabia (A/C.4/L.328, subsequently revised as A/C.4/L.328/Rev.1) which provided for the addition of a subparagraph to state that review should be continued of all special legislation relating to Somaliland which had been enacted prior to the Trusteeship administration and which was still in effect, with a view to revising legislation found to be inconsistent with the letter or spirit of the Trusteeship Agreement; and

(2) A Brazilian amendment (A/C.4/L.329) which provided for the addition of a new paragraph to request the Advisory Council for Somaliland in its annual report to give precise information on the implementation of the resolution, together with its comments, observations and suggestions as to the means of carrying out the recommendations contained in the resolution.

They also accepted two oral drafting amendments by the United Kingdom and Venezuela.

At the 388th meeting of the Committee on 2 December, the representative of Ethiopia said that his country had not recognized the resolution of the General Assembly declaring Somaliland a Trust Territory under Italian Administration and its position remained unchanged. Accordingly, his delegation would not participate in the vote on the draft resolution. He added, however, that his delegation hoped that Somaliland would attain independence at a very early date.

At its 392nd meeting on 4 December, the Fourth Committee adopted the draft resolution first in parts and then as a whole. The first operative paragraph was adopted by 41 votes to 5, with 3 abstentions; sub-paragraph (g) of the second operative paragraph (the sub-paragraph proposed by Pakistan and Saudi Arabia) by 33 votes to 2, with 5 abstentions; the third operative paragraph by 38 votes to 1, with 11 abstentions; and the fourth operative paragraph (that proposed by Brazil) by 30 votes to 8, with 11 abstentions.

The joint draft resolution, as a whole, was adopted by a roll-call vote of 38 to 1, with 12 abstentions. For reasons given in the Fourth Committee, the Ethiopian representative did not take part in the voting in the Committee and in the plenary meeting.

The draft resolution recommended by the Fourth Committee (A/2608 E) was adopted by the General Assembly, without discussion, at its 471st plenary meeting on 9 December by 38 votes to none, with 12 abstentions, as resolution 755(VIII). It read:

"The General Assembly,

"Taking into consideration the fact that, under General Assembly resolution 289 A (IV), adopted on 21 November 1949, the Trust Territory of Somaliland under Italian administration is to attain complete independence by 1960.

"Mindful that it is necessary for that purpose that the people of Somaliland shall be prepared for self-government,

"Considering that it is the duty of both the United Nations and the Administering Authority to take the necessary measures for the implementation of that decision.

"1. Notes with appreciation the efforts made by the Administering Authority in Somaliland to fulfil the obligations laid down in the Charter and in the Trusteeship Agreement;

"2. Recommends that the Administering Authority, in consultation with the Advisory Council, should continue to take the necessary steps to prepare the Somali people progressively for the attainment of complete independence, and to that end:

"(a) The Territorial Council should be granted the powers of a legislative organ and its members should be elected by the people on the basis of universal adult suffrage;

"(b) The administration of Somaliland should be progressively transferred to the indigenous inhabitants as a necessary preliminary to its assumption of independence;

"(c) A general economic plan for the Territory should be completed without delay, taking into account the recommendations of the United Nations Technical Assistance Mission to the Trust Territory of Somaliland

under Italian administration, particular attention being paid to methods for developing basic economic resources such as agriculture and stock-breeding, and to possibilities for improving and expanding existing industries;

"(d) Efforts should be made to increase the revenue in order to balance the budget as soon as possible, and to that effect expenditures for military and police forces should be reduced to the indispensable minimum;

"(e) Use of technical assistance facilities provided by the United Nations and the specialized agencies to assist in economic development and the improvement of social and educational conditions in the Territory should be encouraged;

"(f) Efforts should be intensified to increase the number and improve the quality of public elementary and secondary schools; training for indigenous teachers should be expedited; a mass education programme should be instituted; attention should be devoted to vocational training, particularly in agricultural and veterinary science; and facilities for further studies should be expanded by granting an adequate number of scholarships to enable Somalis to take advanced training courses abroad;

"(g) Review should be continued of all special legislation relating to Somaliland which was enacted prior to the trusteeship administration and which is still in effect, with a view to revising legislation found to be inconsistent with the letter or the spirit of the Trusteeship Agreement;

"3. Recommends also to the Governments of Italy and Ethiopia that they should intensify their efforts to achieve a final, just, equitable and friendly settlement of the question of the frontier between the State of Ethiopia and the Trust Territory of Somaliland in order that this problem may be finally settled before the date appointed for the attainment of independence by Somaliland;

"4. Requests the Advisory Council, in its annual report, to give precise information on the implementation of the present resolution, together with its observations, comments or suggestions as to the means of carrying out the recommendations contained in the resolution."

G. PETITIONS DEALT WITH BY THE TRUSTEESHIP COUNCIL DURING 1953⁷²

At its twelfth session, from 16 June to 21 July 1953, the Trusteeship Council had on its agenda 394 petitions. The Council subsequently granted three oral hearings not connected with written petitions on its agenda, and added one written petition to its agenda.

Of the three oral petitions, two related to general conditions in Somaliland under Italian administration, and the third related to a land question in Tanganyika. In addition, the Council received six requests for oral presentations in support of written petitions. Of these requests,

two—which were submitted by the *Assemblée traditionnelle du peuple Douala* (Ngondo) and the *Assemblée traditionnelle du peuple Bamiléké* (Kumzse)—related to general questions in the Cameroons under French administration; at its

⁷² A list of all the petitions dealt with by the Council during 1953 is annexed to this section. Summaries of the petitions are included in the reports of the Standing Committee. These reports, identified below, also contain summaries of the observations of the Administering Authorities, document references to these observations and to the Committee meetings during which the relevant petitions were discussed.

462nd meeting on 17 June, the Council decided to grant the requests, but to postpone the hearings until its thirteenth session. The other four requests for oral presentations, all submitted in connexion with petitions⁷³ concerning particular questions in Ruanda-Urundi, were rejected by the Council at its 469th meeting on 26 June on the recommendation (T/L.356) of the Council's Standing Committee on Petitions,⁷⁴ to which they had been referred.

Of the written petitions, 36 concerned general problems to which the attention of the Council had already been called and on which it had taken decisions or made recommendations, or were anonymous petitions. Three hundred and fifty-nine petitions concerned particular questions. All the petitions were reported upon by the Standing Committee on Petitions.

In its 23rd report (T/L.337), which related to petitions circulated under rule 85, paragraph 2, of the Council's rules of procedure,⁷⁵ the Standing Committee recommended, *inter alia*, that, as a general rule, the petitions on general questions should be considered by the Council in connexion with its examination of the next annual report on the Territory concerned, or in connexion with particular agenda items to which they might be more closely related. As the result of the approval of this report by the Council, at its 462nd meeting on 17 June, nineteen of these petitions were taken into consideration by the Council during its twelfth session, while consideration of the remaining seventeen were deferred to the thirteenth session.

The remaining 359 written petitions all related to particular matters. On the recommendation of the Standing Committee, contained in its 46th report (T/L.391), the Council decided to postpone its examination of 101 of them until its thirteenth session. In ten cases, the postponement was due to the fact that the petitions had not been received by the Administering Authority concerned two months prior to the opening of the twelfth session; in 89 cases, the postponement was due to the absence of any written observations on the petitions by the Administering Authority concerned; and, in two cases, it was due to a request by the Committee for information supplementing the written observations of the Administering Authority—a request which could not be complied with at the time. There remained 258 written petitions concerning particular matters. All were examined and reported upon individually by the Standing Committee on Petitions in 26 separate reports.

The Committee presented two other reports. The first (T/L.375) was on special information on the implementation of resolutions previously adopted by the Council on petitions, of which the Council took note at its 483rd meeting on 21 July. The second report (T/L.392) concerned the operation of the new rules of procedure affecting the handling of petitions.⁷⁶

In all, the Standing Committee held 54 meetings prior to and during the twelfth session of the Council and submitted 31 reports at that session. The reports were considered by the Council at its 462nd, 469th, 474th, 479th, 480th, 482nd and 483rd meetings, on 17 and 26 June and 13, 14, 20 and 21 July, during which it adopted 217 resolutions relating to 258 petitions on the following dates:

3 July—664(XII)	to 754(XII)
13 July—842(XII)	to 865(XII)
14 July—649(XII)	to 654(XII)
	787(XII) to 835(XII)
20 July—836(XII)	to 841(XII)
21 July—655(XII)	to 663(XII)
	755(XII) to 786(XII)

The Council, at its twelfth session, considered petitions from all the Territories, with the exception of petitions which concerned jointly the Cameroons administered by France and the Cameroons administered by the United Kingdom. Petitions examined in connexion with the annual reports on Somaliland under Italian administration, Nauru, New Guinea, Western Samoa and the Trust Territory of the Pacific Islands are considered under those Territories. Petitions from other Territories, for which the Council did not consider annual reports at this session, are discussed below.

1. Petitions Relating to Tanganyika, Administered by the United Kingdom

The Trusteeship Council, during 1953, dealt with one oral petition and six written petitions⁷⁷ concerning Tanganyika. The oral petition was presented to the Council at its 476th meeting on 8 July by Kirilo Japhet, on behalf of the Meru Citi-

⁷³ T/Pet.3/60 & Add.1-5, 62 & Add.1 & 2, 64, 65 & Add.1 & 2.

⁷⁴ For members, see Appendix IV.

⁷⁵ Rule 85, para. 2, states: "Petitions concerning general problems to which the attention of the Trusteeship Council has already been called and on which the Council has taken decisions or has made recommendations, as well as anonymous communications, shall be circulated by the Secretary-General in the manner provided for in rule 24."

⁷⁶ See p.39.

⁷⁷ For details, see the 41st report of the Standing Committee on Petitions (T/L.370).

zens' Union. The petition related to the Wa-Meru land question and the Council took note of it. On three petitions, the Council (resolutions 649(XII), 650(XII) & 654(XII)) drew the attention of the petitioner to the observations of the Administering Authority and decided that no recommendation was necessary. One of these (T/Pet.2/157) contained a request from a German for re-entry into Tanganyika. Another (T/Pet.2/158) emanated from a former chief who complained of his removal from office, while the third (T/Pet.2/L.1) contained complaints concerning the procedure followed in electing a tribal chief.

On the three remaining petitions, the Council decided as follows. On the first (T/Pet.2/159), the case of a man involved in litigation over charges that he had deserted his wife, it made no recommendation because the matter was within the competence of the courts of the Territory (resolution 651(XII)). On the second petition (T/Pet.2/160 & Add.1), it made no recommendation on the petitioner's claim to be Sultan of a part of Tanganyika and his claim to be the owner of a certain piece of land (resolution 652(XII)). On the third petition (T/Pet.2/161 & Add.1), written on behalf of a person who claimed to be wrongfully excluded from the Territory as a German citizen on the grounds that he was in reality of Danzig nationality, the Council decided that, in the present state of complexity as to the application of the principles of international law involved, no recommendation was necessary (resolution 653(XII)).

2. Petitions Relating to Ruanda-Urundi, Administered by Belgium

The Council dealt with nine written petitions⁷⁸ concerning Ruanda-Urundi.

On one petition (T/Pet.3/59), complaining of an expulsion order against the petitioner, the Council noted that the order had been withdrawn and decided that, in the circumstances, no recommendation was necessary (resolution 655(XII)).

On two petitions (T/Pet.3/62 & Add.1 & 2; T/Pet.3/65 & Add.1 & 2) the Council took no action since they referred to matters dealt with by the local courts or with which the courts were competent to deal (resolutions 657(XII) & 660(XII)).

On four other petitions⁷⁹ the Council decided that no action was called for.⁸⁰

One petition (T/Pet.3/60 & Add.1-5) contained a number of complaints against the Administering Authority in connexion with an attack

by an African on a Greek subject living at Usumbura. The Council drew the attention of the petitioner to the observations of the Administering Authority (T/Obs.3/2) on the question of the possible return of the petitioner to Greece, and decided to take no action on that part of the petition which related to complaints within the competence of the courts of the Territory (resolution 656(XII)).

One petition (T/Pet.3/67 & Add.1) contained a complaint that the Administering Authority was taking away from the petitioners lands on which they grazed their cattle in order to give them to indigenous peasant farmers. The Council, noting that the petition resulted from the policy of the Administering Authority of developing sparsely-inhabited parts of the Territory and reducing the number of cattle, and that this policy had been approved by the 1951 Visiting Mission, decided to make no recommendation (resolution 662(XII)).

3. Petitions Relating to the Cameroons, Administered by the United Kingdom

The Council dealt with fourteen petitions⁸¹ concerning the Cameroons under British administration.

On five petitions,⁸² either containing complaints by public servants or raising other political and administrative matters, the Council decided that no recommendation was necessary.⁸³

On another petition (T/Pet.4/95), calling to the attention of the Council the death of two youths on a climb organized by the Training Centre of the Man o' War Bay Scheme and asking for compensation for the dependants of the deceased, the Council, *inter alia*, expressed its regret at the unfortunate death of the two youths, drew the attention of the petitioners to the Administering Authority's statement (T/Obs.4/11) that the question of compensation for the deceased's dependants was one which should be taken up with the deceased's employers and endorsed the view of the 1952 Visiting Mission that

⁷⁸ For details, see the 48th report of the Standing Committee on Petitions (T/L.393).

⁷⁹ T/Pet.3/63; 64; 66; 68.

⁸⁰ Resolutions 658(XII), 659(XII), 661(XII) & 663(XII).

⁸¹ For details, see the 52nd and 53rd reports of the Standing Committee on Petitions (T/L.397, 398).

⁸² T/Pet.4/84, 85, 87, 88, 91.

⁸³ Resolutions 755(XII), 756(XII), 758(XII), 759(XII) & 761(XII).

every possible care should be employed in selecting training programmes suited to the physical capacities of the trainees (resolution 764(XII)).

On five petitions,⁸⁴ raising various economic and social matters, the Council decided that no recommendation was necessary.⁸⁵ On one petition (T/Pet.4/86), complaining of land alienation, the Council drew the attention of the petitioner to the observations of the Administering Authority, in particular that the Fon of Bikom and the Kom Council had argued that the land should be made available. It considered that the leper colony for which the land in question was expropriated was a project worthy of the support of the Council (resolution 757(XII)).

On one petition (T/Pet.4/97), requesting a grant-in-aid for a school, the Council viewed the petitioner's request with sympathy, suggested that he should proceed with all expedition to register the land on which the school stood, which would make him eligible to receive such a grant, and requested the Administering Authority to inform the Council of the result (resolution 766(XII)).

On another petition (T/Pet.4/99), which, *inter alia*, complained that the petitioner had been refused a scholarship by the Cameroons Development Corporation, the Council noted that the petitioner had subsequently, on the recommendation of the Administering Authority, been awarded a scholarship by the Government of India (resolution 768(XII)).

4. Petitions Relating to the Cameroons, Administered by France

The Council dealt with nineteen petitions⁸⁶ concerning the Cameroons under French administration.

Thirteen petitions referred to political and administrative questions. The Council decided⁸⁷ that no recommendation was necessary on ten of these.⁸⁸

On one petition (T/Pet.5/114), which contained a request for the establishment of regional councils in the Bamoun region, the Council, having noted that rural communes-mixtes were being established in the Cameroons, endorsed the view of the 1952 Visiting Mission that it would be appropriate to establish such communes-mixtes in other regions in the south and in the west of the Territory (including the Bamoun region) where the reform had not yet been introduced (resolution 774(XII)).

One petition (T/Pet.5/131 & Add.1) contained a complaint that the petitioner's grandson had been killed by a lorry driven by a European, and further contained complaints of ill-treatment at the hands of the police, of racial discrimination, and, finally, a request for the reopening of the petitioner's restaurant which the authorities had closed down while he was in prison. The Council decided that no action was necessary on the main issues raised in the petition, since they were within the competence of the courts of the Territory. It expressed regret at the tragic death of the petitioner's grandson, noted the statement of the representative of France (T/C.2/SR.91) that there was no question of racial discrimination in the Territory, and expressed the hope that the Administering Authority would give sympathetic consideration to the reopening of the petitioner's restaurant (resolution 785(XII)).

On one petition (T/Pet.5/124), which contained a protest against the dismissal of a veteran, the Council noted the observations of the Administering Authority that other employment in the Administration was being sought for the person concerned (resolution 783(XII)).

Six of the petitions concerned land matters. On two of them (T/Pet.5/122, 151), concerning, *inter alia*, compensation requested by a community living near Edéa for land taken over for hydro-electric installations, the Council noted that the lower courts had ruled that the land was a part of the private property of the Territory, and that if this decision were upheld the Administering Authority would nevertheless allocate the remainder of the indemnity voted by the Representative Assembly to the improvement of social services in and around Edéa (resolutions 781(XII) and 786(XII)). On one of these two petitions (T/Pet.5/151), the Council also requested the Administering Authority to furnish information on the petitioners' losses due to destruction caused by wild elephants (resolution 786(XII)).

One petition (T/Pet.5/116) contained complaints that the petitioners' crops had been destroyed by the Administering Authority, which

⁸⁴ T/Pet.4/89, 92, 94, 96, 98.

⁸⁵ Resolutions 760(XII), 762(XII), 763(XII), 765(XII) & 767(XII).

⁸⁶ For details, see the 49th and 50th reports of the Standing Committee on Petitions (T/L.394, 395).

⁸⁷ Resolutions 769(XII), 770(XII), 773(XII), 776(XII), 778(XII) to 780(XII), 782(XII) and 784(XII).

⁸⁸ T/Pet.5/109, 110, 113, 115 & Add.1, 117, 119 & Add.1-4, 120, 121, 123, 125.

claimed that the land in question was classified as a forest in 1947 and that the petitioners had not cleared their land until 1951. On this petition, the Council drew the attention of the petitioners to the relevant paragraphs of the report of the 1952 Visiting Mission, which dealt with the need for forest reserves in the Territory (resolution 775(XII)).

On one petition (T/Pet.5/118), which complained of land expropriation and of damage to the crops and springs in the village, the Council noted that the land had been returned to the petitioners (resolution 777(XII)).

On two of the petitions (T/Pet.5/111, 112 & Add.1), the Council decided that no recommendation was necessary, since the matters had already been dealt with by the competent courts of the Territory (resolutions 771(XII) & 772(XII)).

5. Petitions Relating to Both Cameroons

At its seventh session, the General Assembly, having granted oral hearings to representatives of organizations in the Cameroons under French administration, decided (resolution 655(VII)), *inter alia*, to transmit these statements to the Council, with a request that the questions raised should be further investigated. The statements referred to raised the question of the unification of the Cameroons under French and under British administration, and a number of general questions concerning the Cameroons under French administration.

As regards a number of petitions concerning both the Cameroons under British administration and the Cameroons under French administration, the Council decided to take them into consideration in connexion with its consideration of General Assembly resolution 655(VII). As a result of the Council's decision at its 480th meeting on 14 July to postpone the item until the thirteenth session, no petitions concerning both these Territories were considered during 1953.

6. Petitions Relating to Togoland, Administered by the United Kingdom

The Council dealt with fifteen petitions concerning Togoland under British administration. Seven, which related to the Ewe and Togoland unification problem, were taken into consideration by the Council during its examination of that question.⁸⁹

Eight petitions⁹⁰ were examined individually. On three petitions (T/Pet.6/317, 318, 319), relating to aspects of the Ewe and Togoland unification problem, the Council noted that the subject matter had been discussed at length in the special report of the 1952 Visiting Mission on that question and was covered by General Assembly resolution 652(VII) of 20 December 1952⁹¹ (resolution 787(XII)).

On two petitions, one raising various political, economic and educational matters (T/Pet.6/323) and the other relating to land alienation (T/Pet.6/324) the Council decided that no further action was necessary (resolutions 791(XII) & 792(XII)).

On one petition (T/Pet.6/320), concerning a dispute over a chieftainship, the Council expressed the hope that the parties concerned would attempt to resolve the question at the earliest possible date to the benefit of all the persons concerned, and requested the Administering Authority to inform it at its next session of any progress made (resolution 788(XII)).

On another petition (T/Pet.6/321), relating to a land or boundary dispute and the cutting of timber in a forest, the Council suggested that, if the petitioner wished to pursue further the matters raised, he should avail himself of the opportunities open to him for doing so in the Territory (resolution 789(XII)).

On a request for scholarship aid (T/Pet.6/322), the Council expressed the hope that any applications for scholarships which might emanate from the Togo Academy would be given sympathetic consideration by the Administering Authority in the light of the opportunities which might be available (resolution 790(XII)).

7. Petitions Relating to Togoland, Administered by France

The Council dealt with 50 written petitions concerning Togoland under French administration.

Two of these (T/Pet.7/L.2, 3), which concerned the Ewe and Togoland unification problem, were taken into consideration by the Council during its examination of that question.⁹²

⁸⁹ T/Com.6/L.6, T/Pet.6/L.1-6. See pp. 640-41.

⁹⁰ For details, see the 42nd report of the Standing Committee on Petitions (T/L.371).

⁹¹ See Y.U.N., 1952, pp. 725-26.

⁹² See pp. 640-41.

The remaining 48 petitions were examined individually.⁹³

Eighteen petitions emanated from officers or members of the Comité de l'Unité togolaise or of the Mouvement de la jeunesse togolaise (Juvento) and concerned a succession of events beginning with the elections of 30 March 1952 to the Territorial Assembly and closing with the report of the arrest of the President of the Juvento and others in February 1953. Six of the petitions⁹⁴ concerned matters connected with the Ewe and Togoland unification problem which had been taken into consideration by the General Assembly in its examination of that question at its seventh session; the Council therefore decided that no further action was called for.⁹⁵ On another six of the petitions,⁹⁶ the Council noted the observations of the Administering Authority and decided that no further action was called for.⁹⁷ On three petitions (T/Pet.7/309, 326, 328), the Council decided to take no action, since they contained matters falling within the competence of the courts of the Territory (resolutions 797(XII), 814(XII) & 816(XII)).

On one petition (T/Pet.7/306), in which the Administering Authority was charged with acts of persecution against certain traditional chiefs and members of the Comité de l'Unité togolaise, the Council noted the observations of the Administering Authority (T/Obs.7/6) that the allegations were without foundation, but expressed the hope that the Administering Authority would continue to take all necessary steps to prevent the illegal collection of taxes and that it would encourage the population to make full use of existing educational facilities (resolution 795(XII)).

Two petitions (T/Pet.7/314 & Add.1, 325) contained complaints against the Administering Authority for allegedly interfering with public meetings of Juvento and the Comité de l'Unité togolaise and for intimidating and arresting the leaders of these movements. The Council endorsed the suggestion of the 1952 Visiting Mission that the Administering Authority should take appropriate measures to ensure that the police detailed to maintain law and order did not over-step their authority, and expressed the hope that oral petitioners returning from the United Nations would have adequate opportunity, compatible with the maintenance of public order, to report to the persons on whose behalf they had spoken (resolutions 802(XII) and 813(XII)).

There were sixteen petitions relating to disputes over chieftainships and incidents arising therefrom. On eight of these,⁹⁸ the Council drew the

attention of the petitioners to the observations of the Administering Authority and decided that no further action was called for.⁹⁹ On four petitions¹⁰⁰ the Council noted that the requests of the petitioners appeared to have been met and decided that no recommendation was necessary.¹⁰¹ On one petition (T/Pet.7/316), the Council decided to take no action since it related to a matter falling within the competence of the courts of the Territory (resolution 804(XII)).

On two petitions (T/Pet.7/315 & Add.1, 318 & Add.1), which related to a disputed chieftainship in the Canton of Litimé, the Council drew the attention of the petitioners to the statement of the representative of France (T/C.2/SR.66 & 67) enumerating the safeguards provided by the Administration to ensure that chiefs were chosen in accordance with custom and with the wishes of the people and declaring that the means for examining the disputes of chieftainships existed in the Territory in the customary courts and in the Conseil du Contentieux administratif (resolutions 803(XII) & 806(XII)).

One petition (T/Pet.7/320) contained a complaint that the Akposso area was suffering persecution since the departure of the 1952 Visiting Mission and that some persons were forced to remain in exile in the Gold Coast. The Council drew the attention of the petitioner to the observations of the Administering Authority (T/Obs.7/5) and, in particular, to the statement of the representative of France (T/C.2/SR.67) that no judicial proceedings would be instituted against the persons who had gone to the Gold Coast should they return to Togoland under French administration (resolution 808(XII)).

Fourteen petitions related to various problems of an economic and social nature. On eight¹⁰² of these petitions, the Council drew the attention of the petitioners to the observations of the Administering Authority and decided that no further action was called for.¹⁰³ Two petitions (T/

⁹³ For details, see the 35th to 37th reports of the Standing Committee on Petitions (T/L.358, 359, 360).

⁹⁴ T/Pet.7/303 & Add.1, 304, 305, 308, 312, 313.

⁹⁵ Resolutions 794(XII), 800(XII) and 801(XII).

⁹⁶ T/Pet.7/L.1, T/Pet.7/310, 311, 317, 319, 327.

⁹⁷ Resolutions 798(XII), 799(XII), 805(XII), 807(XII) & 815(XII).

⁹⁸ T/Pet.7/307, 336, 340, 341, 342, 345, 347, 349.

⁹⁹ Resolutions 796(XII), 822(XII) and 826(XII), 827(XII), 830(XII), 832(XII) & 834(XII).

¹⁰⁰ T/Pet.7/332, 333, 334, 335.

¹⁰¹ Resolutions 820(XII) & 821(XII).

¹⁰² T/Pet.7/321, 323, 324, 337, 338, 339, 344, 346.

¹⁰³ Resolutions 809(XII), 811(XII), 812(XII), 823(XII), 824(XII), 825(XII), 829(XII) & 831(XII).

Pet.7/330, 343) related to matters falling within the competence of the courts of the Territory and the Council therefore took no action thereon (resolutions 818(XII), & 828(XII)).

On one petition (T/Pet.7/322), which contained a protest against the classification of land as forest land, the Council requested the Administering Authority to investigate the petitioner's case to ascertain whether or not, in view of the needs of his large family, he should receive the grant of additional land, or other form of compensation from the Administration (resolution 810(XII)).

On another petition (T/Pet.7/329), requesting, among other things, that the Administering Authority should be urged to give priority to the question of water supplies, the Council expressed the hope that the programme of the Administering Authority for providing wells and pumping stations in the area in question would be carried out as soon as practicable (resolution 817(XII)).

One petition (T/Pet.7/331) contained a complaint against the Administering Authority for not compensating the petitioner for the use of a quarry on his land. The Council expressed the hope that the Administering Authority would explain the facts of the case to the petitioner (resolution 819(XII)). Another petition (T/Pet.7/348) mentioned, *inter alia*, the excessive importation of alcoholic beverages and perfumes and the difficulties encountered in importing other needed commodities. The Council recommended that the Administering Authority should give the question of alcoholism its most earnest consideration with a view to taking the necessary measures to curb the increased consumption of alcohol (resolution 833(XII)).

8. Petitions Relating to Both Togolands

The Council dealt with six petitions concerning Togoland under British and Togoland under French administration. Three of them related to the Ewe and Togoland unification problem and were taken into consideration by the Council during its examination of that question.¹⁰⁴

The Council examined three petitions (T/Pet.6 & 7/1, 2, 3)¹⁰⁵ which raised certain aspects of the question of the unification of the two Trust Territories, the first of which also raised the ques-

tions of the integration of the British-administered Territory into the Gold Coast and the development of the Volta River Basin.

The Council noted by resolution 793(XII) that the question of the unification of the two Trust Territories had been discussed at length in the special report on that question of the 1953 Visiting Mission, that it was covered by General Assembly resolution 652(VII) of 20 December 1952 and that the question of the development of the Volta River Basin was discussed in the report of the 1952 Visiting Mission on Togoland under British administration.

9. General Petitions

The Council dealt with two written petitions¹⁰⁶ concerning all or most of the Trust Territories.

The first of the petitions (T/Pet.General/21), from the International Abolitionist Federation, had as its object the application in Trust Territories of the provisions of the international instruments concerning the traffic in persons and the exploitation of the prostitution of others. The Council recommended that, in those Trust Territories where the international instruments in question were not in force, the provisions of the instruments should be reflected in the legislation of the Territory, in so far as might be appropriate to the circumstances of the Territory. It also requested the Administering Authorities which had not already done so to furnish it with information on the extent to which the provisions of the instruments were reflected in the legislation of the Territories (resolution 864(XII)).

On the second petition (T/Pet.General/22), from St. Joan's International Social and Political Alliance, which sought the progressive abolition in Trust Territories of the custom of violating the physical integrity of women, the Council decided to draw the attention of the Administering Authorities to the petition and to take up the question during its annual examination of conditions in those Trust Territories where the custom complained of might exist (resolution 865(XII)).

¹⁰⁴ T/Pet.6 & 7/L.4, 5, 6. See pp. 640-41.

¹⁰⁵ For details, see the 38th report of the Standing Committee on Petitions (T/L.367).

¹⁰⁶ For details, see the 39th report of the Standing Committee on Petitions (T/L.368).

Petitioner	Petition Number	Standing Committee Report	Council Resol.
Tanganyika, Administered by the United Kingdom			
Paul Finger	T/Pet.2/157	T/L.370	649(XII)
Chief Shabani of Wilwana	T/Pet.2/158	T/L.370	650(XII)
E. F. Byrne	T/Pet.2/159	T/L.370	651(XII)
Kibwana Chanzi	T/Pet.2/160 & Add.1	T/L.370	652(XII)
Dr. Heinz Langguth on behalf of Gustav von Heyer	T/Pet.2/161 & Add.1	T/L.370	653(XII)
Meru Citizens Union	T/Pet.2/L.1 —part of	T/L.370	654(XII)
Swaleh Fundi and others	T/Pet.2/L.2†	T/L.337	
Ruanda-Urundi, Administered by Belgium			
Rahemtullah Merali	T/Pet.3/59	T/L.393	655(XII)
Angelos Mazis	T/Pet.3/60 & Add.1-4	T/L.393	656(XII)
E. Rabaud	T/Pet.3/61*	T/L.391	
Ex-Chief Bigiraneza	T/Pet.3/62 & Add.1 & 2	T/L.393	657(XII)
E. Rabaud	T/Pet.3/63	T/L.393	658(XII)
Gaston Jovite Nzamwita	T/Pet.3/64	T/L.393	659(XII)
Ex-Chief Barnabé Ntunguka	T/Pet.3/65 & Add.1 & 2	T/L.393	660(XII)
Ex-Chief Barnabé Ntunguka	T/Pet.3/66	T/L.393	661(XII)
Ex-Chief Barnabé Ntunguka and others	T/Pet.3/67 & Add.1	T/L.393	662(XII)
Ex-Chief Barnabé Ntunguka	T/Pet.3/68	T/L.393	663(XII)
Dr. R. Van Saceghem and E. Rabaud	T/Com.3/L.2†	T/L.337	
Mr. Kabondo	T/Com.3/L.3†	T/L.337	
Somaliland under Italian Administration			
Sheikh Gassim bin Moallim Kutoob	T/Pet.11/178	T/L.343	664(XII)
Somali Youth League, Branch of Chisimaio	T/Pet.11/245	T/L.340	665(XII)
Somali Youth League, Branch of Bardera	T/Pet.11/246	T/L.340	666(XII)
Ahmed Haji Dahir	T/Pet.11/247	T/L.347	667(XII)
Abdi Adan Nur	T/Pet.11/248	T/L.344	668(XII)
Mumin Musse Samater	T/Pet.11/249	T/L.348	669(XII)
Somali Youth League, Branch of Bender Cassim	T/Pet.11/250	T/L.340	670(XII)
Nur Alasso Asser	T/Pet.11/255 & Add.1	T/L.343	671(XII)
Abdullah Hassan and other orphans	T/Pet.11/256	T/L.345	672(XII)
Somali Students, Obbia	T/Pet.11/257	T/L.345	673(XII)
Mahamed Nur Mahamad	T/Pet.11/258	T/L.340	674(XII)
Mohamed Ibrahim and others	T/Pet.11/259	T/L.346	675(XII)
Haji Abdulle Isgou and others	T/Pet.11/260	T/L.346	675(XII)
Somali Youth League, Branch of Chisimaio	T/Pet.11/261	T/L.340	676(XII)
Representatives of the Hisbia Dighil and Mirifile Party	T/Pet.11/262	T/L.342	677(XII)

† Deferred to thirteenth session.

* Postponed.

Petitioner	Petition Number	Standing Committee Report	Council Resol.
Seek Abubaker Seek Mohamed Haji	T/Pet.11/263 & Add.1, 2	T/L.346	678(XII)
Mohamud Fara Absiyé	T/Pet.11/264	T/L.348	679(XII)
Chiefs of Belet Uen	T/Pet.11/265	T/L.339	680(XII)
Sheek Abdiraman Sheek Abdi	T/Pet.11/266	T/L.347	667(XII)
Chiefs and Representatives of the Cabila Rer Mohamud Tribes and six other Tribes	T/Pet.11/267	T/L.339	681(XII)
Chief Haji Mohamed Aden	T/Pet.11/268	T/L.346	682(XII)
Somali Youth League, Branch of Bardera	T/Pet.11/269	T/L.340	683(XII)
Ahmed Mohamed Ahmed and four other Representatives of the Somalis of Coriolei	T/Pet.11/270	T/L.342	684(XII)
Omar Mahamud Ali	T/Pet.11/271	T/L.347	667(XII)
Somali Youth League, Branch of El Bur	T/Pet.11/272	T/L.340	683(XII)
Somali Youth League, Mogadiscio	T/Pet.11/273	T/L.340	685(XII)
Three Representatives of the Walamoi Tribe	T/Pet.11/274, Add.1 & Corr.1	T/L.346	675(XII)
Sheikh Hassen Haji Ali Omar T/Shekal	T/Pet.11/275 & Add.1	T/L.346	678(XII)
Somali Youth League, Branch of Chisimaio	T/Pet.11/276 & Add.1, 2	T/L.340	686(XII) & 687(XII)
Local Committee of the Somali Youth League, Chisimaio	T/Pet.11/277	T/L.340	688(XII)
Chiefs Irane Mahad and Eono Hussen	T/Pet.11/278	T/L.346	689(XII)
Chiefs and Notables of Omar Mohamud-Rer Mahad, and eleven other Tribes of Mudugh	T/Pet.11/279	T/L.339	681(XII)
Yusuf Mussa Abucar and seven others	T/Pet.11/280	T/L.347	667(XII)
Somali Youth League, Branch of Garoe	T/Pet.11/281	T/L.345	690(XII)
Hagi Mohamed Farah and others	T/Pet.11/282	T/L.341	691(XII)
Ahmed Mohamed Olo	T/Pet.11/283 & Add.1	T/L.348	692(XII)
Nur Sheikh Ali	T/Pet.11/284	T/L.348	693(XII)
Hassan Issak Abdulle	T/Pet.11/285	T/L.343	694(XII)
Somali Youth League, Branch of Chisimaio	T/Pet.11/286	T/L.340	695(XII)
President of the Somali Youth League	T/Pet.11/287	T/L.342	696(XII) & 697(XII)
Chief Simba Mcoma and sixteen other Chiefs	T/Pet.11/288 & Add.1	T/L.346	698(XII)
Somali Youth League, Branch of Galcaio	T/Pet.11/289 & Add.1	T/L.342 & T/L.340	697(XII) & 699(XII)
Residency Council of Lugh, Territorial Councillor Malim Omar, and the Hisbia Dighil and Mirifle Party, Branch of Lugh	T/Pet.11/290 & Add.1	T/L.339	700(XII)
Nur Mohamed and others	T/Pet.11/291	T/L.346	698(XII)
Iarane Mahad Gudai and others	T/Pet.11/292 & Add.1	T/L.346	689(XII)
Somali Youth League, Branch of Bender Cassim	T/Pet.11/293	T/L.340	701(XII)
Ahmed Nur Ali and others	T/Pet.11/294 & Add.1, 2	T/L.342	697(XII)
Ossoble Omar Ibrahim and others	T/Pet.11/295	T/L.345	702(XII)
Mohamed Adan Afmagad	T/Pet.11/296	T/L.344	703(XII)
Ugaz Nur of the Averghidir Tribe and others	T/Pet.11/297	T/L.345	704(XII)
President of the Somali Youth League	T/Pet.11/298 & Add.1	T/L.340	705(XII)
Seek Hayir and others of the Arab Community of the Lower Giuba	T/Pet.11/299	T/L.341	691(XII)

Petitioner	Petition Number	Standing Committee Report	Council Resol.
Lega Progressista Somala, Chisimaio Section	T/Pet.11/300	T/L.341	691(XII)
Hagi Ismail Mohamed and others	T/Pet.11/301	T/L.341	691(XII)
Kalif Maalin Hassano and others	T/Pet.11/302	T/L.340	706(XII)
Nasser Afif, Imam of the Chisimaio Mosque, and others	T/Pet.11/303	T/L.341	691(XII)
Mohamed Ali Hassan and others	T/Pet.11/304	T/L.341	691(XII)
Chiefs and Notables of the Desciscia Tribe	T/Pet.11/305	T/L.345	707(XII)
Hersi Mohamed, Havergedir, Elder of Masciaga, and others	T/Pet.11/306	T/L.341	691(XII)
Local Committee of the Somali Youth League for Scusciuban, Bargal, Hordio and Hafun	T/Pet.11/307 & Add.1	T/L.340	708(XII)
Executive Committee of the Unione Nazionale Somala, Margherita	T/Pet.11/308	T/L.341	691(XII)
Executive Committee of the Unione Africani Somalia, Gelib Branch	T/Pet.11/309	T/L.341	691(XII)
Chiefs, Notables and Elders of the Arab Community of Margherita	T/Pet.11/310	T/L.341	691(XII)
Hisbia Dighil and Mirifle Party, Gelib	T/Pet.11/311	T/L.341	691(XII)
Chief Mahamud Ocar and others	T/Pet.11/312	T/L.341	691(XII)
Somali Youth League, Branch of Bargal	T/Pet.11/313 & Add.1	T/L.340	709(XII)
Chief Amini Sulemal and other Representatives of the Village of Magnagap	T/Pet.11/314	T/L.341	691(XII)
Members of the Executive Committee of the Unione Nazionale Somala of Gelib	T/Pet.11/315	T/L.341	691(XII)
Chiefs and Notables of the Gelib Area	T/Pet.11/316	T/L.341	691(XII)
Somali Youth League, Branch of Lugh Ferrandi	T/Pet.11/317	T/L.340	710(XII)
Farah Abdulle, Ahamed Said and others	T/Pet.11/318	T/L.348	711(XII)
Haji Abo' Imanchio	T/Pet.11/319 & Add.1-3	T/L.344	712(XII)
Chief Dahir Sciacul	T/Pet.11/320	T/L.339	713(XII)
Chief Scide Mohamed	T/Pet.11/321	T/L.339	713(XII)
Miss E. Sylvia Pankhurst on behalf of Jusuf Ibrahim Ismail	T/Pet.11/322	T/L.344	714(XII)
Hassan Mohamed Giama	T/Pet.11/323 & Add.1	T/L.343	715(XII)
Khaliffa of the Tarika "Sheck Hussein Baliale"	T/Pet.11/324	T/L.344	716(XII)
Sheck Omar bin Mohamed	T/Pet.11/325 & Add.1	T/L.344	717(XII)
Abdulla Siad Arale	T/Pet.11/326	T/L.344	718(XII)
Ali Mohamed Mahamud	T/Pet.11/327	T/L.343	719(XII)
Ali Mohamed Hifo, Noor Amin Hassan, Amin Ahmed Elai and others	T/Pet.11/328 & Add.1	T/L.339	720(XII)
Mustapha bin Mershed	T/Pet.11/329	T/L.348	721(XII)
Said Farah Elmi	T/Pet.11/330	T/L.340	722(XII)
Ali Farrah Ali	T/Pet.11/331	T/L.343	723(XII)
Somali Youth League, Branch of Scusciuban	T/Pet.11/332 & Add.1	T/L.340	724(XII)
Scerif Hassan Mohamed and others	T/Pet.11/333	T/L.346	725(XII)
Said Adem Omeh	T/Pet.11/334	T/L.343	726(XII)
Committee of the Unione Africani Somalia in Migiurtinia	T/Pet.11/335	T/L.339	727(XII)
Farah Mohamed Othman	T/Pet.11/336	T/L.343	728(XII)
Mohamed Omar	T/Pet.11/337	T/L.343	729(XII)
Lega Progressista Somala	T/Pet.11/338	T/L.345	730(XII)

Petitioner	Petition Number	Standing Committee Report	Council Resol.
Ugaz and Chiefs of the Merehan Tribe	T/Pet.11/339	T/L.342	731(XII)
Yusuf Noor Islam, Abdulla Farah and other Chiefs and Notables of Nogal	T/Pet.11/340	T/L.345	732(XII)
Hussen Salah Asciro	T/Pet.11/341	T/L.346	733(XII)
Somali Youth League, Local Committee of Bender Cassim	T/Pet.11/342	T/L.340	734(XII)
Somali Youth League, Branch of Gardo & Add.1	T/Pet.11/343	T/L.340	753(XII)
Fatima Haj Omar and others	T/Pet.11/344	T/L.340	735(XII)
Somali Youth League, Branch of Dusa Mareb	T/Pet.11/345	T/L.340	736(XII)
Somali Youth League, Branch of Garoe	T/Pet.11/346	T/L.340	737(XII)
Somali Youth League, Local Committee of Eil	T/Pet.11/347	T/L.340	738(XII)
Somali Youth League, Branch of Eil	T/Pet.11/348	T/L.340	739(XII)
Mussa Mohamed Baquer Othman, Said Mahmoud Mussa and others	T/Pet.11/349	T/L.339	740(XII)
Sayed Ahmed Musse, Sheck Ali Musse, Hassan Abdi and others	T/Pet.11/350	T/L.346	741(XII)
Abdi Aden Ismahil Mohamed	T/Pet.11/351*	T/L.391	
Haj Ali Mahdio, Othman Mohamed and others	T/Pet.11/352	T/L.344	742(XII)
Sheck Ali Giumale Barale	T/Pet.11/35 3	T/L.345	743(XII)
Yusuf Ali Mire	T/Pet.11/3 54	T/L.344	744(XII)
Chiefs and Notables of the Lower Giuba Province	T/Pet.11/355	T/L.339	745(XII)
Scide Mohamed Dore, Dahir Sciacul and Abdullahi Hassan	T/Pet.11/356*	T/L.391	
Haji Abdullahi Hussen	T/Pet.11/-357 ¹⁰⁷	T/L.348	746(XII)
Somali Youth League, Branch of Merca	T/Pet.11/365	T/L.340	747(XII)
Somali Youth League, Branch of El Bur	T/Com.11/-L.1 ¹⁰⁸	T/L.337	
Haj Osman and other Notables of Obbia	T/Com.11/-L.3 ¹⁰⁸	T/L.337	
Mrs. Fatema Barjeeb, Galcaio	T/Com. 11/L.4	T/L.345	748(XII)
Abdullah Haj Abou Baker	T/Com.11/-L.5 ¹⁰⁸	T/L.337	
Chief Borle Gheir	T/Com. 11/L.6	T/L.339	749(XII)
Chief Aden Gohad	T/Com.11/L.7	T/L.339	749(XII)
Chief Shek Mohamed Keinan	T/Com.11/L.8	T/L.339	749(XII)
Capo Procuratore Dahir Sciukel, Bardera	T/Com.11/-L.10	T/L.339	749(XII)
Chief Farah Abdi-Duduble and other Chiefs, Ugaz and Shecks, El Bur	T/Com.11/-L.11 ¹⁰⁸	T/L.337	
Ali Nur Abdi	T/Com.11/-L.12	T/L.348	750(XII)
Somali Youth League, Branch of Galcaio	T/Com.11/-L.26	T/L.340	751(XII)
Ibrahim Abdo and other Elders of the Jajele Tribe	T/Com.11/-L.36	T/L.342	752(XII)
Miss E. Sylvia Pankhurst	T/Pet.11/L.1 ¹⁰⁸	T/L.337	
Lega Progressista Somala, Branch of Bender Cassim	T/Pet.11/L.2 ¹⁰⁸	T/L.337	
Somali Youth League, Branch of Gardo	T/Pet.11/L.3	T/L.340	753(XII)
Somali Youth League, Branch of Alula and surrounding area	T/Pet.11/L.4	T/L.340	754(XII)
Group of Somali farmers of Benadir	T/Pet.11/R.2 ¹⁰⁸	T/L.337	

* Postponed.

¹⁰⁷ T/Pet.11/358-364 postponed (T/L.391).

¹⁰⁸ Taken into consideration during examination of annual report on Somaliland.

Petitioner	Petition Number	Standing Committee Report	Council Resol.
Cameroons, Administered by the United Kingdom			
S. T. Arrey	T/Pet.4/84 & Corr.1	T/L.397	755(XII)
Sama Ndi	T/Pet.4/85	T/L.397	756(XII)
Sama Ndi	T/Pet.4/86	T/L.398	757(XII)
S. T. Baiyee	T/Pet.4/87	T/L.397	758(XII)
D. O. Ojong	T/Pet.4/88	T/L.397	759(XII)
John Kpumia	T/Pet.4/89	T/L.398	760(XII)
Representatives of the Ayuk Etaiyak Union	T/Pet.4/90*	T/L.391	
S. M. Efeso	T/Pet.4/91	T/L.397	761(XII)
Mbele Woka	T/Pet.4/92	T/L.398	762(XII)
A. M. Nchoh	T/Pet.4/93*	T/L.391	
S. T. Baiyee	T/Pet.4/94	T/L.398	763(XII)
Bakweri Youth Association	T/Pet.4/95	T/L.397	764(XII)
Representatives of the Bamenda Nkwe People	T/Pet.4/96	T/L.398	765(XII)
R. N. Ayuk	T/Pet.4/97	T/L.398	766(XII)
Bwinga Native Community	T/Pet.4/98	T/L.398	767(XII)
P. C. Mafiamba	T/Pet.4/99	T/L.398	768(XII)
Cameroons, Administered by France			
Jean-Baptiste-Hélène Ondoua	T/Pet.5/109	T/L.394	769(XII)
Ousman Muisse and Felix-Roland Moumie	T/Pet.5/110	T/L.394	770(XII)
President of the Comité régional de l'Union des populations du Cameroun à Fouban	T/Pet.5/111	T/L.395	771(XII)
Ousman Muisse and Félix-Roland Moumie	T/Pet.5/112 & Add.1	T/L.395	772(XII)
Comité régional de l'Union des populations du Cameroun, Yaounde	T/Pet.5/113	T/L.394	773(XII)
Comité régional de l'Union des populations du Cameroun, Fouban	T/Pet.5/114	T/L.394	774(XII)
N'Koudou Abessolo	T/Pet.5/115 & Add.1	T/L.394	773(XII)
Boniface Mbouna and Benoit Melateji	T/Pet.5/116	T/L.395	775(XII)
Comité régional de l'Union des populations du Cameroun, N'Kongsamba	T/Pet.5/117	T/L.394	776(XII)
General Assembly of the Central Committee of the Union des populations du Cameroun	T/Pet.5/118	T/L.395	777(XII)
Union des populations du Cameroun and Mrs. Christine Essomba	T/Pet.5/119 & Add.1-4	T/L.394	778(XII)
Mfoubon Amadou	T/Pet.5/120	T/L.394	779(XII)
Regional Committee of the Union des populations du Cameroun of the Nyong-et-Sanaga Region	T/Pet.5/121	T/L.394	773(XII) & 780(XII)
Thomas-François Omog	T/Pet.5/122	T/L.395	781(XII)
Etienne Matip and 34 other Village Chiefs	T/Pet.5/123	T/L.394	782(XII)
African Veterans Association of the Bamiléké Region	T/Pet.5/124	T/L.394	783(XII)
Union des populations du Cameroun, Comité central de N'Kongsamba	T/Pet.5/125 ¹⁰⁹	T/L.394	784(XII)
Hermann Yené	T/Pet.5/131 ¹⁰⁹ & Add.1 ¹⁰⁹	T/L.394	785(XII)
Chief Vincent Yomba and other Chiefs of the Edéa Region	T/Pet.5/151 ¹⁰⁹	T/L.395	786(XII)
* Postponed.			
¹⁰⁹ T/Pet.5/126-130, 132-150, 152-212, T/Pet.5/L.1, T/Pet.5/R.5 postponed (T/L.391).			

Petitioner	Petition Number	Standing Committee Report	Council Resol.
Anonymous communication	T/Com.5/L-4†	T/L.337	
Timothée Maah	T/Pet.5/L.2	T/L.337	
Comité directeur du Kumzse, Assemblée traditionnelle du peuple Bamiléké	T/Pet.5/L.3†	T/L.337	
Calvin Raymond Medou Edjoa	T/Pet.5/L.4†	T/L.337	
General Chairman of the Evolution sociale camerounaise	T/Pet.5/L.5†	T/L.337	T/SR.480
Secretary-General of the Union des populations du Cameroun	T/Pet.5/L.6†	T/L.337	T/SR.480
Chairman of the Assemblée traditionnelle du peuple Douala (Ngondo)	T/Pet.5/L.7†	T/L.337	T/SR.480
Federation d'Agriculture et Forêts de l'Union des Syndicats confédérés du Cameroun	T/Pet.5/L.8†	T/L.337	
Executive Committee of the Kumzse, Traditional Assembly of the Bamiléké People	T/Pet.5/L.9†	T/L.337	T/SR.480
Cameroons Aspirants Party	T/Com.4 & 5/L.1†	T/L.337	
Cameroonians Living in Paris and London	T/Pet.4 & 5/L.1†	T/L.337	T/SR.480
Kamerun United National Congress	T/Pet.4 & 5/L.2†	T/L.337	T/SR.480
Union des populations du Cameroun, Central Committee of Mbalmayo	T/Pet.4 & 5/L.3†	T/L.337	T/SR.480
Union des populations du Cameroun	T/Pet.4 & 5/L.4 & Add.1-4†	T/L.337	T/SR.480
Togoland, Administered by the United Kingdom			
Na of Bimbilla, Paramount Chief of the Nanumbas	T/Pet.6/317	T/L.371	787(XII)
Mamprusi Native Authority	T/Pet.6/318	T/L.371	787(XII)
Komla Tenga II	T/Pet.6/319	T/L.371	787(XII)
Kwasi Ampim	T/Pet.6/320	T/L.371	788(XII)
Divisional Chief of Bowiri	T/Pet.6/321	T/L.371	789(XII)
Reverend E. K. Paku	T/Pet.6/322	T/L.371	790(XII)
Representatives of the Krachi Moslem Community	T/Pet.6/323	T/L.371	791(XII)
Codjoe Adedje	T/Pet.6/324	T/L.371	792(XII)
Fidelis E. K. Krampa	T/Com.6/L.6 ¹⁰⁰	T/L.337	
Kofi Quarshie and other members of the Dzanku Family	T/Pet.6/L.1 ¹⁰⁰	T/L.337	
Theophilus Dzitowu	T/Pet.6/L.2 ¹⁰⁰	T/L.337	
Chairman of the Togoland Congress	T/Pet.6/L.3 ¹⁰⁰	T/L.337	
Vincent Zonyra	T/Pet.6/L.4 ¹⁰⁰	T/L.337	
W. C. Brekumi	T/Pet.6/L.5 ¹⁰⁰	T/L.337	
Chiefs and Representatives of the people of the Southern Section of Togoland under British administration	T/Pet.6/L.6 ¹⁰⁰	T/L.337	
Togoland, Administered by France			
Augustino de Souza, General Chairman of the Comité de l'Unité togolaise	T/Pet.7/303 & Add.1	T/L.358	794(XII)

† Deferred to thirteenth session.

¹⁰⁰ Taken into consideration during Council's examination of the Ewe and Togoland Unification Problem.

Petitioner	Petition Number	Standing Committee Report	Council Resol.
Messrs. Quam Dessou, Agbano, Djossou, Mpala and Dumashie	T/Pet.7/304	T/L.358	794(XII)
Chief H. K. Apetor II, President of the Comité de l'Unité togolaise	T/Pet.7/305	T/L.358	794(XII)
Augustino de Souza, General Chairman of the Comité de l'Unité togolaise	T/Pet.7/306	T/L.358	795(XII)
Gaston Wonou	T/Pet.7/307	T/L.359	796(XII)
Chief H. K. Apetor II	T/Pet.7/308	T/L.358	794(XII)
Ben Apaloo, President of Juvento	T/Pet.7/309	T/L.358	797(XII)
Chief H. K. Apetor II and Mr. Attiogbe	T/Pet.7/310	T/L.358	798(XII)
Augustino de Souza, General Chairman of the Comité de l'Unité togolaise	T/Pet.7/311	T/L.358	799(XII)
Augustino de Souza, General Chairman of the Comité de l'Unité togolaise	T/Pet.7/312	T/L.358	800(XII)
Augustino de Souza, General Chairman of the Comité de l'Unité togolaise	T/Pet.7/313	T/L.358	801(XII)
Ben Apaloo, President of Juvento	T/Pet.7/314 & Add.1	T/L.358	802(XII)
Conseil coutumier of Badou	T/Pet.7/315 & Add.1	T/L.359	803(XII)
Paul Y. Agbetété, President of the Conseil de circonscription of Akposso	T/Pet.7/316	T/L.359	804(XII)
Ben Apaloo, President of Juvento	T/Pet.7/317	T/L.358	805(XII)
Paul Y. Agbetété, President of the Conseil de circonscription of Akposso	T/Pet.7/318 & Add.1	T/L.359	806(XII)
Augustino de Souza, General Chairman of the Comité de l'Unité togolaise	T/Pet.7/319	T/L.358	807(XII)
Paul Y. Agbetété, President of the Conseil de circonscription of Akposso	T/Pet.7/320	T/L.359	808(XII)
A. K. Hanoo	T/Pet.7/321 & Rev.1	T/L.360	809(XII)
Chief Kedjeanyi Efon	T/Pet.7/322	T/L.360	810(XII)
Chief of the local inhabitants of Agnagan Village	T/Pet.7/323	T/L.360	811(XII)
Chairman of the representatives of the Community of Be	T/Pet.7/324	T/L.360	812(XII)
Ben Apaloo, National President of Juvento	T/Pet.7/325	T/L.358	813(XII)
Gabriel Eklunatey, Vice-President of Juvento	T/Pet.7/326	T/L.358	814(XII)
Augustino de Souza, General Chairman of the Comité de l'Unité togolaise	T/Pet.7/327 & Corr.1	T/L.358	815(XII)
Sam Klu	T/Pet.7/328	T/L.358	816(XII)
Chief William Kemavo Hounkpetor and others	T/Pet.7/329	T/L.360	817(XII)
Chief Pasa Ano Amenayaglo Ahiabo	T/Pet.7/330	T/L.360	818(XII)
Chief Ahoto and his Elders	T/Pet.7/331	T/L.360	819(XII)
Bernard Amevin, on behalf of the Aképés	T/Pet.7/332	T/L.359	820(XII)
Edmond Adomey, on behalf of the Aképés	T/Pet.7/333	T/L.359	820(XII)
Emmanuel Adjaho	T/Pet.7/334	T/L.359	821(XII)
Nicolas Akou	T/Pet.7/335	T/L.359	821(XII)
Mesdames Adjoavi Edoh, Atissou Amazou and others	T/Pet.7/336	T/L.359	822(XII)
Bruce Monsavi Samuel	T/Pet.7/337	T/L.360	823(XII)
C. T. Kofimensah	T/Pet.7/338	T/L.360	824(XII)
Emmanuel Nubukpo	T/Pet.7/339	T/L.360	825(XII)
Sépédon Dotché	T/Pet.7/340	T/L.359	826(XII)
Aglago Lolo and Douaye Amegno	T/Pet.7/341	T/L.359	826(XII)
Kodjo Gbedeke Sedjro	T/Pet.7/342	T/L.359	827(XII)

Petitioner	Petition Number	Standing Committee Report	Council Resol.
Abassa Dotché	T/Pet.7/343	T/L.360	828(XII)
Group of Women Bakers of Lome	T/Pet.7/344	T/L.360	829(XII)
Akouété A. Aglébéy	T/Pet.7/345	T/L.359	830(XII)
Ex-Servicemen (British) Association	T/Pet.7/346	T/L.360	831(XII)
Gbogon Toudeka	T/Pet.7/347	T/L.359	832(XII)
Albert Essien	T/Pet.7/348	T/L.360	833(XII)
Koumayoh Agboyi	T/Pet.7/349	T/L.359	834(XII)
Augustino de Souza, General Chairman of the Comité de l'Unité togolaise	T/Pet.7/350*	T/L.391	
A. K. Amenomanya	T/Pet.7/L.1	T/L.358	835(XII)
Ben Apaloo, President of Juvento	T/Pet.7/L.2 ¹¹¹	T/L.337	
President of the Syndicat de la Confédération générale de l'artisanat togolais	T/Pet.7/L.3 ¹¹¹	T/L.337	
Togoland, Administered by France and by the United Kingdom			
Augustino de Souza, General Chairman of the Comité de l'Unité togolaise	T/Pet.6 & 7/L.4 ¹¹¹	T/L.337	
Representatives of Juvento, of the Ewe-Togo Youth Action Movement, and of the Togoland Youth Association	T/Pet.6 & 7/L.5 ¹¹¹	T/L.337	
Secretary-General of the Joint Togoland Congress	T/Pet.6 & 7/L.6 ¹¹¹	T/L.337	
Gerald O. Awuma	T/Pet.6 & 7/1	T/L.367	793(XII)
Sylvanus Olympio and Senyo Antor	T/Pet.6 & 7/2	T/L.367	793(XII)
Mensan Aithson and Ben Apaloo	T/Pet.6 & 7/3	T/L.367	793(XII)
Western Samoa, Administered by New Zealand			
A. Schaafhausen	T/Pet.1/4	T/L.396	836(XII)
Progressive Committee of the Local Government of Matautu	T/Pet.1/5	T/L.396	837(XII)
Ah Kuoi	T/Pet.1/6	T/L.396	838(XII)
New Guinea, Administered by Australia			
Tavuiliu Committee	T/Pet.8/7	T/L.377	839(XII)
Paramount Luluai of the Bianga People	T/Pet.8/8	T/L.377	840(XII)
Mr. Kanabi	T/Pet.8/9	T/L.377	841(XII)
Nauru, Administered by Australia on behalf of Australia, New Zealand and the United Kingdom			
Nauru Local Government Council	T/Pet.9/8	T/L.376	842(XII)
Representatives of the People of Boe and Yarren Districts	T/Pet.9/9	T/L.376	843(XII)
Roy Degorobore on behalf of the people of Nauru	T/Pet.9/10	T/L.376	844(XII)
Mr. Apadinuwe	T/Pet.9/11*	T/L.391	
J. Aroi	T/Pet.9/12	T/L.376	845(XII)
Thoma Q.	T/Pet.9/13	T/L.376	846(XII)
Mr. Victor	T/Pet.9/14	T/L.376	847(XII)
* Postponed.			
¹¹¹ Taken into consideration during Council's examination of the Ewe and Togoland Unification Problem.			

Petitioner	Petition Number	Standing Committee Report	Council Resol.
Trust Territory of the Pacific Islands, Administered by the United States			
Representatives of the People of Saipan	T/Pet.10/8	T/L.369	848(XII)
Mrs. A. Emamelei on behalf of the Women of Palau	T/Pet.10/9	T/L.369	849(XII)
Mr. Alfonso	T/Pet.10/10	T/L.369	850(XII)
Madam Ana	T/Pet.10/11	T/L.369	851(XII)
M. Iriarte	T/Pet.10/12	T/L.369	851(XII)
L. Henry	T/Pet.10/13	T/L.369	852(XII)
F. Rodriguez	T/Pet.10/14	T/L.369	853(XII)
Officials of the Kiti District	T/Pet.10/15	T/L.369	854(XII)
Carl Kohler, Chairman, People's House, Ponape Congress	T/Pet.10/16	T/L.369	855(XII)
M. Iriarte	T/Pet.10/17	T/L.369	855(XII)
Enerico Mallarmé	T/Pet.10/18	T/L.369	856(XII)
J. Iriarte	T/Pet.10/19	T/L.369	857(XII)
Lianter Elias	T/Pet.10/20	T/L.369	858(XII)
Representatives of the Storekeepers, Magistrates and People of the Marshall Islands	T/Pet.10/21	T/L.369	859(XII)
Gordon Maddison and others	T/Pet.10/22	T/L.369	860(XII)
Aiesea David and others	T/Pet.10/23	T/L.369	861(XII)
Takeshi Hadley	T/Pet.10/24	T/L.369	862(XII)
The Chiefs and People of Kiti	T/Pet.10/25	T/L.369	863(XII)
General Petitions			
International Abolitionist Federation	T/Pet.General/21	T/L.368	864(XII)
St. Joan's International Social and Political Alliance	T/Pet.General/22	T/L.368	865(XII)

H. PETITION FROM THE NGOA-EKELE COMMUNITY, CAMEROONS UNDER FRENCH ADMINISTRATION, CONCERNING ADJUSTMENT OF THEIR LAND COMPLAINT

At the Assembly's eighth session, at the 318th meeting of the Fourth Committee on 28 September, the Committee decided, by 36 votes to 10, with 6 abstentions, to grant a request from the Ngoa-Ekéle Community, for an oral hearing. Joseph Ndzinga, representative of the Ngoa-Ekéle Community, accordingly made a statement (A/C.4/255) in the Committee at the 382nd meeting on 28 November. At the same meeting and at the 387th meeting on 2 December he answered questions put to him by members of the Committee.

Mr. Ndzinga asked for compensation in respect of certain lands which, he claimed, were expropriated by the French Administration in 1940. He

said that his Community had petitioned the 1952 Trusteeship Council Visiting Mission and now looked to the Fourth Committee for a settlement of its problem.

He stated that in 1940 certain land belonging to his Community had been expropriated by the French Administration, and that this had been done without compensation. Members of his Community had received a sum of 299,187 francs, but this, he contended, was hardly equivalent to what was known in French law as damages to which the Community was entitled, to compensate them for the moral prejudice sustained. The authenticity of the rights of the people of the Com-

munity was well established both by custom and by French law and jurisprudence in overseas territories. He alleged that threats had been used against members of his Community to compel them to remove to other land, which was not arable and where the people were crowded. Crops and buildings on the expropriated land which were lost by expropriation had caused great suffering to his people.

The claims of the Ngoa-Ekéle Community had been made against the French Administration and had been decided by the Territorial Assembly, which had failed to accede to the request for compensation for the lands. The Community was merely asking for justice, he said.

Replying to questions, Mr. Ndzinga said that the area of the land involved was some 117 hectares, 30 of which had been given to the French Administration in 1935. The land had been alienated to provide installations for military purposes during the Second World War. Mr. Ndzinga also said that he was prepared to have the petition of his Community considered by the Trusteeship Council.

The representative of France said that the expropriation had taken place because of public need and that the procedure followed had been legal and regular. France had never challenged ownership of the land and it had been explained to the Community why the land was needed. The parties had accepted the settlement provided without opposition, he said. The land previously owned by the Community had subsequently become much more valuable with the development of a nearby town and very high prices now paid for similar land in the area had produced a feeling of regret among the Ngoa-Ekéle Community. This, he said, was the substance of the problem.

At the 389th meeting of the Fourth Committee on 3 December, Lebanon, Liberia and Pakistan submitted a draft resolution (A/C.4/L.327). They accepted and incorporated in a revised draft (A/C.4/L.327/Rev.1) two French oral amendments.

By 49 votes to none, with 1 abstention, the Committee adopted the amended joint draft resolution, and this resolution (A/2608) was adopted, in turn, by the General Assembly at its 471st plenary meeting on 1 December, by 47 votes to none, with 1 abstention, as resolution 757 (VIII). It read:

"The General Assembly,

"Having heard the declaration and answers of the representative of the Ngoa-Ekéle Community, Cameroons under French administration,

"Bearing in mind the observations and explanations given by the Administering Authority,

"1. Notes the steps already taken by the Administering Authority to assist the Ngoa-Ekéle Community to settle on other lands;

"2. Suggests to the Administering Authority to take all necessary steps which can in a satisfactory manner alleviate the difficulties experienced by the Ngoa-Ekéle Community in the process of their re-establishment;

"3. Recommends that assistance be also given by the Administering Authority to the Ngoa-Ekéle Community for it to avail itself of whatever legal recourse remains open in connexion with the lands on which they were originally settled and whatever further compensation might be possible;

"4. Recommends to the Administering Authority to further its purpose of allotting to the Ngoa-Ekéle Community an adequate area of lands by delimiting these lands in accordance with the legal procedures obtaining in the Trust Territory;

"5. Invites the Trusteeship Council to examine this question in the light of the present resolution and to include in its next report to the General Assembly the results of its examination."

I. THE EWE AND TOGOLAND UNIFICATION PROBLEM

The unification problem was first brought to the attention of the United Nations in 1947, when the All-Ewe Conference petitioned for the unification of the Ewe people living in the British Gold Coast and the southern portions of Togoland under British administration and Togoland under French administration. The Comité de l'Unité togolaise associated itself with the objectives of the All-Ewe Conference, and both groups later joined in support of demands being made by the Togoland Union and the Togoland Congress for the unification and independence of the two Togolands, as distinguished from the unification of the Ewe-

inhabited areas. Opposition to these unification movements was led by the Parti togolais du progrès and the Union des chefs et des populations du nord du Togo, in Togoland under French administration, and by groups in Togoland under United Kingdom administration desiring closer association with the Gold Coast.

After establishing two successive consultative commissions to ascertain the real wishes and interests of the peoples of the two Trust Territories, the Administering Authorities in 1951 proposed in a joint memorandum to the Trusteeship Council the establishment of a Joint Council for Togo-

land Affairs to advise the Administering Authorities on matters of common concern to the two Togolands and to assist in harmonizing development in these Territories. This proposal was endorsed on 24 July 1951 by the Trusteeship Council, which recommended, however, that the scope of the Joint Council's functions be sufficiently broad to enable it to exercise its functions with respect to all questions of common concern to the people of the two Territories, including questions of political, economic, social, educational and cultural development. The Trusteeship Council also recommended that the Joint Council be so organized as to ensure, if possible, the participation of the major groups in both Territories (resolution 345(IX)).

By resolution 555(VI) of 18 January 1952, the Assembly urged the two Administering Authorities and the peoples involved to make every effort to reach a prompt, constructive and equitable settlement of the problem, taking fully into account the freely expressed wishes of the peoples concerned. It recommended that the Administering Authorities consult fully with the various parties and groups concerned with a view to devising satisfactory procedures for electing representatives to the Joint Council and that the Council's powers be extended to enable it to consider and make recommendations on all aspects of the Ewe and Togoland unification problem. The Trusteeship Council was asked, in view of the urgency of the problem, to devote more intensive attention to all its aspects.

The Trusteeship Council, on 3 March 1952, unanimously decided, by resolution 424(X), that its next Visiting Mission to Togoland under United Kingdom administration and Togoland under French administration should spend at least one month in these Territories, and that it should submit its report on the Ewe and Togoland unification problem in time for consideration by the Trusteeship Council at a second part of its eleventh session, to be convened not later than 7 November 1952.

On 25 October 1952, the Mission unanimously adopted its special report to the Council on the Ewe and Togoland unification problem.¹¹²

The special report (T/1034 & Add.1) was considered by the General Assembly at its seventh session. On 20 December 1952, the Assembly adopted resolution 652(VII),¹¹³ in which, among other things, it urged the Administering Authorities to take steps to bring about a prompt, constructive and equitable solution of the problem, and urged the re-establishment of the Joint Coun-

cil for Togoland Affairs. The Assembly also noted that the Trusteeship Council had requested the Administering Authorities to report fully on steps taken by them pursuant to the report of the 1952 Visiting Mission. The Assembly further asked that such reports include an account of steps taken pursuant to resolution 652(VII), as well as an account of all factors affecting the unification question. The Trusteeship Council was asked to submit a special report to the eighth session of the General Assembly.

1. Consideration by the Trusteeship Council

At the twelfth session of the Trusteeship Council, France and the United Kingdom submitted the text (T/1067/Rev.1) of a public announcement made in both Trust Territories on 12 June 1953 concerning action to be taken in pursuance of certain paragraphs of the General Assembly resolution relating to the re-constitution of the Joint Council for Togoland Affairs. At the 481st meeting of the Council on 15 July 1953, the representatives of France and the United Kingdom, in oral statements, supplemented the information contained in the text of the announcement and gave additional information relating to other paragraphs of the Assembly's resolution. At the same meeting, the Council decided that the information given in this manner by the Administering Authorities should form the basis of its special report to the General Assembly on this matter (A/2424).

According to the special report, both Administering Authorities stressed the need for a settlement of the question. The public announcement of 12 June 1953 stated that the Administering Authorities were now inviting all sections of the population to make known their views concerning the principles on which the Joint Council should be reconstituted. A thorough exchange of views, it was stated, had taken place between the Administering Authorities before the announcement. With regard to the terms of reference of the Joint Council, the public announcement stated that the basic need was to evolve terms of reference which would enable the Joint Council to consider the common problems of both Territories. Moreover, the principal objective must be to ensure that the Joint Council was adequately representative of all sections of the population; constructive comment, it was stated by the Ad-

¹¹² See Y.U.N., 1952, pp. 710-12.

¹¹³ See Y.U.N., 7932, pp. 725-26.

ministering Authorities, could best be directed to the possibility of using existing electoral machinery to bring this about. The Administering Authorities had formulated two principles in this connexion: that the total number of seats in the Joint Council should be such as to ensure that the representatives of Togoland under British administration should be sufficient to enable them to discharge the tasks which they would have to assume; and that a voting rule should be established guaranteeing to these representatives that proposals which did not secure the approval of a majority of their number could not be adopted by the Joint Council as a whole.

In response to that part of resolution 652(VII) which urged the Administering Authorities to give increasing attention to the possibilities of promoting and expediting the general development of the Territories provided by the United Nations Expanded Programme of technical assistance, the Administering Authorities gave details of development currently taking place. On the question of frontier difficulties, the Administering Authorities stated that they were continuing, in collaboration, to take all practicable steps to alleviate the minor inconveniences which still arose from time to time as a result of the existence of an international frontier between the two Territories. They also stated that close contact was being maintained between the two Governments with a view to the promotion of common policies on political, economic and social matters of mutual concern.

2. Consideration by the General Assembly at its Eighth Session

At its eighth session, the General Assembly considered the questions relating to the Ewe and Togoland unification problem, at the 318th, 319th, 343rd and 365th to 370th meetings of the Fourth Committee, on 28 and 29 September, 26 October and 13 to 23 November 1953, and at the 469th plenary meeting on 8 December.

Before discussing the special report of the Trusteeship Council on the Ewe and Togoland Unification Problem (A/2424), the Fourth Committee considered requests from organizations and political parties for their representatives to make oral statements before the Committee on the matter.

a. STATEMENTS BY REPRESENTATIVES OF PETITIONERS

The Fourth Committee decided to grant hearings to the following parties and organizations:

the All-Ewe Conference (A/C.4/232), at the 318th meeting; the Joint Togoland Congress (A/C.4/235), at the 319th meeting, by 41 votes to 1, with 11 abstentions; the Parti togolais du progrès (A/C.4/242), at the 343rd meeting. A similar request from the Buem-Krachi District Council was received on 14 November, when the Committee was nearing the end of its consideration of the item. It therefore decided, at its 368th meeting on 16 November, to inform the petitioners that this request had been received too late for consideration at the current session.

Representatives of the organization concerned accordingly appeared before the Fourth Committee. Two representatives of the Joint Togoland Congress, Senyo G. Antor and Alex K. Odame made statements at the 365th meeting of the Committee on 13 November; and a third, R. E. G. Armattoe, at the 367th meeting on 16 November. At this meeting, a statement was also made by Frederic Brenner, representative of the Parti togolais du progrès. Sylvanus Olympio, representative of the All-Ewe Conference made a statement at the 366th meeting on 13 November. After they had submitted general presentations, the petitioners answered questions put by members of the Committee, at the 365th to 370th meetings, from 13 to 17 November.

In his statement (A/C.4/247), Mr. Antor said, among other things, that membership of the Joint Togoland Congress was 176,593, of a total population of 383,563 in Togoland under British administration. He also alleged that there had been deliberate delays in establishing the Joint Togoland Council and that the Government of the United Kingdom was attempting to integrate the Trust Territory of Togoland under its administration into the Gold Coast. The United Kingdom, he said, was thus disregarding, not only the expressed wishes of the people of Togoland, but also the resolutions of the General Assembly. Mr. Antor asked for an immediate review of existing conditions in the Territory, the revision of the Trusteeship Agreement and the re-establishment of the Joint Council.

Mr. Odame asserted in his statement (A/C.4/248) that the United Kingdom and France had violated the basic principles of the Trusteeship Agreements for the two Trust Territories of Togoland. He charged that the Trusteeship Council and its Visiting Mission to the Territory had refused to perform their duty to the people and that they had joined with the Administering Powers in a concerted policy aimed at the defeat of the basic guarantees to the people of Togoland. A solution of the problem lay in a change of the

terms of the Trusteeship Agreements. The goal of gradual development towards self-government or independence should be maintained, he stated. If the Trusteeship Council continued its present policy, however, progressive self-government would be defeated, and Togoland would be relegated to the status of a colony.

In his statement (A/C.4/252), Dr. Armattoe said that the people of Togoland were ready for self-government, which should be accorded them. The people of Togoland wanted the unification of the two Trust Territories and they believed it was within the competence of the General Assembly to bring about the realization of this aim. The two Trust Territories had a territorial integrity which should be respected. The Togolese did not want association with the Gold Coast unless it were as a result of their own negotiations, as would be the case in an agreed customs union.

Dr. Armattoe also warned that the effect of African problems was not confined to that continent. He added that United Nations Visiting Missions to Togoland were unable to report on all they had seen, as there was a feeling that adverse opinions should not be rendered by visiting missions. This, he said, weakened the faith of the people in the United Nations.

Mr. Brenner, in his statement (A/C.4/251), reminded the Committee that there were two questions involving unification. The first was the unification of the Ewe people, now living in areas of both Togolands and in the Gold Coast. The second was the question of the unification of the two Trust Territories of Togoland—the only question that concerned his organization. Claiming to represent a majority of the people of Togoland under French administration, Mr. Brenner said that his party sought the peaceful acceleration of internal self-government. The only problem of importance to the Territory was its economic, social, cultural and political development with a view to the attainment of internal self-government. In his opinion, it was a matter first of eliminating frontier difficulties and, if necessary, after a period of positive development, of allowing the two parties in Togoland to express themselves honestly and freely in order to ascertain whether unification of the two Togolands was possible or desirable. His party wanted education of the people accelerated so that it would be capable of deciding the question for itself.

Mr. Brenner contended that the immense majority of Togoland people rejected the re-establishment of the Joint Togoland Council.

They wanted a widening of the powers of the Territorial Assembly and the formation of an eight-member Council of Government designated by that Assembly. They did not want a unification of the Ewe people which would result in the partition and death of Togoland. Mr. Brenner said that the people of French Togoland wanted training to equip them for self-government. The Parti togolais du progrès wanted to accelerate development but it did not want precipitate action. Development of administrative talent was necessary as a means of averting disorder and providing a sound basis for independence; the goal of independence could be achieved only through reform and the exercise of responsibility.

In his statement (A/C.4/250), Mr. Olympio said that little was being done to implement the Assembly's request in resolution 652(VII), which called for, among other things, the re-establishment of the Joint Council. He alleged that in Togoland under French administration public meetings were disallowed and restrictive measures enforced to prevent public meetings arranged by the All-Ewe Conference to discuss this question. Meetings of the Parti togolais du progrès, an opposition party, were allowed by the Administering Authority, he claimed.

Mr. Olympio also stated that the establishment of self-government in the Gold Coast would have a far-reaching effect on the Ewe unification movement and would affect both the Togolands. The people of Togoland wanted a democratic Joint Council to represent its views. Greater responsibility should be given to the Togolese in Togoland under French administration and they should be allowed to qualify for posts in the administrative organization of that Territory, he said.

b. STATEMENTS BY THE ADMINISTERING AUTHORITIES AND CONSIDERATION BY THE GENERAL ASSEMBLY OF THE SPECIAL REPORT

The special report of the Trusteeship Council was considered by the Fourth Committee at its 365th to 377th meetings, from 13 to 23 November. At the 365th meeting and at the close of the general debate on this question, statements were made by the representatives of France and the United Kingdom.

The representative of France said that his Government had shown itself prepared to afford opportunities to bring the people of Togoland together to reduce their difficulties. The demand for the unification of the Ewe people, he argued, had no sound basis and the unification of the two

Trust Territories of Togoland was not a practical possibility. The Fourth Committee should be concerned only with the evolution of the two Territories towards self-government.

France, he said, was preparing to widen the powers of the Territorial Assembly and legislation to this effect would probably be enacted the following year. Plans for the re-establishment of the Joint Council for Togoland Affairs had been categorically rejected by the people. There had been an increase in the number of local communities in Togoland under French Administration now controlling their own affairs; although suffrage was not universal, voting qualifications were reasonable and the registration of voters was under judicial control. Freedom of public meeting and freedom of the Press were guaranteed by France. There had been no deterioration in the frontier situation. In its schools, Togoland under French administration was one of the most advanced of the African areas. France was working for the gradual elimination of difficulties in the situation and any untimely or premature decision for a solution of the problem could compromise what France was trying to achieve.

The representative of the United Kingdom said that his Government was fully aware of its responsibilities regarding Togoland under British administration both to the people of the Territory and to the United Nations, in accordance with the Charter and the Trusteeship Agreement. It was firm in its intention that the freely expressed wishes of the people should be ascertained in a manner which seemed best to meet their aspirations. Although his Government respected the role of the United Nations in this matter, it urged that the Assembly should not prejudge a solution based on the wishes of the people. The pace of progress in Africa had quickened in the last few years, but it was necessary to take a long-term view. Through consultation, his country was trying to evaluate the different views prevailing in the Territory and to devise a formula which would reconcile them. The United Kingdom wished to aid in the evolution of institutions of government which would give the people an ever-increasing interest and responsibility in the management of their own affairs. It had been developing a system of local government which would ensure that, at all levels of activity, the people of the locality would decide the trend of policy. The United Kingdom Government, he said, was anxious to secure the re-establishment of the Joint Council for Togoland Affairs and to find, in co-operation with the French authorities, a formula which would serve as a basis for the reconstitution of this

Council and would secure majority support for it in the two Trust Territories. Both the United Kingdom Government and the Government of the Gold Coast, he added, fully recognized that the future of Togoland under British administration was a matter for the United Nations and the Administering Authorities in the light of the freely expressed wishes of the people concerned.

In the general debate, the representative of the United States maintained that the wishes of the inhabitants should be the most important element in determining whether all or parts of Togoland should be united, that the advocates of unification were not however in agreement on exactly what kind of unification they wanted, and that the second Visiting Mission pointed out that a large number of people were opposed to unification. The representative of India stressed that the destiny of Togoland lay with the people themselves and that the Trusteeship Council and the General Assembly should not ignore the failure of the Administering Authorities to implement the resolutions on the subject of unification. The representatives of the USSR and the Byelorussian SSR felt that, not only had the Administering Authorities done nothing to promote unification, but had done everything to prevent it. The representatives of Brazil and Burma urged that constructive methods should be employed to give expression to the wishes of the people. The General Assembly should take action in this matter.

The Administering Authorities, in the opinion of the representatives of Poland, Syria, the USSR, and Yugoslavia, were contravening the terms of the Charter or the Trusteeship Agreements; in the opinion of the representatives of Indonesia and Brazil, they were failing or delaying to implement the terms of Assembly resolution 653(VII).

A number of representatives, among them those of Pakistan, Poland, the USSR and Yugoslavia, felt that the free expression of the will of the people of Togoland was being hampered. Some representatives, among them those of Cuba and Guatemala, considered the electoral laws in Togoland unjustifiable.

The representatives of Egypt and Pakistan called for a unification of policies of the Administering Authorities of both Trust Territories of Togoland. Attention was called to the difficulties being encountered on the frontier dividing the two Trust Territories by the representatives of Pakistan, the Philippines and Venezuela.

Urging the reconstitution of the Joint Council, the representatives of Argentina, China, Cuba, Indonesia, the Philippines and Venezuela either

suggested that the Council should be enlarged and its powers increased or felt that the reconstitution of the Council would be an important step towards the establishment of independence for the Trust Territories.

The representative of Syria called attention to constitutional developments in the Gold Coast which directly and rightly concerned the people of both Togolands. Similar concern was expressed by the representatives of Yugoslavia and Venezuela.

Stressing the conflicting and evolving opinions of the peoples in the Togolands, the representatives of Australia, Belgium, France, Norway and the United States stated that the problems faced in the Territories as well as the suggested solutions were complex and demanded an unhurried approach. The representatives of Canada, Denmark and New Zealand stressed that the General Assembly should not attempt to prejudge the solution to such problems, nor should it attempt to impose on the Administering Authorities any solution of its own making. The representatives of Belgium and Denmark said that the reconstitution of the Joint Council had been opposed by the people of Togoland themselves and that no blame could therefore attach to the Administering Authorities for the failure of the Council. The representative of Belgium called attention to the opposition of the people of Togoland to elections for the reconstitution of the Joint Council.

c. RESOLUTIONS ADOPTED BY
THE GENERAL ASSEMBLY

The Fourth Committee had before it three draft resolutions with amendments:

(1) A joint draft resolution by Argentina, Egypt, Lebanon, Liberia, Pakistan, the Philippines and Venezuela (A/C.4/L.308) providing for the re-establishment of the Joint Council for Togoland Affairs. Amendments to this draft were proposed by Iraq (A/C.4 L.311), which was withdrawn in favour of an amendment submitted jointly by Egypt and Iraq (A/C.4/L.314), and an amendment by New Zealand (A/C.4/L.313).

(2) A joint draft resolution by Brazil, Cuba, India, Indonesia, the Philippines and Syria (A/C.4/L.309) providing for the introduction of universal suffrage in the two Trust Territories. An amendment to this draft was proposed by Denmark (A/C.4/L.315).

(3) A joint draft resolution by Brazil, India, Indonesia, Liberia, the Philippines and Syria (A/C.4/L.310 & Rev.1) concerning the relationship of the two Trust Territories of Togoland to the

constitutional developments in the Gold Coast. Amendments to this draft were submitted by Chile and China jointly (A/C.4/L.312), by Colombia (A/C.4/L.316—a resubmission of part of the joint amendment which had been withdrawn) and by the United Kingdom (A/C.4/L.317).

The seven-Power joint draft resolution (A/C.4/L.308) made recommendations among other things concerning: the re-establishment of the Joint Council; the expression by political parties in Togoland of views concerning unification; the dissemination in the Territories of the resolutions of the Assembly and the Trusteeship Council; and the adoption by the Administering Authorities of measures to promote common policies in the two Trust Territories. (For text of the resolution, as adopted, see below.)

The sponsors of this joint draft stressed the need for co-operation on the part of the Administering Authorities in bringing about unification, the need for uniform systems in the two Territories and the part that could be played by the Joint Council in matters of common concern to the two Territories, improving conditions in economic, social and educational fields and aiding achievement of the goal of independence. Support for the seven-Power draft, with or without reservations, was expressed by the representatives of Canada, Chile, China, Cuba, Guatemala, Syria, the United States and Uruguay.

The amendment by Egypt and Iraq (A/C.4/L.314) proposed to add to the seven-Power draft a recommendation that France and the United Kingdom take all steps to ensure freedom of speech, movement and assembly in all parts of the Territories in order to help political parties explain freely their views on unification. The joint amendment was adopted by 52 votes to none at the Committee's 370th meeting on 23 November.

The New Zealand amendment (A/C.4/L.313) would call for a redrafting of that part of the seven-Power proposal which expressed the hope that the political parties would co-operate to achieve an acceptable formula on unification. It was supported by the representatives of Denmark, France, Norway and the United States, but was rejected at the Committee's 370th meeting by 22 votes to 19, with 9 abstentions.

The Assembly considered the draft resolution proposed by the Committee (A/2605) at its 469th plenary meeting on 9 December. The representative of New Zealand asked for a separate vote on the words "which will facilitate the unification of the two Trust Territories" in paragraph 10 (see below). His Government, he said, could

only vote for the resolution if it did not contain these words which, in his opinion, prejudged the issue. The paragraph was voted on in two parts and the phrase in question was adopted by 32 votes to 14, with 6 abstentions, the first part of the paragraph being adopted by 53 votes to none, with 1 abstention.

The draft resolution, as a whole, was adopted by 46 votes to none, with 9 abstentions, as resolution 750 A (VIII).

The French representative explained his abstention on the grounds that the premise that the unification of the two Togolands was the wish of the majority of the inhabitants was inaccurate.

Resolution 750 A (VIII) read:

"The General Assembly,

"Having examined the special report of the Trusteeship Council on the Ewe and Togoland unification problem,

"Taking into account the conclusion contained in the special report of the 1952 United Nations Visiting Mission (T/1034) that the people of the Trust Territories desire in principle unification of the two Trust Territories',

"Recalling that the General Assembly based its resolution 652 (VII) of 20 December 1952 upon the consideration, *inter alia*, that the unification of the two parts of Togoland is the manifest aspiration of the majority of the population of the two Trust Territories,

"Considering that the best means of achieving a form of unification acceptable to all groups of the population is through direct and continuous interchange of opinions among the representatives of those groups, and that such interchange of opinions could be realized in a reconstituted Joint Council for Togoland Affairs with ample powers to examine all aspects of the problem of unification of both Territories and to formulate pertinent recommendations,

"Having heard the declarations of the representatives of the All-Ewe Conference, of the Joint Togoland Congress and of the Parti togolais du progrès,

"Having heard also the declarations of the representatives of the Administering Authorities concerned,

"1. Regrets that the Joint Council for Togoland Affairs has not yet been re-established;

"2. Reaffirms the principles and aims of its resolutions 555 (VI) and 652 (VII) approved on 18 January and 20 December 1952 respectively;

"3. Recommends that, in order to ensure that the Joint Council will faithfully reflect the wishes of all sections of the population of the two Trust Territories, its members should be directly elected by universal adult suffrage and secret ballot;

"4. Recommends that the Administering Authorities establish, in consultation with the representatives of the different political parties, the rules concerning the structure which the Joint Council for Togoland Affairs should assume;

"5. Recommends that the Administering Authorities assist the representatives of the different political parties to explain freely throughout Togoland their views on the problem of unification and, to this effect,

that they take all necessary measures to ensure freedom of speech, movement and assembly in all parts of the Territories;

"6. Recommends that the Administering Authorities disseminate throughout the two Trust Territories the complete texts of the pertinent resolutions of the General Assembly and of the Trusteeship Council in the main vernacular languages as well as in French or in English;

"7. Recommends to the Administering Authorities the re-establishment of the Joint Council with the power to consider and make recommendations on the question of unification, as well as on all political, economic, social and educational matters affecting the two Trust Territories, and to serve as a means of ascertaining the opinions of the inhabitants of the Territories concerning any proposed changes in the terms of the Trusteeship Agreement for either of the Territories;

"8. Re-emphasizes its recommendation that, through the Joint Council and in other ways, the Administering Authorities adopt measures to promote common policies on political, economic and social matters of mutual concern to the two Trust Territories, and expresses the opinion that the implementation of this recommendation requires that the Administering Authorities accord to each Territory simultaneously a large measure of progress towards the objectives of Article 76 of the Charter and harmonize in all major respects the political, economic, social and educational policies and systems applying in the two Trust Territories;

"9. Invites the Trusteeship Council to submit to the General Assembly at its ninth session a special report concerning the steps which have been taken towards the implementation of the present resolution;

"10. Expresses the hope that the different political parties of both Territories will co-operate to achieve a formula acceptable to all which will facilitate the unification of the two Trust Territories."

The joint draft resolution of Brazil, Cuba, India, Indonesia, the Philippines and Syria (A/C.4/L.309) would have the Assembly: (1) urgently invite the Administering Authorities "immediately" to revise the system of electoral qualifications in force in the Territories to provide for universal, direct and adult suffrage; and (2) recommend the co-operation of the political parties in the two Territories. (For text of resolution, as adopted, see below.)

The sponsors of the joint draft accepted the Danish amendment which called for the replacement of the word "immediately" in the first operative paragraph by "as rapidly as possible" and the amendment was withdrawn in favour of the revised text (A/C.4/L.309/Rev.1). The joint draft was supported by, among others, the representatives of Argentina, Syria, Uruguay and Venezuela, but opposed by the representatives of Belgium, France and the United Kingdom.

The sponsors of the joint draft resolution considered that the General Assembly should insist that more be done by the Administering Author-

ities to promote the unification of the two Territories and to ensure that the interests of the indigenous inhabitants were assisted by the introduction of universal suffrage. Good-will was essential to the achievement of this goal, they stated. Support for the revised joint draft was expressed by the representatives of Argentina, China, Cuba, Guatemala, Uruguay and the United States, among others. On the other hand, the representatives of Canada, France, New Zealand and the United Kingdom expressed their opposition.

The Committee, at its 376th meeting on 23 November, first adopted by 48 votes to none, with 5 abstentions, that part of the preamble which took note of part of the text of the announcement by the two Administering Authorities, and then adopted the draft resolution, as a whole, by 48 votes to 1, with 3 abstentions.

The draft resolution adopted by the Committee (A/2605) was, in turn, adopted by the General Assembly at its 469th plenary meeting on 8 December, by 52 votes to 1, with 4 abstentions, as resolution 750 B (VIII).

The representative of France stated that while his delegation approved the principle on which the resolution was based, he had abstained because of the close connexion between that resolution and the one just adopted.

Resolution 750 B (VIII) read:

"The General Assembly,

"Considering that there is an urgent need to develop fully in the two parts of Togoland a system of universal suffrage and that it is consequently essential to establish effective facilities for electoral registration, with a view to the formation of an electoral body truly representative of the population of each Territory as a whole,

"Noting paragraph (b) of the text of the announcement made by the two Administering Authorities on 12 June 1953 concerning the re-establishment of the Joint Council for Togoland Affairs,

"Noting further the observations made on this matter by the petitioners heard by the Fourth Committee of the General Assembly, as well as the statements made by the representatives of the Administering Authorities,

"1. Urgently invites the Administering Authorities to revise the system of electoral qualifications in force in the Territories and to put into effect a method of electoral registration based on personal identification which shall permit all adult persons to qualify for the right to vote and shall ensure that electoral consultations be carried out in accordance with the democratic principle of universal, direct and secret suffrage so as to reflect the opinion of the population as a whole;

"2. Recommends that the political parties in the two Territories collaborate closely with the respective Administering Authorities with a view to carrying out the identification of the adult persons for electoral purposes."

The joint draft resolution by Brazil, India, Indonesia, Liberia, the Philippines and Syria (A/C.4/L.310 & Rev.1) proposed that the Assembly should:

(1) express the opinion that further changes in the Constitution of the Gold Coast, with which Togoland under British administration was administered as an integral part, might, to the extent that they provided for an increased measure of self-government, necessitate revision of the existing Trusteeship Agreement in respect of the Trust Territory in so far as concerns the existing administrative union;

(2) consider that, in view of the manifest aspiration of the majority of the population of both the Trust Territories of Togoland for the unification of those Territories, any change in the Trusteeship Agreement for Togoland under British administration would necessarily affect the interests of the inhabitants of Togoland under French administration; and

(3) consider further that any revision of the Trusteeship Agreement for Togoland under British administration with a view to the integration or annexation of the Trust Territory, or any part of it, to the Gold Coast would be contrary to the principles and purposes of the International Trusteeship System.

The joint draft would further request the Trusteeship Council to re-examine and report on the problem of achieving in the two Trust Territories the basic objectives of the International Trusteeship System, having particular regard to the special circumstances created by the constitutional and political situation in the Gold Coast. (For text of resolution, as adopted, see below.)

The third operative paragraph was revised by the sponsors (A/C.4/L.310/Rev.1) to have the Assembly consider that the integration of Togoland under British administration, or any part of it, to the Gold Coast before both Territories had attained self-government or independence, would be contrary to the principles and purposes of the International Trusteeship System.

The first part of the joint amendment by Chile and China (A/C.4/L.312) proposed to re-draft the first paragraph of the draft resolution to have the General Assembly express the opinion that further changes in the Constitution of the Gold Coast, with which Togoland under British administration was administered as an integral part, might, to the extent that they provided for an increased measure of self-government, convert the existing administrative union into a political union and affect the status of the Trust Territory as a separate international entity in such a way as to necessitate revision of the existing Trusteeship Agreement.

The Committee rejected this amendment at its 376th meeting by 29 votes to 19, with 1 abstention.

The second part of the joint amendment proposed the deletion of the third operative para-

graph. It was withdrawn by the sponsors but was re-introduced by Colombia (A/C.4/L.316). The representatives of France, the United Kingdom and the United States supported the Colombian amendment; Colombia, however, withdrew the amendment in favour of a United Kingdom amendment (A/C.4/L.317) which would replace the third operative paragraph by the following text:

"Considers further that the integration of Togoland under British administration, or any part of it, to the Gold Coast can only be accepted as a satisfactory termination of the Trusteeship Agreement if the prior agreement of the General Assembly is obtained by the Administering Authority in the light of the principles and purposes of the International Trusteeship System".

Introducing this amendment, the representative of the United Kingdom said that its purpose was to meet some of the anxieties expressed by members of the Committee.

Support for the United Kingdom amendment was expressed by the representatives of Belgium and the United States, but it was opposed by the representatives of Guatemala, India, the Philippines, Syria and Yugoslavia.

The amendment was, however, rejected at the Committee's 376th meeting by a roll-call vote of 30 to 15, with 8 abstentions.

The Committee adopted the draft resolution in parts, by votes ranging from 31 to 7, with 14 abstentions, to 49 to 1, with 4 abstentions. It adopted the draft, as a whole, by a roll-call vote of 33 to 8, with 12 abstentions.

The resolution adopted by the Committee (A/2605) was considered by the General Assembly at its 469th plenary meeting on 8 December. The United Kingdom representative, in opposing the third paragraph, on which he requested a separate vote, expressed the view that the proposition stated therein was not in accordance with the letter or spirit of the Charter and would limit the application of the principle of the self-determination of peoples. The Indian representative, on the other hand, stated that the resolution as a whole conformed to the Charter and nothing in it militated against the future of the Territory being determined in accordance with the wishes of the inhabitants.

The third paragraph, which was voted on separately, would have the Assembly state that the integration of Togoland under British administration, or any part thereof, with the Gold Coast before both had attained self-government or independence would be contrary to the principles and purposes of the Trusteeship System. On this par-

agraph, 28 votes were cast in favour, 17 against, and 3 abstentions and, failing to secure the necessary two-thirds majority, the paragraph was accordingly rejected. In separate votes, the remaining parts were adopted by votes of 40 to 5, with 11 abstentions, and 40 to none, with 12 abstentions.

The Assembly adopted the amended resolution, as a whole, by 37 votes to 3, with 12 abstentions, as resolution 750 C (VIII).

The representative of France stated that the rejection of the third paragraph had made it possible for him to reconsider his negative vote in the Fourth Committee and to abstain on the resolution.

Resolution 750 C (VIII) read:

"The General Assembly,

"Noting that Togoland under British administration is administered as an integral part of the Gold Coast, the Government of which has published a series of proposals for constitutional changes designed to effect a further transfer of executive and legislative powers from the Administering Authority to the Gold Coast Government and to serve as an interim measure leading towards full self-government for the Gold Coast within the British Commonwealth of Nations,

"Noting that in the course of these proposals the Government of the Gold Coast expressed confidence that the United Nations Organization will not fail to give satisfaction to the frequently reiterated and unanimous demand of the people of the Northern Section for their area to become part of the Northern Territories of the Gold Coast and stated further that 'there is a growing opinion in Southern Togoland in favour of integration with the Gold Coast',

"Noting also that, in anticipation of further constitutional changes in the Gold Coast, the 1952 United Nations Visiting Mission, in its report on Togoland under British administration, raised with some urgency the question of the compatibility of the provisions of the Trusteeship Agreement with any further appreciable transfer of executive and legislative authority to the Government of the Gold Coast, and expressed the opinion that the prospect of a further constitutional advance in the Gold Coast may require the position of the Trust Territory to be reviewed with particular care within a relatively short period of time,

"Recalling further that the Visiting Missions of 1949 and 1952 and the Trusteeship Council at its eleventh session have recognized that the question of the future constitutional association of Togoland with the Gold Coast depends to a large extent upon the settlement of the unification problem,

"1. Expresses the opinion that further changes in the Constitution of the Gold Coast, with which Togoland under British administration is administered as an integral part, may, to the extent that they provide for an increased measure of self-government, necessitate revision of the existing Trusteeship Agreement in respect of the Trust Territory in so far as concerns the existing administrative union;

"2. Considers that, in view of the manifest aspiration of the majority of the population of both the Trust Territories of Togoland for the unification of those Territories, any change in the Trusteeship Agreement for Togoland under British administration will necessarily affect the interests of the inhabitants of Togoland under French administration;

"3. Requests the Trusteeship Council, at its thirteenth session, to re-examine in all aspects the problem of achieving in the two Trust Territories the basic objectives of the International Trusteeship System as set forth in Article 76 of the Charter and, in particular,

the progressive development of the inhabitants towards self-government or independence as may be appropriate to the particular circumstances of the Territories and their peoples and their freely expressed wishes, having particular regard to the special circumstances created by the constitutional and political situation in the Gold Coast as it affects both Togoland under British administration and Togoland under French administration;

"4. Requests the Trusteeship Council to submit to the General Assembly at its ninth session a special report on this problem."

J. ADMINISTRATIVE UNIONS AFFECTING TRUST TERRITORIES

In accordance with General Assembly resolution 649(VII),¹¹⁴ the Trusteeship Council, at its 477th plenary meeting on 9 July 1953, authorized (resolution 645(XII)) its Standing Committee on Administrative Unions to continue its regular examination of each administrative union affecting a Trust Territory, and to study the administrative unions, not only with regard to the four safeguards¹¹⁵ enumerated in Trusteeship Council resolution 293(VII), but also with regard to the interests of the inhabitants of the Territory and the terms of the Charter and of the Trusteeship Agreements, as well as any other matters which it might deem appropriate.

The Standing Committee accordingly examined the operation of the administrative union affecting New Guinea and submitted its report (T/L.388), which was considered by the Council during its twelfth session, at its 482nd meeting on 20 July. The Council decided that the conclusions contained in the report of the Standing Committee should be included as the Council's own conclusions.

With regard to the safeguard enumerated in sub-paragraph 7 (a) of Council resolution 293 (VII), recommending that the Administering Authorities furnish clear and precise separate financial, statistical and other data, the Council noted that the annual report on the administration of New Guinea for the year 1951-52 contained such data relating to the Trust Territory of New Guinea. It further noted that, with regard to the Council's wish that future reports should indicate which of the classified posts in the Public Service of the Territory of Papua and New Guinea applied to the administration of the Trust Territory, the annual report for 1951-52 showed the positions of the Public Service of Papua and New Guinea at 30 June 1952, partly as common to the Trust Territory of New Guinea, partly separately for the Trust Territory of New Guinea

and for the Territory of Papua. The table showing the positions separately for the Trust Territory of New Guinea indicated which classified positions were held by staff members in the Trust Territory; their respective salaries were set out in table 3 of appendix II of the annual report for 1951-52 showing the classified positions and salaries of the Public Service of Papua and New Guinea. The Council also noted that the annual report for 1951-52 contained more statistical data than the report for 1950-51, especially concerning production and communications. In this connexion, the Council noted that the representative of Australia in the Fourth Committee of the General Assembly had stated, on 5 December 1952, that separate statistical and other information was submitted.

With regard to the safeguard enumerated in sub-paragraph 7 (b) of resolution 293(VII), namely that the Administering Authorities facilitate the access of visiting missions to such information as might enable them to report fully, the Council noted that the second Visiting Mission to the Trust Territories in the Pacific, 1953, upon the invitation of the Government of Australia, visited the headquarters of the central administration of Papua and New Guinea at Port Moresby from 9 to 13 April 1953, and that the Mission was invited to visit institutions common to both Territories.

With regard to the safeguard enumerated in sub-paragraph 7 (c) of resolution 293(VII), recommending that the Administering Authorities continue to maintain the boundaries, separate status and identity of Trust Territories participating in administrative unions, the Council noted that no information existed which would suggest that the boundaries between Papua and the Trust

¹¹⁴ See Y.U.N., 1952, p. 742.

¹¹⁵ The four safeguards are listed in Y.U.N., 1950, p. 795.

Territory had not been maintained, and that the annual report on the administration of the Territory of New Guinea for 1951-52 stated that the separate territorial boundaries of the Territory of Papua and the Territory of New Guinea were maintained.

The Council further noted that, under the Administrative Districts Ordinance, 1951, the Administration is authorized to divide the Territory into Districts, declare their names and define their boundaries and, from time to time, to alter the names and boundaries of the Districts, and that during 1951-52 the number of Districts of New Guinea was increased from eight to nine by the division of the Central Highlands District into two Districts known as Eastern Highlands and Western Highlands. According to the annual report on New Guinea for 1951-52, the boundaries of all nine Districts are within the territorial boundary of the Trust Territory.

The Council noted the statement of the representative of Australia, made in the 44th meeting of the Standing Committee on 14 July 1953, that the Administering Authority had no intention of establishing Districts which would stretch across the international boundary between Papua and the Trust Territory of New Guinea.

The Council also noted that the second Visiting Mission to the Trust Territories in the Pacific, 1953, stated in its report on New Guinea (T/1056) that it had gained the impression that the status of New Guinea as a Trust Territory was preserved and that, except for purposes of administrative organization and the Legislative Council, it constituted a distinct entity. At Port Moresby, the Mission was informed by the Administrator that the distinction made in the administration of the Territory was that the identity and status of the Territory of New Guinea as a Trust Territory would continue to be maintained.

With regard to the safeguard enumerated in sub-paragraph 7 (d) of resolution 293(VII), to

the effect that the Administering Authorities should ensure that expenditures for the benefit of any Trust Territory should not, in any given year, be less than the amount of public revenue derived from that Territory, the Council noted that, according to information contained in the annual report for 1951-52, internal revenue totalled £1,480,875, that a grant of £3,126,059 was made by the Administering Authority, and that the expenditure amounted to £4,612,434. Therefore, expenditure in the Territory for 1951-52 has not been less than the total amount of revenue derived from the Territory.

The Council further noted that the Administrator of the Territory informed the second Visiting Mission to the Trust Territories in the Pacific, 1953, that the Papua and New Guinea Act provided that each year there should be expended upon the administration, welfare and development of the Territory of New Guinea an amount which was not less than the total amount of public revenue raised in that year in respect of the Territory of New Guinea.

The Council observed that, in considering questions relating to the administrative union affecting the Trust Territory of New Guinea, it had no information which might indicate that this union was, at this stage of development, not in the interests of the inhabitants of the Trust Territory and it remained its opinion, expressed in the special report of the Council on administrative unions (A/2151), that common customs, fiscal and administrative services organized on an inter-territorial basis might have advantages for the individual Territories participating in such arrangements, particularly under economic and social conditions prevailing in Territories like Papua and New Guinea.

No other matters regarding the administrative union under consideration were brought to the attention of the Council at its twelfth session.

K. ATTAINMENT BY THE TRUST TERRITORIES OF THE OBJECTIVE OF SELF-GOVERNMENT OR INDEPENDENCE

At the General Assembly's eighth session, the Fourth Committee discussed a draft resolution on this question at its 388th to 392nd meetings from 2 to 4 December. The draft resolution (A/C.4/L.320), which was submitted by Egypt, Guatemala, Haiti, India, Indonesia, Iraq, Lebanon, the Philippines, Yemen and Yugoslavia would, inter alia, have the Assembly:

(1) recall and reaffirm its resolution 558(VI)¹⁶ of 18 January 1952 inviting the Administering Authorities to submit information on measures taken towards self-government and the estimated period of time for such measures; and

(2) request the Council to include in its next and succeeding reports separate sections dealing with the

¹⁶ See Y.U.N., 1951, p. 777.

implementation of resolution 558(VI) and the present resolution, specifying in particular certain measures taken in respect of constitutional development of the Territories. (For complete text, which was adopted without change, see below.)

The representative of France stated that it was impossible to fix a time limit for the attainment of self-government or independence; such development could not be planned. Furthermore, any plan might well come to nothing because of events quite independent of the wishes of the inhabitants and beyond the control of the Administering Authorities. He could not endorse the measures recommended in the draft resolution, he stated; though admittedly well-intentioned they were out of place. The representatives of Australia, Belgium, Canada and the United Kingdom also supported, in general, this point of view. The New Zealand representative said that, while he appreciated the motives of the sponsors in drawing attention to Western Samoa (see text of resolution below) and was grateful for the recognition given to the New Zealand Government, he nevertheless felt it neither useful nor possible for the Administering Authorities to set a time limit for the attainment of self-government. The United States representative said that he would have to abstain on the resolution unless the paragraph reaffirming resolution 558(VI) were deleted, since he also considered the setting of a time limit impractical. The representative of Cuba held that it was premature to invite the Administering Authorities to set a time limit at this critical period and would therefore abstain.

The representatives of Ecuador and Peru agreed that there were practical difficulties in determining time limits, but they stated that they would nevertheless support the resolution. The representatives of Burma and Indonesia stressed the value of target dates for independence. A time limit, the representative of Indonesia said, would show the inhabitants the efforts they still had to make before they were ready to govern themselves.

The representative of the Dominican Republic stated that he would have to abstain since the third operative paragraph (see below), regarding the implementation of certain measures related to constitutional development, was, in his view, inconsistent with the provisions of the Trusteeship Agreements. The Swedish representative also opposed this paragraph on the ground that it was impossible to apply all of these measures in each Territory automatically and uniformly.

The representative of Venezuela, speaking in support of the resolution, said that, in the last analysis, the responsibility for the Trust Territories

lay with the United Nations and that the Organization should have some indication of when the Territories were likely to be ready for self-government or independence.

At its 392nd meeting on 4 December, the Committee voted on the draft resolution. In a series of six votes, ranging from 28 to 10, with 14 abstentions, to 40 to none, with 11 abstentions, it adopted the resolution in parts and then, as a whole, by 35 votes to 9, with 7 abstentions.

The draft resolution (A/2608 B) was in turn adopted by the General Assembly at its 471st plenary meeting on 9 December, without discussion, by 46 votes to 9, with 5 abstentions, as resolution 752(VIII). It read:

"The General Assembly,

"Recalling its resolution 558 (VI) of 18 January 1952 by which it invited the Administering Authority of each Trust Territory other than Somaliland under Italian administration to include in each annual report information concerning measures taken or contemplated towards self-government or independence and, inter alia, the estimated period of time required for such measures and for the attainment of the ultimate objective,

"Having received from the Administering Authorities concerned annual reports covering periods subsequent to 18 January 1952 in respect of all except one of the Trust Territories, namely, the Territories of Western Samoa, New Guinea, Nauru, Tanganyika, Ruanda-Urundi, Togoland under British administration, Togoland under French administration and the Cameroons under French administration,

"Noting that the Administering Authorities have not provided in these annual reports the information requested in resolution 558 (VI),

"Noting, however, that the Administering Authority of Western Samoa has declared its intention to initiate in 1954 consultations among the representatives of the inhabitants leading to the establishment of a self-governing State,

"1. Reaffirms resolution 558 (VI) of 18 January 1952;

"2. Commends to the Administering Authorities of the other Trust Territories the example provided by the Administering Authority of Western Samoa in inviting the inhabitants themselves in 1954 to formulate proposals for the establishment of a self-governing State;

"3. Requests the Trusteeship Council to include in its next and succeeding reports to the General Assembly a separate section dealing with the implementation of resolution 558 (VI) and the present resolution, specifying in particular the measures taken in respect of:

"(a) Consultations with the inhabitants of each Trust Territory in regard to the measures taken or contemplated towards self-government;

"(b) The development in each Trust Territory of representative, executive and legislative organs and the extension of their powers;

"(c) The development in each Trust Territory of universal adult suffrage and direct elections;

"(d) The training and appointment of indigenous persons in each Trust Territory for positions of responsibility in the administration;

"(e) The development of adequate public revenue; and stating in each case its conclusions and recommendations in the light of resolution 558 (VI) and the present resolution."

L. EDUCATIONAL ADVANCEMENT IN TRUST TERRITORIES

At its twelfth session, the Trusteeship Council had before it, at its 480th meeting on 14 July, a report by the Secretary-General (T/1065 & Add.1 & 2) reviewing since its inception the programme of fellowships, scholarships and internships offered under Assembly resolution 557 (VI)¹¹⁷ to qualified students from Trust Territories.

As of 31 July 1953, the report stated, six Member States had offered 28 specific fellowships, scholarships and internships, together with a number of other openings for which Trust Territory students might qualify. Candidates had been finally or provisionally selected for seven scholarships.

The Government of India, in June 1952, had offered four scholarships for the academic year 1952-53, one to be allotted to an African from Tanganyika, one to an African from Ruanda-Urundi, a third preferably to a student from Somaliland and a fourth to a student from any other Trust Territory. In July 1952, the Italian Observer to the United Nations had asked for further information on the educational requirements involved, stating that the Administration of Somaliland would be unable to provide a sufficiently qualified student. In January 1953 India renewed for the academic year 1953-54 its offer of two scholarships to one student each from Tanganyika and from Togoland and offered two other scholarships to students from any of the Trust Territories. By 1 July 1953, the United Kingdom Government had provided three candidates from Tanganyika, the Cameroons and Togoland under British administration.

The United States Government had offered for the academic year 1953-54 five grants to qualified students from Trust Territories. In addition, various territories in Africa, including the Trust Territories, were eligible for aid under the Technical Assistance Programme of the Mutual Security Agency, and under the Fulbright Programme of Educational Exchange. Privately sponsored scholarships and fellowships were also made available. Four of the grants were subsequently awarded to one student each from Tanganyika, the Cameroons and Togoland under British administration and Western Samoa. The Philippine Gov-

ernment, in December 1952, had made available eleven fellowships, scholarships and internships in five Philippine institutions of higher learning and an unspecified number of scholarships at a sixth institution. In connexion with this offer and the offer by the United States, Australia had advised that there were no qualified students in the Territories under its administration.

Two scholarships were offered by the Government of Turkey in January 1953, one fellowship for the fiscal year 1953-54 by the Government of Norway in February and six fellowships for the academic year 1953-54 by the Government of Indonesia in June. The Government of Yugoslavia, in February, renewed its offer, made in April 1952 for the current academic year, of five fellowships and five university scholarships to candidates from Trust Territories in Africa.

The United Kingdom Government, the report continued, had made some observations on the general application of the programme. Despite its efforts to encourage suitable candidates from the Trust Territories under its administration to put themselves forward, the response had inevitably been slight for several reasons. First, the number of inhabitants currently qualified for courses of higher education was still small and they were largely absorbed by the expanding local institutions. Secondly, the obstacles to profitable study overseas were increased where instruction was given in a language other than the student's own, and where he had to devote a large proportion of what might be only a year's study to learning it. Lastly, most of the offers of scholarships did not include provision for the cost of travel to the country concerned, and before the local administrations could make grants for the purpose, they must be quite sure that the facilities offered were not more profitably available elsewhere.

The Council had before it a Syrian draft resolution (T/L.379) which was subsequently adopted with minor amendment. The representatives of the United Kingdom and Australia stated that, although they had no objection to the draft resolution, it was not really necessary. While express-

¹¹⁷ See Y.U.N., 1951, p. 788.

ing appreciation of the offers of fellowships, scholarships and internships, they pointed out that there were obvious limitations, such as language difficulties, to the use which could be made of the offers. The Australian representative therefore proposed that the Administering Authorities be requested to take active publicity measures, where considered appropriate, regarding the offers. The Syrian representative accepted this amendment as well as a United Kingdom drafting amendment.

The draft resolution, as amended, was adopted by the Council by 7 votes to 1, with 4 abstentions, as resolution 646(XII).

The Belgian representative stated that he had voted against the resolution because its tone implied criticism of those Administering Authorities which had not proposed any candidates for the scholarships which had been offered. The representative of France, he stated, had pointed out that none of the countries offering scholarships were French-speaking. Similarly, none of the scholarships offered would provide instruction in Swahili, Urundi, Kirundi, French and Dutch—the only languages understood by the people of Ruanda-Urundi.

Resolution 646(XII) read:

"The Trusteeship Council,

"Having received the report of the Secretary-General (T/1065 and Add.1 and 2) on the progress of the administration of fellowships, scholarships and internships offered by Member States of the United Nations to students in the Trust Territories in response to the invitation contained in General Assembly resolution 557(VI),

"Noting from the report of the Secretary-General that a total of twenty-eight specific fellowships, scholarships and internships, together with a number of other openings for which Trust Territory students may qualify, have been offered by seven Member States thus far,

"Noting, however, that candidates have to date been provided by only two Administering Authorities for only eight of the scholarships specifically offered,

"Noting further that a number of the fellowships and scholarships offered for the academic year 1952-1953 went unfilled through the absence of any candidates,

"1. Expresses gratification at the generous response of Member States to the invitation contained in the above-mentioned General Assembly resolution;

"2. Requests the Administering Authorities, where considered appropriate, to take active measures to give the fullest publicity in the Trust Territories concerning the existing and all future offers of facilities; to establish, where they have not yet done so, suitable procedures for the receipt of applications and the selection of candidates; and to take all other measures necessary to ensure that full advantage be taken of the offers of Member States;

"3. Requests the Administering Authorities further to include in their annual reports information concerning the measures taken and the results accomplished."

At the Assembly's eighth session, the Fourth Committee, at its 388th to 392nd meetings from 2 to 4 December, had before it a draft resolution by Egypt, India, Indonesia, Lebanon and Syria (A/C.4/L.321 & Add.1) concerning offers from Member States of study and training facilities for students from Trust Territories. The representative of Egypt, in introducing the draft resolution, said that his delegation and the other co-sponsors had understood from the Trusteeship Council report (A/2427) that it had been impossible to take full advantage in the Trust Territories of the scholarships offered by certain Member States because: (1) they often related to a field of study higher than the prevailing level of education; (2) language difficulties had not been sufficiently taken into account; and (3) there had been inadequate publicity. The purpose of the draft resolution was to suggest certain ways in which the Administering Authorities and the students from the Trust Territories could overcome those difficulties.

The majority of representatives indicated that they would support the resolution. Several, including the representatives of Australia, France, Israel and New Zealand, objected to the paragraph which would permit candidates for fellowships to apply directly to the Secretary-General. The representatives of India and Lebanon explained that the Administering Authorities would have the final choice of candidates. The paragraph in question, the Indian representative continued, had been included because statements by petitioners had shown that scholarship offers to students from the Trust Territories had been given inadequate publicity and it had proved difficult to find candidates. The sponsors of the resolution had considered that some of the difficulties might be overcome if candidates could apply directly to the Secretary-General as well as to the Administering Authorities. The United Kingdom representative thought that, in view of the fact that prospective students might reside outside a Trust Territory, it might be convenient for them to approach the Secretary-General, providing that it was understood that the Secretary-General would consult the Administering Authority on the application.

As a result of the discussion, a revised draft resolution (A/C.4/L.321/Rev.1) was submitted to provide that applications for scholarships submitted to the Secretary-General would be simultaneously transmitted to the Administering Authorities and the offering States concerned, who

could then apply to each other for any further information that might be necessary.

The Belgian representative, opposing the draft resolution, stated that it was both useless and unreasonable to provide scholarships for sending young children abroad for post-primary and technical education in a language which they would perhaps never again use. Such education should be provided in the Territory itself or in a neighbouring country, he said.

At its 392nd meeting on 4 December, the Committee adopted (A/2608C) the revised draft resolution in parts, in votes ranging from 49 to none, with 3 abstentions, to 36 votes to none, with 16 abstentions. The draft resolution, as a whole, was adopted by the Committee by 48 votes to 1, with 3 abstentions, and by the General Assembly at its 471st plenary meeting on 9 December, without discussion, by 48 votes to none, with 3 abstentions.

Resolution 753(VIII) read:

"The General Assembly,

"Noting from the report of the Trusteeship Council the results to date of the project of fellowships, scholarships and internships offered by Member States to students from the Trust Territories pursuant to General Assembly resolution 557(VI) of 18 January 1952,

"Considering that the offers thus far made by Member States relate to study and training of university standard and that the inability of the Administering Authorities of the Trust Territories to provide a sufficient number of candidates is due in part to the generally low levels of education prevailing in the Territories and, in particular, to the inadequacy of facilities for post-primary education,

"Considering further that the relatively small number of students qualified to take up such fellowships and scholarships requires that the most effective measures be taken to ensure that all potential candidates be given the opportunity to apply and that their applications be duly considered,

"1. Endorses the tribute paid by the Trusteeship Council to the generosity of those Member States which have offered facilities, and expresses the hope that additional offers will be forthcoming;

"2. Expresses regret that, in the absence of a sufficient number of qualified candidates, only a small proportion of the fellowships and scholarships offered have been utilized;

"3. Invites Member States, in renewing or initiating offers of facilities, to take into account the special needs of the Trust Territories arising from their generally low levels of education, and to contemplate the provision of facilities not only for university study but also for post-primary and technical education and training of kinds which may most effectively further the political, economic, social and educational advancement of the Territories;

"4. Invites Member States offering facilities, in cases where the languages of instruction differ from the languages of the Trust Territories, to consider the possibility of extending the duration of the facilities offered by a preliminary period of language training and other adjustment to the country of study or training;

"5. Recommends that all Administering Authorities which have not done so give the fullest publicity in the Trust Territories under their administration to all offers of study and training facilities and take such other measures as will ensure that the greatest possible advantage is taken of the offers;

"6. Requests the Trusteeship Council to undertake such amendment of its procedure for the administration of the project as may be necessary to permit applications to be made through the Secretary-General as well as through the territorial authorities, it being understood that upon receipt of any such applications the Secretary-General will transmit them simultaneously to the Administering Authorities and the offering States concerned;

"7. Requests the Secretary-General to include in United Nations information material prepared for dissemination in the Trust Territories details of all such offers and of the procedures to be followed in submitting applications."

M. PARTICIPATION OF THE INDIGENOUS INHABITANTS OF THE TRUST TERRITORIES IN THE GOVERNMENT OF THOSE TERRITORIES AND IN THE WORK OF THE TRUSTEESHIP COUNCIL

In resolution 653(VII) of 21 December 1952, the General Assembly, *inter alia*, expressed the opinion that the objects of its resolution 554(VI), inviting the Trusteeship Council to examine the possibility of associating the inhabitants of the Trust Territories more closely in its work, would be better achieved through the active participation of members of the indigenous population of the Trust Territories in the government of those Territories and in the work of the Trusteeship Council. The Assembly stated that it shared the

hope expressed by the Council in its resolution 466(XI) that the Administering Authority would find it appropriate to associate suitably qualified indigenous inhabitants of the Trust Territories in the work of the Council as part of their delegations, or in any other manner which they deemed desirable and invited the Administering Authorities to give careful attention to this resolution and to the Assembly's resolution with the view to giving effect to the suggestions contained therein. The Trusteeship Council was requested to

include in its reports to the Assembly information on action taken pursuant to Council resolution 466(XI) and Assembly resolution 653(VII).

The Council considered the Assembly's resolution at its 480th and 481st meetings on 14 and 15 July 1953. The representative of Syria considered that it was necessary to find a procedure that would result in active participation of indigenous inhabitants of the Trust Territories in the Council's work and proposed (T/L.381) that a committee be appointed to examine the question further.

The Syrian draft resolution was supported by the representatives of China, El Salvador, Thailand and the United States, who considered that further study might be useful. The representative of France stated that he had no objection to such a committee, but thought that its appointment would be useless. The positions of delegations were already well known; his Government, for one thing, would never accept a solution which it considered would infringe the principle of unity of representation.

The representatives of Australia, Belgium and New Zealand indicated that they would not support the draft resolution. The representatives of Australia and Belgium held that the Administering Authorities and not the Council had been invited to study the question, and that it was the right of the Administering Authorities to decide the manner in which suitably qualified inhabitants of the Trust Territories might be associated in the Council's work. The Council, they and the New Zealand representative said, had been asked by the Assembly merely to report on action taken pursuant to resolution 466(XI). The representative of Belgium stated further that the Trusteeship Agreements were treaties between the

parties concerned; those Agreements could not be extended against the wishes of one of the contracting parties.

The representative of the Dominican Republic considered that a committee equally made up of representatives of Administering and non-Administering members would not bring to light any new aspects, but if such a committee were appointed, he suggested that it might study the nature of the Trusteeship Agreement and its relationship to the Administering Authority and to the inhabitants of the Trust Territory. It should consider the reaffirmation of the principle that sovereignty in a Trust Territory was not in question and remained with the people of the Trust Territory and the conflict of authority resulting from this sovereignty and the authority residing in an Administering Authority as it affects the inhabitants of the Trust Territories.

The Council, at its 481st meeting on 15 July, by 6 votes to 2, with 3 abstentions, adopted the Syrian draft resolution as revised (T/L.381/-Rev.1) to include an oral amendment by Thailand to refer to Assembly resolution 653(VII).

By its resolution (647(XII)), the Council established a committee composed of the representatives of El Salvador, Syria, the United Kingdom and the United States to examine in the light of Assembly resolution 653(VII) the question of the participation of the indigenous inhabitants in the work of the Council and to report to the Council at its next session. By the same resolution the Council noted that the question of the participation of indigenous inhabitants in the government of the Territories was regularly examined by it in connexion with its examination of the annual reports, reports of the visiting missions and petitions concerning political development.

N. REVISION OF THE QUESTIONNAIRE

At the Assembly's eighth session, at the 388th to 392nd meetings of its Fourth Committee from 2 to 4 December 1953, Burma, El Salvador, Guatemala, Haiti, India, Lebanon, Liberia, Mexico, Saudi Arabia, Syria and Uruguay resubmitted (A/C.4/L.319) a draft resolution by El Salvador, Guatemala, Haiti, Lebanon, Saudi Arabia and Syria (A/C.4/L.253) on which the Assembly at its seventh session had postponed consideration. By this draft resolution, the Assembly would invite the Trusteeship Council to undertake the preparation of separate questionnaires adapted to the particular circumstances of each Trust Territory.

The representatives of Australia, Belgium and Canada considered the questionnaire sufficiently comprehensive. The Belgian representative pointed out that the Trusteeship Council had been unable to adapt it to every Territory and had also considered it superfluous to do so. While he would vote against the draft resolution, he stated, he was submitting an amendment (A/C.4/L.325/-Rev.1); because among the sponsors of the draft resolution there were four members of the Trusteeship Council who considered separate questionnaires necessary, it seemed natural to entrust them with that study. The Belgian amendment

would provide for a sub-committee, consisting of the representatives of El Salvador, Haiti, India and Syria, to examine the questionnaire and study such changes as might be necessary to adapt it to the special conditions of each Territory and to submit its conclusions to the Trusteeship Council. On the basis of the work of this sub-committee, the Council would then be invited to undertake the preparation of separate questionnaires.

The representatives of France and the United Kingdom opposed the draft resolution, with or without the Belgian amendments. The French representative considered that the questionnaire was sufficiently comprehensive to cover all problems which might arise and that, in addition, further revision would divert the Council, which was already overworked, from other essential tasks. The representative of the United Kingdom, while somewhat attracted to the idea of separate questionnaires, stated that it would be too difficult and too expensive to change the system again; a more reasonable solution, in his opinion, would be for the Administering Authorities not to answer those questions which did not apply.

The Indian representative explained that the sponsors of the draft resolution had found the questionnaire too comprehensive rather than inadequate. It was because of its general nature that it was not entirely applicable to conditions prevailing in each Trust Territory.

The representatives of Brazil, Chile, China, Indonesia, Israel, Peru, the United States, Venezuela and Yugoslavia, among others, supported the resolution for, *inter alia*, the following reasons: (1) no general questionnaire could adequately cover all Territories; (2) information could best be obtained on the basis of precise questions; (3) a separate questionnaire would make for more thorough study of conditions; and (4) the revision of the questionnaire would consist largely of deleting certain questions in the case of each Territory.

The New Zealand representative stated that the preparation of the questionnaire had been a formidable task and the time and energy involved in further revision would far outweigh any possible advantages. He would, however, support the draft resolution if the Belgian amendments were adopted. If the countries suggested as members of the sub-committee were unwilling to implement their own proposal, he stated, they should withdraw the resolution they had sponsored. The representative of the Dominican Republic also stated he would support the resolution if the Belgian amendment were adopted. Others sup-

porting the Belgian amendment included the representatives of Chile, India, Israel, Peru and Yugoslavia who considered, *inter alia*, that the amendment would make the resolution more acceptable to the Administering Authorities. The representatives of Guatemala and Venezuela suggested that several of the Administering Authorities might be included in the sub-committee.

The representatives of Burma, Haiti, Indonesia, Lebanon, Mexico, Syria, the United States and Uruguay stated that they would either oppose or abstain on the Belgian amendment. Among the reasons some of them gave were that the preparation and drawing up of the questionnaire was a matter for the Trusteeship Council, not for a sub-committee of the Assembly; the fact that the Council already had numerous tasks to carry out was not an adequate reason for not giving it new work which it should normally assume under the Charter.

The Belgian amendments (A/C.4/L.325/Rev.1) were adopted by a roll-call vote of 32 to 3, with 17 abstentions. The draft resolution, as a whole, as amended, was adopted by the Fourth Committee (A/2608 A) at its 392nd meeting on 4 December, by 43 votes to 4, with 5 abstentions. It was adopted, without discussion, at the Assembly's 471st plenary meeting on 9 December 1953, by 41 votes to 4, with 5 abstentions, as resolution 751 (VIII). It read:

"The General Assembly,

"Noting that the Trusteeship Council has adopted the revised Questionnaire,

"Considering that, under Article 88 of the Charter, the Administering Authorities shall make an annual report to the General Assembly, upon the basis of a questionnaire formulated by the Trusteeship Council, on the political, economic, social and educational advancement of the inhabitants of each Trust Territory,

"Considering that, in approving the Provisional Questionnaire, the Trusteeship Council emphasized that it would be adapted, if necessary, to specific Trust Territories,

"Considering that the revised Questionnaire is not applicable in its entirety to all Trust Territories,

"1. Instructs a Sub-Committee, consisting of representatives of El Salvador, Haiti, India and Syria, to examine the Questionnaire formulated by the Trusteeship Council, to study such changes as may be necessary to adapt it to the special conditions of each Territory, and to submit its conclusions to the Trusteeship Council;

"2. Invites the Trusteeship Council to undertake, on the basis of the work of the Sub-Committee established under the preceding paragraph, the preparation of separate questionnaires adapted to the particular circumstances of each Trust Territory."

O. MEANS TOWARD IMPROVING THE FUNCTIONING OF THE INTERNATIONAL TRUSTEESHIP SYSTEM

At the Assembly's eighth session, during the general discussion by the Fourth Committee of the Ewe and Togoland Unification Problem,¹¹⁸ the representative of Pakistan made an informal suggestion that the President of the General Assembly should appoint a United Nations representative to act as mediator, reconcile the opposing points of view, aid in the re-establishment of the Joint Council for Togoland Affairs and help to bring about the essential co-operation between the Administering Authorities of the two Trust Territories, France and the United Kingdom. If this suggestion were favoured, the representative of Pakistan said, he would submit a formal proposal to that effect. Although the representatives of Guatemala and Syria expressed approval of the suggestion in principle, no formal proposal was put forward in this connexion.

At the 389th meeting of the Fourth Committee on 3 December, however, during the Committee's consideration of proposals put forward under the agenda item "report of the Trusteeship Council" (A/2427), Afghanistan, Brazil, Pakistan and Saudi Arabia submitted a draft resolution (A/C.4/L.324) in which the General Assembly would recommend that the Trusteeship Council should undertake a study of ways and means of improving the functioning of the International Trusteeship System and particularly of the possibility and desirability of designating one or more United Nations representatives for the Trust Territories for an initial period of two years. The draft resolution set forth certain specific means, including liaison and good offices, by which such a representative or representatives might effectively function. Commenting at the 391st meeting on the draft resolution, the representative of Pakistan said that the appointment of United Nations representatives to Trust Territories would increase the mutual confidence and co-operation which should prevail among the three principal parties—the United Nations, the Administering Authorities and the peoples of the Territories themselves. Because this spirit was lacking, it was not surprising that the people of the Trust Territories had begun to wonder whether the United Nations could do anything substantial for them.

At present, the United Nations had no source of direct information beyond the reports of the periodic visiting missions, he said. The veracity of the findings of the visiting missions was sometimes disputed by the Administering Authorities.

The Committee was faced with the alternative of accepting either the verdict of the visiting mission or that of the Administering Authority.

Urging the appointment of a United Nations representative as a means of bringing about better understanding between the Administering Authorities and the indigenous inhabitants, as well as aiding the General Assembly in its appraisal of conditions in the Trust Territories, the representative of Pakistan said that the activities of such a representative could be limited for the present to the Territories in Africa which gave rise to the greatest concern on the part of the United Nations.

The appointee, he said, would represent the President of the General Assembly, to whom he would report regularly. He could be appointed for a period of five years and his presence in the Territories would result in a tremendous decrease of the number of petitions submitted to the United Nations. The appointment of such a representative would not be incompatible with the terms of the Charter or of the Trusteeship Agreements.

The proposal was supported by the representatives of Guatemala, Iran, Lebanon, Peru, Uruguay, Venezuela and Yugoslavia. They considered that the suggestion by the representative of Pakistan would aid the United Nations in its consideration of the problems of dependent peoples. It was a constructive suggestion, they felt, which could bring about a closer understanding of the problems involved. It would also provide an additional source of information and might materially assist in the solution of local problems.

On the other hand, the representatives of Australia, Belgium, Canada, Chile, the Dominican Republic, France, Indonesia, Israel, New Zealand, the United Kingdom and the United States opposed the proposal, maintaining that it could not reasonably be expected to bring about profitable results. These representatives did not doubt the sincerity of the motives of the sponsors in proposing the appointment of a United Nations representative but considered that the General Assembly or the Trusteeship Council in designating such a representative would be exceeding their powers. The representatives of Burma, China, India and Indonesia, who said that they would abstain from voting on the proposal, felt that the

¹¹⁸ See pp. 641-48.

function which the representative would perform was already being performed by the visiting missions.

At its 392nd meeting on 4 December, by a roll-call vote of 28 to 11, with 13 abstentions, the Committee adopted the draft resolution. It read:

"The General Assembly,

"Seeking to improve the functioning of the International Trusteeship System, and

"Desiring particularly to achieve a closer liaison and a more understanding and harmonious working relationship between the Trust Territories and their peoples and the Administering Authorities, on the one hand, and the interested organs of the United Nations, on the other;

"1. Recommends that the Trusteeship Council undertake a study of ways and means of achieving these ends, with particular attention to the possibility and desirability, in pursuance of Article 87 of the Charter and without prejudice to the existing practice of regular visiting missions to the Trust Territories, of designating one or more United Nations Representatives for the Trust Territories for an initial period of two years, who might, *inter alia*,

"(a) Act in an observatory and advisory capacity on all matters affecting the operation of the International Trusteeship System;

"(b) Perform a liaison function in the relations between the United Nations, the Administering Authorities, and the peoples of the Trust Territories;

"(c) Offer good offices, when and where required, in matters relating to the Trusteeship System;

"(d) Assist in the appropriate dissemination in the Trust Territories of information about the United Nations;

"(e) Make periodic visits to each Trust Territory in the area to which he is assigned, devoting to each such Territory a period of time appropriate to the conditions and problems prevailing therein;

"(f) Report annually to the Secretary-General on his observations and his work, with particular reference to the objectives of the International Trusteeship System and the provisions of the Trusteeship Agreements;

"2. Requests the Trusteeship Council to report on the results of this study to the ninth session of the General Assembly."

The draft resolution recommended by the Fourth Committee (A/2608 F) was considered by the General Assembly at its 471st plenary meeting on 9 December. The Belgian representative urged the rejection of the draft resolution, stating that it would only waste the time of the Trusteeship Council since it could only have a negative response from the Administering Authorities, which had undertaken obligations under the Charter and the Trusteeship Agreement providing for periodic visiting missions but not for permanent United Nations representation in the Trust Territories. On being put to the vote, the resolution received 29 votes in favour, 16 against and 14 abstentions. As it did not gain the two-thirds majority required under the rules of procedure, it was accordingly not adopted.

Voting, which was by roll-call, was as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian SSR, Costa Rica, Czechoslovakia, Egypt, El Salvador, Guatemala, Haiti, Iran, Iraq, Lebanon, Liberia, Mexico, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian SSR, USSR, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, Colombia, Cuba, Dominican Republic, France, Israel, Luxembourg, Netherlands, New Zealand, Norway, Sweden, Union of South Africa, United Kingdom, United States.

Abstaining: Chile, China, Denmark, Ecuador, Ethiopia, Greece, Honduras, Iceland, India, Indonesia, Nicaragua, Panama, Paraguay, Peru.

P. DISSEMINATION IN TRUST TERRITORIES OF INFORMATION ON THE UNITED NATIONS AND ON THE INTERNATIONAL TRUSTEESHIP SYSTEM

The Trusteeship Council, at its twelfth session, had before it a report (E/1073) by the Secretary-General giving an account of the action taken by him and by the various Administering Authorities since the Council's eleventh session, in implementation of Council resolution 36(III) on the provision of information to the peoples of Trust Territories.

With regard to the dispatch of material, the Secretary-General stated that 577 copies of official records were currently being supplied at the request of the Administering Authorities to 239 addresses in or for the Trust Territories. Other

suitable material—booklets, background papers, posters, "UN Day" material and photographs—had been supplied. Recorded talks had been made during sessions of the Trusteeship Council by Special Representatives of the Administering Authorities and had been broadcast in the respective Trust Territories. As yet, the report stated, no Administering Authority had made any specific suggestion in accordance with Council resolution 36(III) as to the appropriate channels through which information concerning the aims and activities of the United Nations might be communicated to the general public.

The report reviewed the information furnished by the Administering Authorities and visiting missions on the developments in this field in the various Trust Territories. For example, courses on the United Nations had been introduced in the schools; special seminars had been conducted; posters and photographs had been displayed in schools, hospitals and public buildings; feature material had been broadcast in vernacular languages; United Nations films had been shown; articles had been printed in local newspapers; conferences of non-governmental associations had been held; and all types of information media had been distributed to various institutions, associations and political parties. In addition, the United Nations flag had been flown on special occasions and special United Nations Day celebrations had been arranged.

The Secretary-General stated that the dissemination of information on the United Nations to the peoples of the Trust Territories was still in nearly all cases far from adequate because the quantity of information material reaching the peoples was insufficient and the material was seldom in a form readily comprehensible to the majority of the indigenous inhabitants. The Secretary-General therefore suggested that the Special Representatives of the Administering Authorities on their visits to United Nations Headquarters might advise the Department of Public Information of the special requirements of their respective Trust Territories so that the Department might be in a position to begin the preparation of special material.

The Council, at its 482nd meeting on 20 July, took note of the report.

At the Assembly's eighth session, the Fourth Committee, at its 388th to 392nd meetings from 2 to 4 December, had before it a draft resolution by the Dominican Republic (A/C.4/L.322) on the dissemination in Trust Territories of information concerning the United Nations. The representative of the Dominican Republic, introducing the draft resolution, stated that he considered it vitally important for the inhabitants of the Trust Territories to have information about the United Nations and to understand the International Trusteeship System. The wider dissemination of information, he considered, would eliminate many elements of confusion that existed, principally as a result of ignorance. The draft resolution was intended, he stated, to emphasize again the importance of the flow of information to the general public.

The majority spoke in support of the draft resolution. The representatives of Belgium and France stressed that where any modification had occurred in the character of the supervision exercised over a Territory, the change should be explained in such a way as to avoid the appearance, which would be highly detrimental to the Territory's development, of conflict between the Administering Authority and the United Nations.

The representative of Australia thought that the third operative paragraph of the draft resolution, which would request the Secretary-General to initiate a direct flow of information to the general public in the Trust Territories, would be difficult to apply. It would be simpler, he thought, if the Administering Authority itself undertook to transmit the material to the inhabitants directly on the understanding that this would be recorded in its annual report.

The representative of Yugoslavia, referring to the same paragraph, proposed that the Secretary-General should be requested to initiate a direct flow of information on the basis of suggestions furnished by the Administering Authorities or (not and) his own knowledge of appropriate channels or by making use of both of these sources together.

Following the adoption of the Yugoslav amendment by 29 votes to 16, with 6 abstentions, the Fourth Committee adopted (A/2608 D) the draft resolution, as amended, by 43 votes to none, with 8 abstentions, at its 392nd meeting on 4 December.

The General Assembly, at its 471st plenary meeting on 9 December, adopted the draft resolution proposed by the Fourth Committee. It voted separately on that part of the draft which had been amended by Yugoslavia and adopted it by 30 votes to 13, with 3 abstentions. The draft resolution, as a whole, was adopted by 52 votes to 1, with 5 abstentions, as resolution 754 (VIII). It read:

"The General Assembly,

"Reaffirming the opinion expressed in its resolution 556 (VI) of 18 January 1952 that it is essential that the peoples of Trust Territories should receive adequate information concerning the United Nations,

"Observing that the existing arrangements for the supply of such information are based on Trusteeship Council resolution 36 (III) of 8 July 1948, which invites the Administering Authorities to furnish the Secretary-General (a) with the names and addresses of officials in the Trust Territories to whom suitable material should be sent for information, and (b) with suggestions as to the appropriate channels through which information concerning the United Nations may be communicated to the general public,

"Noting, however, from the most recent report submitted to the Council by the Secretary-General on the implementation of the above-mentioned resolution, that while the Administering Authorities have submitted lists of names and addresses in accordance with the first part of the resolution, they have in no case made any specific suggestions concerning the dissemination of information to the inhabitants of the Trust Territories and to the general public,

"Noting from the report that, as the Secretary-General had pointed out in his previous reports on the subject, and as had been emphasized by the observations of the Visiting Missions to West Africa and to the Pacific, which are summarized in the report, the dissemination of information on the United Nations to the peoples of the Trust Territories is still far from satisfactory,

"1. Expresses the opinion that the existing arrangements for the dissemination in the Trust Territories of information on the United Nations are, in general, inadequate and of limited effectiveness;

"2. Invites the Administering Authorities to furnish the Secretary-General, in accordance with Trusteeship Council resolution 36 (HI) of 8 July 1948, with suggestions as to the appropriate channels through which information on the United Nations and on the International Trusteeship System may be communicated to the general public in the Trust Territories (e.g., Press, radio, non-governmental organizations, trade unions, libraries, cultural, educational and religious institutions, teachers, missionaries, etc.);

"3. Requests the Secretary-General to initiate at the earliest possible date, on the basis of the suggestions furnished by the Administering Authorities or his own knowledge of appropriate information channels, or by making use of both of these sources together, a direct flow of information material addressed to the general public in the Trust Territories;

"4. Requests the Secretary-General to include in his periodic reports on this matter to the Trusteeship Council lists of the channels of dissemination which he has established in pursuance of the present resolution."

V. Legal Questions

A. THE AMBATIELOS CASE (GREECE VS. THE UNITED KINGDOM)

On 19 May 1953, the International Court of Justice delivered its Judgment in the *Ambatielos* case (Merits: Obligation to Arbitrate), between Greece and the United Kingdom.

These proceedings had been instituted by an Application by the Hellenic Government, which, having taken up the case of one of its nationals, the shipowner Nicolas Ambatielos, had prayed the Court to declare that the claim which the latter had made against the Government of the United Kingdom should be submitted to arbitration in accordance with Anglo-Greek Agreements concluded in 1886 (Treaty and Protocol) and in 1926 (Declaration). Following a preliminary objection lodged by the United Kingdom, the Court found that it had jurisdiction to adjudicate on the question by a Judgment delivered on 1 July 1952.¹

The Court, which was presided over by the Vice-President, held public sittings from 23 to 28 and on 30 March 1953. It included on the Bench Professor Jean Spiropoulos, appointed by the Hellenic Government to sit as judge ad hoc. The Court heard, on behalf of the Hellenic Government, Henri Rolin and Sir Frank Soskice, Counsel, and on behalf of the United Kingdom Government, G. G. Fitzmaurice, Assistant Agent and Counsel, J. E. S. Fawcett, Counsel, and W. V. J. Evans, Agent.

1. Judgment of the Court

In its Judgment,² the Court defined the question before it as follows: was the United Kingdom under an obligation to accept arbitration of the difference between that Government and the Hellenic Government concerning the validity of the *Ambatielos* claim, in so far as this claim was based on the Treaty of 1886? The distinctive character of the case, the Court stated, was that, quite unlike the *Mavrommatis Palestine Concessions*, decided by the Permanent Court of International Justice in 1924,³ the Court was called upon to decide, not its own jurisdiction, but whether the dispute should be referred to another

tribunal for arbitration. The Court said that both the United Kingdom and Greece had rested their cases on the Declaration of 1926 which reads as follows:

"It is well understood that the Treaty of Commerce and Navigation between Great Britain and Greece of to-day's date does not prejudice claims on behalf of private persons based on the provisions of the Anglo-Greek Commercial Treaty of 1886, and that any differences which may arise between our two Governments as to the validity of such claims shall, at the request of either Government, be referred to arbitration in accordance with the provisions of the Protocol of November 10th, 1886, annexed to the said Treaty."

The Protocol of 1886 referred to in the Declaration of 1926 contains, inter alia, the following provision:

"Any controversies which may arise respecting the interpretation or the execution of the present Treaty, or the consequences of any violation thereof, shall be submitted, when the means of settling them directly by amicable agreement are exhausted, to the decisions of Commissions of Arbitration, and the result of such arbitration shall be binding upon both Governments."

The Court stated that the Declaration of 1926 was agreed upon for the purpose of safeguarding the interests of the parties with respect to claims on behalf of private persons based on the Treaty of 1886, for which, on the termination of that Treaty, there would have been no remedy in the event of the failure of the parties to reach amicable settlements. The Agreement of 1926, the Court further stated, related to a limited category of differences which the Agreement of 1886 provided should be settled by arbitration, namely differences as to the validity of claims on behalf of private persons based on the Treaty of 1886. But in both cases the parties had been prompted by the same motives and had adopted the same method of arbitration.

Referring to its Judgment of 1 July 1952, the Court stated that in that Judgment the merits of the *Ambatielos* claim were found to be out-

¹ I.C.J. Reports 1952, p. 28; see also Y.U.N., 1952, pp. 769-75.

² I.C.J. Reports 1953, p. 10.

³ P.C.I.J. Series A, No. 2, August 30th 1924.

side the Court's jurisdiction, which consisted only of deciding whether the United Kingdom was under an obligation to accept arbitration. The limited jurisdiction of the Court was to be clearly distinguished from the jurisdiction of the Commission of Arbitration, the Court said. The Court, therefore, must refrain from pronouncing final judgment on any question of law or fact falling within the merits; its task would have been completed when it had decided whether the difference with regard to the Ambatielos claim was a difference as to the validity of a claim on behalf of a private person based on the provisions of the Treaty of 1886 and whether, in consequence, there was an obligation binding on the United Kingdom to accept arbitration.

The Court said that the words "based on the Treaty of 1886" indicated the character which the Ambatielos claim had to possess in order that it might be the subject of arbitration in accordance with the Declaration of 1926. They did not mean, the Court held, that the Ambatielos claim had to be found to be validly based on the Treaty of 1886. If such a meaning had been intended by the Court, it would not have decided that it was without jurisdiction to pass on the merits of the claim.

The Hellenic Government had contended that the Ambatielos claim did not "prima facie appear to be unconnected with the provisions of the Treaty of 1886". In the view of the United Kingdom, it was necessary for the Court to determine, as a substantive issue, whether the claim was actually or genuinely based on the Treaty. The Court was unable to accept either of those contentions. The first, it declared, would constitute an insufficient reason for the obligation to accept arbitration; the second would lead to the substitution of the Court for the Commission of Arbitration in passing on a point which constituted one of the principal elements of the claim. The Court held that the Commission of Arbitration alone had jurisdiction to adjudicate on the merits; and it could not be assumed that the Agreement of 1926 contemplated that the verification of the allegations of fact should be the duty of the Commission, while the determination of the question whether the facts alleged constituted a violation of the Treaty of 1886 should form the task of another tribunal.

At the time of the signature of the Declaration of 1926, the Judgment of the Court stated, the British and Greek Governments had never intended that one of them alone or some other organ should decide whether a claim was genuinely

based on the Treaty of 1886; it must have been their intention that the genuineness of the treaty basis of any claim, if contested, should be authoritatively decided by the Commission of Arbitration, together with any other questions relating to the merits.

The Court considered that, for the purpose of determining the obligation of the United Kingdom to accept arbitration, the expression "claims based on the Treaty of 1886" could not be understood as meaning claims actually supportable under the Treaty. Of course, the Court declared, it was not enough that a claim should have a remote connexion with the Treaty for it to be based on it; on the other hand it was not necessary that an unassailable legal basis should be shown for an alleged treaty violation. In its context, the expression meant claims depending for support on the provisions of the Treaty of 1886, so that the claims would eventually stand or fall according as the provisions of the Treaty were construed in one way or another. Consequently, the Court stated, in respect of the Ambatielos claim, it was not necessary for the Court to find that the Hellenic Government's interpretation of the Treaty was the only correct interpretation; it was enough to determine whether the arguments advanced by the Hellenic Government in support of its interpretation were of a sufficiently plausible character to warrant a conclusion that the claim was based on the Treaty. In other words, if an interpretation appeared to be an arguable one, whether or not it ultimately prevailed, then there were reasonable grounds for concluding that the claim was based on the Treaty. The validity of the respective arguments would, the Court held, be determined by the Commission of Arbitration in passing on the merits of the difference.

The Court then proceeded to deal with two of the contentions of the Greek Government which were contested by the United Kingdom. One was based on the most-favoured-nation clause in article X of the Treaty of 1886 which would permit Greece to invoke the benefits of treaties concluded by the United Kingdom with third States and thus obtain redress for a denial of justice to Mr. Ambatielos—if the facts alleged were true.

The other contention rested on an interpretation of the provision in article XV of the same Treaty which states, *inter alia*, that "the subjects of each of the two Contracting Parties in the dominions of the other shall have free access to the Courts of Justice..." The Greek Government contended that Mr. Ambatielos did not enjoy "free access" to the Courts because of the

"withholding" by the executive branch of the United Kingdom Government of evidence considered to be vital to his case.

With regard to the first contention, the United Kingdom contended that article X of the Treaty of 1886, dealing with matters of navigation and commerce, could not be invoked to claim the benefits of provisions in other treaties concerning judicial proceedings, which, in the Treaty of 1886, formed the subject of a separate article. The United Kingdom also advanced a number of other arguments designed to show that the facts alleged by the Hellenic Government, if true, would amount to a denial of justice, and that an allegation of denial of justice must be based on general principles of international law and could not be premised on article X of the Treaty of 1886 dealing with commerce and navigation.

As regards the second contention of the Greek Government based on article XV of the 1886 Treaty (see above), the United Kingdom Government insisted on a limited interpretation of the term "free access" and maintained that Mr. Ambatielos must be considered as having been fully accorded that right when he was permitted to appear in the English courts for the prosecution and defence of his rights on an equal footing with British subjects.

Having regard to the contentions of the parties with respect to the scope and effect of the most-favoured-nation clause in article X of the Treaty of 1886, as well as the divergence of views concerning the meaning of the expression "free access to the Courts of Justice" contained in article XV; and bearing in mind especially the interpretations of these provisions contended for by the Hellenic Government, the Court concluded that this was a case in which the Hellenic Government was presenting a claim on behalf of a private person "based on the provisions of the Anglo-Greek Commercial Treaty of 1886" and that the difference between the parties was the kind of difference which, according to the Declaration of 1926, should be submitted to arbitration.

Accordingly, by 10 votes to 4, the Court found that the United Kingdom was under an obligation to co-operate with Greece in constituting a Commission of Arbitration, in accordance with the Protocol of 1886, as provided in the Declaration of 1926.

2. Dissenting Opinion

Sir Arnold McNair, President, Judges Basdevant, Klaestad and Read, availing themselves of

the right conferred on them by Article 57 of the Statute, appended to the Judgment a statement of their dissenting opinion. A summary of the statement follows.

Before declaring a State to be bound to submit a dispute to the decision of an international tribunal, the Permanent Court of International Justice and the present Court had always considered it necessary to establish positively, and not merely on *prima facie* or provisional grounds, that the State in question had in some form given its consent to that procedure, the dissenting opinion stated. Since there was nothing in the Declaration of 1926 to indicate an intention that *prima facie* considerations should be regarded as sufficient, it was the opinion of the dissenting judges, based on the principle referred to above, that the United Kingdom could only be held to be under an obligation to accept the arbitral procedure by application of the Declaration of 1926 if it could be established to the satisfaction of the Court that the difference as to the validity of the Ambatielos claim fell within the category of differences in respect of which the United Kingdom had consented to arbitration.

The claims referred to by the Declaration of 1926 were claims "based on the provisions of the Treaty of 1886". These words, it was stated, should be construed in their natural and ordinary meaning, as had been said over and over again and, in particular, in the advisory opinion of the Court on the competence of the General Assembly for the admission of a State to the United Nations.⁴ In the opinion of the dissenting judges, the natural and ordinary meaning of those words was limited to claims whose legal support was found in the provisions of the Treaty; that is, claims whose validity should be appraised in the light of these provisions. It excluded claims whose support had to be found elsewhere.

Thus, and by virtue of the express reference made by the Declaration of 1926 to the Treaty of 1886, a difference concerning a claim on behalf of a private person came within the scope of the arbitration clause of the Declaration only if the examination of the claim demonstrated that it fell within the framework of the Treaty.

Examining the origin of the claim, the dissenting judges noted that it had arisen from a contract between Mr. Ambatielos and the British Ministry of Shipping for the sale of nine ships then under construction. Mr. Ambatielos had contended that the contract was not properly carried

⁴ I.C.J. Reports, 1950, p. 4; see also Y.U.N., 1950, pp. 409-11.

out by the seller, but this question of the breach of contract was not one which had to be decided by international arbitration. It was submitted to English courts by common accord of the parties. The Admiralty Court gave judgment against Mr. Ambatielos, who appealed to the Court of Appeal, but subsequently abandoned his appeal.

The present claim, it was stated, as formulated by the Hellenic Government, related to the way in which justice was administered in the proceedings in the English courts between Mr. Ambatielos and the Board of Trade, as the successor to the Ministry of Shipping. It had been alleged, on behalf of the Hellenic Government, that officials of the Board of Trade wrongly failed to produce in the Admiralty Court all the evidence available and that this resulted in damage to Mr. Ambatielos. The Hellenic Government also complained of the refusal by the Court of Appeal of leave to Mr. Ambatielos to adduce new evidence. The difference now existing between the parties, it was argued, was therefore concerned with a claim based on alleged improper administration of justice, in particular with regard to the production of evidence in the English courts. The question before the present Court, therefore, was to decide whether the matter of the complaint thus relied upon fell within the provisions of the Treaty of 1886.

The relevant article of the Treaty of 1886 (article XV) promised free access to the courts; it said nothing with regard to the production of evidence, the dissenting judges stated. Questions as to the production of evidence were, it was maintained, by their very nature, within the province of the law of the Court dealing with

the case. The Treaty could have laid down certain requirements in this connexion, but it did not do so. The free access clause in the Treaty was designed to ensure access to the courts, not to regulate the different question of the production of evidence.

The free access clause, the dissenting judges considered, did no more than provide for free access and for "national treatment" as regards conditions, restrictions, taxes and the employment of Counsel. The complaint, as put before the Court in this case, did not allege that Mr. Ambatielos was refused access to English courts, or that he was denied "national treatment" as regards conditions, restrictions, taxes and the employment of Counsel. The Hellenic Government merely alleged that the production of evidence was effected in a manner which, in its opinion, was defective and detrimental to its national. Article XV of the Treaty, it was stated, was unconnected with that complaint. If any legal rule had been broken, it was not a rule contained in that article.

As regards the most-favoured-nation clause contained in article X of the Treaty, the dissenting judges held that it could not be extended to matters other than those in respect of which it was stipulated, that is commerce and navigation.

For these reasons, the dissenting judges considered that the Ambatielos claim did not fall within the category of claims in respect of which the United Kingdom had agreed to arbitration by the Declaration of 1926. Consequently, in their opinion, the United Kingdom was not under an obligation to submit the claim to the arbitral procedure provided for in that Declaration.

B. THE MINQUIERS AND ECREHOS CASE (FRANCE VS. THE UNITED KINGDOM)

On 17 November 1953, the International Court of Justice delivered judgment in the Minquiers and Ecrehos case between France and the United Kingdom. Under a Special Agreement concluded between France and the United Kingdom on 29 December 1950, the Court was requested to

"determine whether the sovereignty over the islets and rocks (in so far as they are capable of appropriation; of the Minquiers and Ecrehos groups belongs to the United Kingdom or the French Republic".

The pleadings were filed within the time limits fixed⁵ and subsequently twice extended at the request of the parties.⁶ Public hearings were held between 17 September and 8 October 1953. The

Court, presided over by the Vice-President, heard Sir Lionel Heald, G. G. Fitzmaurice, E. C. S. Wade, and C. S. Harrison, appearing for the United Kingdom, and André Gros for France

The case concerned two groups of islets lying between the British Channel Island of Jersey and the coast of France. The Ecrehos lies 3.9 sea miles from the former and 6.6 sea miles from the latter. The Minquiers group lies 9.8 sea miles from

⁵ Order of 15 January, 1952, I.C.J. Reports 1952, p. 4.

⁶ Orders of 27 August 1952 and 29 January 1953, I.C.J. Reports 1952, p. 173 and I.C.J. Reports 1953, p. 4.

Jersey and eight miles away from the Chausey Islands, which belong to France.

1. Judgment of the Court

In its Judgment,⁷ the Court defined its task as one of determining which of the parties had produced the more convincing proof of title to one or the other group, or to both of them.

Both parties claimed an ancient or original title to both groups, which had always been maintained and never lost. Examining the titles invoked by both parties, the Court stated that the United Kingdom derived its title from the conquest of England in 1066 by William, Duke of Normandy. This conquest united England with Normandy, including the Channel Islands, and this union lasted until 1204 when King Philip Augustus of France drove the Anglo-Norman forces out of continental Normandy. But his attempts to occupy the Islands were not successful, except for brief periods when some of them were taken by French forces. On this ground, the Court said, the United Kingdom argued that all of the Channel Islands, including the Ecrehos and Minquiers, remained, as before, united with England and that this situation of fact was placed on a legal basis by subsequent treaties concluded between English and French Kings. The French Government contended, for its part, that, after 1204, the King of France held the Minquiers and the Ecrehos, together with some other islands close to the continent, and it referred to the same mediaeval treaties as those invoked by the United Kingdom.

The Court found that none of those treaties (Treaty of Paris of 1295, Treaty of Calais of 1360 and Treaty of Troyes of 1420) specified which islands were held by the King of England or by the King of France. There were other documents, however, which, the Court stated, provided some indications as to the possession of the islets in dispute. The Court then referred to the Charter of 14 January 1200, by which King John of England granted to one of his Barons, Piers des Préaux, the Islands of Jersey, Guernsey and Alderney "to have and hold of us by service of three knights' fees". The Court also referred to the Charter of 1203 by which Piers des Préaux granted to the Abbey of Val-Richer "the island of Ecrehou in entirety", stating that the King of England "gave me the islands" (*insulas mihi dedit*). That, the Court held, showed that he treated the Ecrehos as an integral part of the fief of the Islands which he had received from the King. The Court further stated that, in an Order from the English

King of 5 July 1258, the Sub-Warden of the Islands was ordered "to guard the islands of Gernere and Gerese, and the king's other islands in his keeping". In Letters Patent of the English King, dated 28 June 1360, it was provided that the "keeper of the islands of Gernese, Jereseye, Serk and Aurneye, and other islands adjacent thereto" might have the keeping for a further period. The Court also referred to the Truce of London of 1471, which provided, in article 3, that the King of France would not make any hostile act against the Kingdom of England and other islands specially mentioned, including the Islands "of guernsey, Jersey and alderney [and] other territories, islands and lordships, which are, or will be, held and possessed by the said lord King of England or by his subjects". Reference was also made to a Papal Bull of 20 January 1500, transferring the Channel Islands from the Diocese of Coutances to the Diocese of Winchester, which mentioned "the islands of Jersey and Guernsey, Chausey, Alderney, Herm and Sark". Two commercial Treaties of 1606 and 1655 mentioned only Jersey and Guernsey, the Court stated.

Basing itself on facts such as these, the Judgment of the Court said, the United Kingdom Government submitted the view that the Channel Islands were in the Middle Ages considered an entity, physically distinct from continental Normandy, and that any failure to mention by name any particular island in any relevant document, while enumerating other Channel islands, did not imply that any such island lay outside that entity. The Court considered that, having regard to the above-mentioned documents, and particularly to the Charters of 1200 and 1203, and in view of the undisputed fact that the whole of Normandy, including all the Channel Islands, was held by the English King in his capacity as Duke of Normandy from 1066 until 1204, there appeared to be a strong presumption in favour of the British view. If, the Court continued, the Ecrehos and the Minquiers were never specifically mentioned in such enumerations, this was probably due to their slight importance. The Court, however, felt that it could not draw from these considerations alone any definitive conclusion as to the sovereignty over the Ecrehos and the Minquiers since that question ultimately depended on the evidence of direct possession.

The French Government, the Court stated, saw a presumption in favour of French sovereignty in the feudal link between the King of France,

⁷ I.C.J. Reports 1953, p. 47.

overlord of the whole of Normandy, and the King of England, his vassal for those territories. In that connexion, it relied on a Judgment of the Court of France of 1202, which condemned King John of England to forfeit all the lands which he held in fee of the King of France, including the whole of Normandy. But the United Kingdom Government contended that the feudal title of the French Kings in respect of Normandy was merely nominal. It denied that the Channel Islands were received in fee of the King of France by the Duke of Normandy and contested the validity, and even the existence, of the Judgment of 1202. The Court considered that, without solving those historical controversies, it was sufficient to state that even if the Kings of France had an original feudal title to the Channel Islands, such a title must have lapsed, and could today produce no legal effect unless it had been replaced by another title valid according to the law of the time of replacement; and that the legal effects attached to the dismemberment of the Duchy of Normandy in 1204, when Normandy was occupied by the French, had been superseded by the numerous events which occurred in the following centuries such as the many wars and peace settlements between the two countries. In the opinion of the Court, what was of decisive importance was not indirect presumption deduced from events in the Middle Ages, but the evidence which related directly to the possession of the groups of islets.

Before considering that evidence, the Court examined certain questions concerning both groups. The French Government contended that a convention on fishery, concluded in 1839, although it did not settle the question of sovereignty, did, however, affect that question. It was said that the groups in dispute were included in the common fishery zone created by the convention. It was also said that the conclusion of that convention precluded the parties from relying on subsequent acts as manifestations of sovereignty. The Court said that it was unable to accept these contentions because the convention dealt with waters only, and not the common user of the territory of the islets. In the special circumstances of the case, and in view of the difference of opinion of the parties concerning the "critical date" for allowing evidence, the Court decided to consider all the acts of the parties, even those subsequent to 1886 and 1888 when a dispute as to sovereignty over the groups first arose, unless any measure had been taken with a view to improving the legal position of the party concerned.

The Court then examined the situation of each group of islets. With regard to Ecrehos, it re-

ferred to the Charter of 1200 of the English King, whereby he granted the fief of the Channel Islands to Piers des Préaux, and the Charter of 1203, whereby the latter in turn granted the Ecrehos to the Abbey of Val-Richer. The Court considered that the Charter of 1203 showed that the Ecrehos were treated by Piers des Préaux as an integral part of his fief.

The Court then dealt with the French contention that the grant of the Ecrehos, being in a special form of feudal tenure called *frankalmoin*,⁸ had the effect of severing the feudal link between Piers des Préaux and the Abbey, so that the Ecrehos no longer formed part of the fief of the Channel Islands. The view submitted by the French Government was that the Ecrehos remained subject to the Duke of Normandy through the intermediary of the Abbey of Val-Richer, which was situated on the French mainland, and that, when the King of France succeeded to the rights of the Duke after the occupation of continental Normandy in 1204, the Abbey "passed under his protection, as did the Ecrehos, whose overlord he became".

The Court quoted mediaeval documents and the Charter of 1203 to show that the grant in *frankalmoin* to an ecclesiastical institution did not have the effect of severing feudal ties. It held that the grantor continued to hold the Ecrehos as a part of his fief of the Channel Islands, with the Abbot of Val-Richer as his vassal and the King of England as his overlord, and that the King continued to exercise his justice and levy his rights in the land "so put in alms". The relevant mediaeval documents also showed, the Court held, that there was at that time a close relationship between the Ecrehos and Jersey. From the beginning of the nineteenth century the connexion became closer again because of the growing importance of oyster fishery. The Court attached probative value to various acts relating to the exercise by Jersey of jurisdiction and local administration and to legislation. It instanced criminal proceedings concerning the Ecrehos, the levying of taxes on habitable houses or huts built on the islets since 1889 and the registration in Jersey of contracts dealing with real estate on the Ecrehos.

The Court then dealt with the fact invoked by the French Government that in 1646 the States of Jersey prohibited fishing at the Ecrehos and the *Chausey*, and restricted visits to the Ecrehos in 1692. It mentioned diplomatic exchanges

⁸ Tenure of land bestowed in alms to a religious institution.

between the two Governments, in the beginning of the nineteenth century, to which charts were attached showing part of the Ecrehos as marked outside Jersey waters and treated as *res nullius*.⁹ These acts showed, it was contended, that the Ecrehos were not considered as British territory. The Court, however, did not consider that this was the necessary or the natural inference to be drawn from those facts. It referred to French documents of the nineteenth century to show that on several occasions the French Government had not claimed sovereignty over the Ecrehos but had treated them as *res nullius*. It was in 1886, the Court stated, that the French Government for the first time claimed sovereignty over the Ecrehos.

Appraising the relative strength of the opposing claims in the light of these facts, the Court found that sovereignty over the Ecrehos belonged to the United Kingdom.

With regard to the Minquiers, the Court noted that in 1615, 1616, 1617 and 1692, the Manorial Court of the fief of Noirmont in Jersey exercised jurisdiction in the case of wrecks found at the Minquiers. This exercise of jurisdiction had a territorial character, and showed that the Minquiers were considered to be a part of the manor. Other evidence, deriving from the end of the eighteenth century and the nineteenth and twentieth centuries, concerned inquests on corpses found at the Minquiers, the erection on the islets of habitable houses or huts by persons from Jersey, who paid all property taxes on that account, and the registration in Jersey of contracts of sale relating to real property in the Minquiers. These various facts, the Court said, showed that the Jersey authorities had, in several ways, exercised ordinary local administration in respect of the Minquiers during a long period of time and that, for a considerable part of the nineteenth century and the twentieth century, British authorities had exercised State functions in respect of that group.

The Court then dealt with the French contention that the Minquiers had been a dependency of the Chausey Islands, which, according to the view held by the Government of France, had always belonged to France, and which in 1022 were granted by the Duke of Normandy to the Abbey of Mont-Saint-Michel. The French Government had referred to a Papal Bull of 1179 which confirmed that Abbey in all its possessions, among which the Bull mentioned "*totam insulam de cause cum pertinentiis suis*".¹⁰ But, the Court held, no deduction could be made from this general clause about appurtenances to the Chausey Islands with regard to the status of the Minquiers.

The United Kingdom Government had, on the other hand, contended that the Chausey Islands belonged to England until about 1764. The Court, however, did not consider it necessary for deciding the present case to determine at what time the Chausey Islands became a French possession.

It referred to a correspondence which took place in 1784 between French authorities concerning an application for a concession in respect of the Minquiers made by a French national. The Court held the view that this correspondence did not disclose anything which could support the present French claim to sovereignty, but that it revealed certain fears of creating difficulties with the English Crown. The French Government further contended that, since 1861, it had assumed the sole charge of the lighting and buoing of the Minquiers, without encountering any objection from the United Kingdom. The Court found that the buoys placed by the French Government at the Minquiers were placed outside the reefs of the group and purported to aid navigation to and from French ports and protect shipping against the dangerous reef of the Minquiers. The French Government also relied on various official visits to the Minquiers and the erection in 1939 of a house on one of the islets with a subsidy from the Mayor of Granville, in continental Normandy. The Court did not find that the facts invoked by the French Government were sufficient to show that France had a valid title to the Minquiers.

As to the above-mentioned evidence from the nineteenth and twentieth centuries, the Court stated that such acts could hardly be considered as sufficient evidence of the intention of that Government to act as sovereign over the islets.

The Court referred to diplomatic exchanges between the two Governments from the beginning of the nineteenth century which, it considered, confirmed that view. Thus, by his Note of 12 June 1820 to the British Foreign Office, the French Ambassador in London transmitted a letter from the French Minister of Marine of 14 September 1819 to the French Foreign Minister, in which the Minquiers were stated to be "*possédés par l'Angleterre*"; in one of the charts enclosed the Minquiers group was indicated as being British.

In such circumstances and having regard to the view expressed above with regard to the evidence produced by the United Kingdom Government, the Court was of the opinion that the sovereignty

⁹ Property without an owner.

¹⁰ The whole island with all its appurtenances.

over the Minquiers belonged to the United Kingdom.

The Court unanimously found that the sovereignty over the islets and rocks of the Ecrehos and Minquiers group, in so far as they were capable of appropriation, belonged to the United Kingdom.

Judges Basdevant and Carneiro, while concurring in the decision of the Court for different reasons, appended to the Judgment statements of their individual opinions. Judge Alvarez, while also concurring in the decision of the Court, made a declaration expressing regret that the Parties had attributed excessive importance to mediaeval evidence and had not sufficiently taken into account the state of international law or its present tendencies in regard to territorial sovereignty.

2. Individual Opinion of Judge Basdevant

In the statement of his individual opinion, Judge Basdevant said that the Judgment of the Court of France of 1202 on which the French Government had relied (see above) could not be validly invoked because the forfeiture which resulted from it affected the King of England only in his capacity as Duke of Normandy and not in his capacity as King of England. As King of England, he gained possession of the Channel Islands and acquired title *jure belli*¹¹ over them on his own behalf—a title which was later confirmed by certain treaties. As regards the question whether that title extended specifically to the Ecrehos and the Minquiers, Judge Basdevant expressed the view that the closeness of the islets to Jersey confirmed the probability of the English King exercising sovereignty over them by virtue of his naval power.

With regard to the letter of the French Minister of Marine of 1819 (see above) indicating that the Minquiers were in British possession, Judge Basdevant considered that the words of the Minister of Marine did not amount to an admission and that he was not entitled to make such an admission. Judge Basdevant also expressed hesitation in accepting the contention that the jurisdiction assumed by Jersey authorities in Ecrehos and Minquiers amounted by itself to an assumption of "territorial jurisdiction". However, because of the absence of similar competing action on the part of the French authorities, he considered, the hypothesis seemed reasonable that the King of England had "held" the disputed islets within the meaning of the Treaty of Calais of 1360, by

which there was agreement between France and England that the King of England should have the islands which he "now holds".

In the light of these facts, Judge Basdevant considered that the decision of the Court was justified.

3. Individual Opinion of Judge Carneiro

Judge Levi Carneiro stated that his observations related to circumstances of a general character which, in his view, explained, confirmed, coordinated and lent value to the acts of occupation which occurred at irregular intervals throughout the centuries and were not all sufficiently significant if taken individually. In his Opinion, he declared, he had taken as the criterion for the decision the following rules which were laid down by the Permanent Court of International Justice in the case concerning the Legal Status of Eastern Greenland:¹²

"(a) the elements necessary to establish a valid title to sovereignty are 'the intention and will to exercise such sovereignty and the manifestation of State activity' (pp. 46 and 63);

"(b) in many cases international jurisprudence 'has been satisfied with very little in the way of the actual exercise of sovereign rights, provided that the other State could not make out a superior claim. This is particularly true in the case of claims to sovereignty over areas in thinly populated or unsettled countries' (p. 46);

"(c) it is the criterion of the Court in each individual case which decides whether sovereign rights have been displayed and exercised 'to an extent sufficient to constitute a valid title to sovereignty' (pp. 63-64)".

Applying these criteria, Judge Carneiro examined, first, the fief of the Channel Islands. He was unable to accept the view that the Duke of Normandy, having become the King of England, and having retained the Channel Islands when the King of France drove him out of continental Normandy, "humbly remained subject to the suzerainty of his adversary". The same considerations, he said, made it impossible for him to suppose that the suzerainty of the King of France extended to the Channel Islands, all the more so since he did not conquer them at the beginning of the thirteenth century when he conquered continental Normandy.

Another factor in the present case, Judge Carneiro stated, was the continuous and keen interest

¹¹ By right of war.

¹² P.C.I.J. Series A/B, Fascicule No. 53.

shown by England in the Channel Islands, in contrast to a "certain indifference or a much less lively and assiduous interest shown by France".

Judge Carneiro also referred to a secret agreement signed by King John the Good of France when the latter was taken prisoner by England after the battle of Poitiers in 1356. The agreement, he said, provided for the restoration to the English Crown of all the Duchy of Normandy "with all the cities, castles, dioceses, lands, regions and places lying within the Duchy itself". In his Opinion, Judge Carneiro held that the absence of any express reference to the islands confirmed, in general terms, that the islands were already in the possession of England. If this had not been so, England would not have lost the opportunity to have them included in the secret agreement.

The individual Opinion also took account of the natural unity of the archipelago known as the

"Anglo-Norman Islands" or the Channel Islands and concluded that "This archipelago which still bears this name today, with its natural unity, is indisputably English."

With regard to historical facts, Judge Carneiro concluded that the military victories of the English and their naval power allowed them to secure the domination of the Channel Islands generally. It seemed "inconceivable" to him that England, having an important interest in the Channel Islands and full domination over the sea, and possessing all the principal islands, should not, without some special reason, have conquered and retained the Ecrehos and the Minquiers or, rather, that it would have left them to France.

The Opinion then referred to acts of occupation and other circumstances leading to the decision by the Court with which Judge Carneiro concurred.

C. THE NOTTEBOHM CASE (LIECHTENSTEIN VS. GUATEMALA)

The International Court of Justice on 18 November 1953 handed down a Judgment¹³ on a Preliminary Objection of the Guatemalan Government in the Nottebohm Case.¹⁴ In its Judgment, the Court stated that, in a communication signed by the Minister for Foreign Affairs of Guatemala, dated 9 September 1952, and addressed to the President of the Court, Guatemala contended that the Court had no jurisdiction in the present case. Guatemala stated that it had recognized the compulsory jurisdiction of the Court, which it had accepted on 27 January 1947, but not in an absolute and general form, since this would have implied an indefinite submission to the detriment of its sovereignty. Guatemala stated further that the time limit provided for in its declaration had expired on 26 January 1952, and from that moment the International Court "has no jurisdiction to treat, elucidate or decide cases which would affect Guatemala", unless Guatemala prolonged its duration of its declaration with the Secretary-General of the United Nations, or signed a special protocol of submission with any other interested State. In the absence of these conditions, Guatemala was unable to appear before the Court in any given case.

Guatemala went on to state that it had taken note of the claim presented by Liechtenstein on supposed official acts to the alleged detriment of F. Nottebohm, and that the Guatemalan Ministry of Foreign Affairs was quite willing to begin

negotiations with Liechtenstein, with a view to arriving at an amicable solution, either by way of a direct settlement, by arbitration or by judicial settlement. In the present circumstances, however, since the jurisdiction of the International Court in relation to Guatemala "has terminated and because it would be contrary to the domestic laws of that country", Guatemala was unable to appear and to contest the claim which had been made.

By Order of 21 March 1953,¹⁵ the Court fixed a time limit for the presentation by Liechtenstein of a written statement of its observations in regard to the communication of Guatemala. In a statement filed on 21 May 1953, within the time limit fixed by the Court, Liechtenstein requested the Court to assume jurisdiction over the case and to reject the contrary contentions of Guatemala. Liechtenstein argued that the terms of the declaration made by Guatemala on 27 January 1947, submitting to the jurisdiction of the Court for a period of five years, were sufficient to confer jurisdiction upon the Court to hear and determine any case in which proceedings were instituted prior to midnight, 26 January 1952.

The Court, having taken into account the declared intention of the parties to seek a settle-

¹³ I.C.J. Reports 1953, p. 111.

¹⁴ See also Y.U.N., 1951, p. 819.

¹⁵ I.C.J. Reports 1953, p. 7.

ment of their dispute by negotiation, but not having been informed that such negotiation had achieved any result, fixed a hearing for 10 November 1953. Guatemala was not represented at the hearing.

In its Judgment, the Court declared that it has been generally recognized that, in the absence of any agreement to the contrary, an international tribunal has the right to decide as to its own jurisdiction, and has the power to interpret for this purpose the instruments which govern that jurisdiction. The judicial character of the Court and the rule of general international law, the Court stated, were sufficient to establish that it was competent to adjudicate on its own jurisdiction in the present case. Consequently, it had to ascertain and decide whether the expiry on 26 January 1952 of the declaration by which Guatemala accepted the compulsory jurisdiction of the Court had the effect of depriving the Court of its jurisdiction to adjudicate on the claim stated in the Application, of which it was seized on 17 December 1951 by Liechtenstein.

At the time Liechtenstein filed its Application, the declarations by Guatemala and Liechtenstein accepting the compulsory jurisdiction of the Court were both in force. Article 36 of the Court's Statute and these declarations, said the Court, determined the law governing the Application.

The Court held that, in accordance with these declarations, the Application was filed in sufficient time validly to effect the seisin of the Court. Guatemala's declaration of 27 January 1947 made it clear, said the Court, that it was to last for five years. There could be no doubt that an Application filed after the expiry of this period would not have the effect of legally seizing the Court. But neither in its declaration nor in any other way did Guatemala then indicate that the time limit provided for in its declaration meant that the expiry of the period would deprive the Court of jurisdiction to deal with cases of which it had been previously seized. The Court could not therefore accept the conclusion of Guatemala in its communication of 9 September 1952

that, since Guatemala had accepted the jurisdiction of the Court for a period ending on 26 January 1952, the Court, after that date, no longer had the power of administering justice with reference to Guatemala.

Once the Court has been regularly seized, the Judgment declared, it must exercise its powers, as defined in its Statute, and the regularity of the seizing of the Court by this Application was not disputed.

When an Application is filed at a time when the law in force between the parties entails the compulsory jurisdiction of the Court—which was the case between Guatemala and Liechtenstein on 17 December 1951—the filing of the Application is merely the condition required to enable the clause of compulsory jurisdiction to produce its effects in respect of the claim advanced in the Application. Once this condition has been satisfied, the Court must deal with the claim; it has jurisdiction to deal with all its aspects, whether they relate to jurisdiction, to admissibility or to the merits. An extrinsic fact such as the subsequent lapse of the declaration, by reason of the expiry of the period or by denunciation, cannot, the Court declared, deprive the Court of the jurisdiction already established.

The Court therefore concluded that the expiry on 26 January 1952 of the five-year period for which Guatemala subscribed to a declaration accepting the compulsory jurisdiction of the Court did not affect any jurisdiction which the Court might have to deal with the claim presented in the Application of which it was seized on 17 December 1951 by Liechtenstein.

For the above reasons, the Court on 18 November 1953 unanimously rejected the Preliminary Objection presented by Guatemala and resumed the proceedings on the merits. The Court fixed the following time limits for the rest of the procedure: 20 January 1954 for the filing of the Counter-Memorial of Guatemala; 25 February 1954 for the filing of the Reply by Liechtenstein; and 10 April 1954 for the filing of the Rejoinder by Guatemala.

D. OTHER CASES BEFORE THE INTERNATIONAL COURT OF JUSTICE

1. Case of the Monetary Gold Removed from Rome in 1943 (Italy vs. France, the United Kingdom and the United States)

Italy on 19 May 1953 filed an Application with the International Court of Justice asking the Court

to adjudge and declare that France, the United Kingdom and the United States should deliver to Italy any share of the monetary gold (removed from Rome in 1943 by the Germans) that might be due to Albania, in partial satisfaction for the damage caused to Italy by an Albanian law of confiscation of 13 January 1945. The Court

was also asked to adjudge and declare that Italy's right to receive the said share of monetary gold must have priority over the claim of the United Kingdom to receive the gold in partial satisfaction of the Court's 1949 judgment in the Corfu Channel case.

Italy on 19 May 1953 deposited with the Registry of the International Court of Justice a declaration accepting the jurisdiction of the Court in respect of the dispute concerned.

By an Order¹⁶ of 1 July 1953, the Court fixed the following time limits for the filing of Pleadings: 2 November 1953 for a Memorial by Italy; and 2 March 1954 for Counter-Memorials by France, the United Kingdom and the United States.

On 30 October 1953, Italy filed with the Court's Registry a document requesting the Court to adjudicate on the preliminary question of its jurisdiction to deal with the merits of the claim set forth in Italy's Application to the Court.

By an Order¹⁷ of 3 November 1953, the Court suspended the proceedings on the merits of the case in order to give Italy an opportunity to present a written statement defining its position, together with documents in support. The Court fixed 15 December 1953 as the time limit within which Italy was to present the statement and documents. It fixed 15 February 1954 as the time limit within which France, the United Kingdom and the United States might present written statements of their observations and submissions.

E. THE INTERNATIONAL LAW COMMISSION

The International Law Commission (ILC) held its fifth session at Geneva from 1 June to 14 August 1953. It elected for a term of one year the following officers: Chairman—J.P.A. François; First Vice-Chairman—Gilberto Amado; Second Vice-Chairman—F.I. Kozhevnikov; Rapporteur—H. Lauterpacht.¹⁹

The General Assembly at its eighth session discussed the Commission's report (A/2456) at the 381st to 389th meetings and 392nd to 394th meetings of the Sixth Committee, from 5 to 18 and from 25 to 28 November 1953, and at the 468th plenary meeting on 7 December.

2. "Electricité de Beyrouth" Company Case (France vs. Lebanon)

France on 15 August 1953 filed with the Registry of the International Court of Justice an Application instituting proceedings against Lebanon regarding a dispute between France and Lebanon concerning certain concessions for the exploitation of public services in Lebanon, granted by Lebanon to the "Electricité de Beyrouth" Company.

In its Application, France asked the Court to adjudge and declare:

(1) that the alterations of the situation of the "Société Electricité de Beyrouth" made unilaterally by Lebanon were contrary to the undertaking given in an Agreement of 24 January 1948 between France and Lebanon;

(2) that Lebanon had accordingly failed to carry out the obligation to negotiate with the concessionary company which it assumed under that agreement; and

(3) that Lebanon was under an obligation to enter into negotiations with the "Société Electricité de Beyrouth" in respect of any modifications of its situation and to make good the damage suffered until the date of the Court's decision as the result of the measures which had prevented the "Société Electricité de Beyrouth" from operating according to the rules which Lebanon was under an obligation to observe.

By an Order¹⁸ of 20 October 1953, the Court fixed the following time limits for the filing of Pleadings: 18 January 1954 for the Memorial of France, and 28 April 1954 for the Counter-Memorial of Lebanon.

1. Arbitral Procedure

a. DRAFT PREPARED BY THE COMMISSION

In reviewing the draft on arbitral procedure drawn up at its previous session²⁰ the Commission had before it comments received from the Governments of the following countries: Argentina, Belgium, Brazil, Chile, India, the Netherlands,

¹⁶ I.C.J. Reports 1953, p. 37.

¹⁷ *Ibid.*, p. 44.

¹⁸ *Ibid.*, p. 41.

¹⁹ For members of the Commission serving during 1953, see Appendix I; for election of members to serve from 1 January 1954, see p. 19.

²⁰ For the text of this draft, see Y.U.N., 1952, pp. 792-95.

Norway, Sweden, the United Kingdom and the United States.²¹

In its report, the Commission stated that, in the light of the comments of governments and of the study of the provisional draft by its members in the intervening period between the fourth and fifth sessions, it had adopted a number of substantial changes. The Commission also had before it a detailed commentary prepared by the Secretariat in accordance with a decision taken at its fourth session.

The Commission explained that the term "arbitral procedure" as used in the title of the draft referred to arbitral procedure in its wider sense, i.e., provisions for safeguarding the effectiveness of arbitration engagements accepted by the parties, as well as clauses relating to the constitution and powers of the tribunal, the general rules of evidence and procedure, and the award of arbitrators. It had not considered it necessary to frame detailed rules of arbitral procedure, which were liable to vary according to the circumstances of each arbitration.

The Commission emphasized that the present draft on arbitral procedure had a dual aspect, representing, on the one hand, a codification of existing law on international arbitration, and, on the other, a formulation of what the Commission considered to be desirable developments in the field. Thus the Commission had preserved all the traditional features of arbitral procedure, such as those provided for in article 1, relating to the undertaking to arbitrate, in article 3, relating to the constitution of the tribunal, in articles 9 and 10, relating to powers and procedure of the tribunal, and in other articles.

At the same time, the Commission had also provided certain procedural safeguards for securing the effectiveness, in accordance with the original common intention of the parties, of the undertaking to arbitrate. For example, to prevent one of the parties to an undertaking to arbitrate from avoiding arbitration by claiming that the dispute in question was not covered by the undertaking, article 2 provided for a binding decision by the International Court of Justice as to the arbitrability of the dispute. Similarly, in order to avoid the frustration that might be caused by one government withdrawing its arbitrator, articles 5 to 8 provided for the immutability of the tribunal once it had been formed, except in specified cases. The article also created the requisite machinery for the filling of vacancies regardless of whether they arose in contingencies authorized in the draft or whether they were due

to action taken in violation of its provisions. Similarly article 10 of the draft included detailed provisions for the drawing up of the compromis by the arbitral tribunal in cases in which the parties had failed to reach agreement on the subject. Article 13 conferred upon the tribunal the power to formulate its rules of procedure whenever the compromis, or its equivalent, failed to cover the matter wholly or in part.

After giving several other examples of similar provisions designed to ensure the effectiveness of the undertaking to arbitrate, the Commission remarked that, while the provisions of the draft constituted procedural innovations and while, to that extent, they fell within the orbit of development of international law, they were not otherwise innovations at all.

Dealing with the alterations which it made in the draft in the course of its fifth session, the Commission stated that in many cases they had been prompted by the observations of various governments. Apart from the changes in drafting, these alterations were aimed, in some cases, at simplifying the procedure previously formulated. In other cases, further study had revealed certain gaps which the Commission had now thought it desirable to fill. For example, in article 3, which was concerned with the constitution of the arbitral tribunal, it was thought desirable to simplify the procedure previously formulated and to shorten the delays by eliminating recourse to third States for assistance in the constitution of the tribunal. The present draft, it was stated, completed the scheme by making provision for the determination of the composition of the tribunal by the President of the International Court of Justice, or the judge acting in his place, in case the compromis was silent on the matter or if no agreement could be reached between the parties on the subject. Similarly, it was stated, the draft now made provision for the designation of the president of the tribunal in cases in which the arbitrators appointed by the parties failed to agree on his appointment or if his appointment had not materialized for some other reason.

With regard to the autonomy of the parties, the report of the Commission stated that, both at the fifth and at preceding sessions, the Commission was anxious to preserve what it considered to be the essential feature of international arbitration as distinguished from the more institution-

²¹ The Government of Uruguay transmitted to the Commission the comments of the Faculty of Law and Social Sciences in Montevideo and of the Uruguayan Institute of International Law. These comments were received too late to be taken into consideration.

alized procedure of international judicial settlement. That essential feature, the Commission said, was the autonomy of the will of the parties both with regard to the choice of the arbitrators, the law to be applied and the procedure of the arbitral tribunal. That freedom, it said, was limited only by the following basic considerations: first, that the procedure adopted must not be such as to frustrate the common intention of the parties, as expressed in the original undertaking to arbitrate and, secondly, that there must be no impairment of the binding character of the award. Apart from these fundamental considerations, the procedure as formulated in the draft, the Commission stated, was, in general, of an optional character.

To illustrate this feature of the draft, the Commission referred to a number of its provisions. For example, in article 2, providing for a determination of the arbitrability of a dispute by the International Court of Justice, that procedure was made obligatory only "in the absence of agreement between the parties upon another procedure". Similarly, article 12 provided what would be the law to be applied by the arbitral tribunal; but this was so only "in the absence of any agreement between the parties concerning the law to be applied". Such optional clauses, the Commission said, had been included in a number of articles to ensure the autonomy of the parties.

The draft Convention submitted by the Commission read as follows:

CHAPTER I

The undertaking to arbitrate

Article 1

1. An undertaking to have recourse to arbitration may apply to existing disputes or to disputes arising in the future.

2. The undertaking shall result from a written instrument, whatever the form of the instrument may be.

3. The undertaking constitutes a legal obligation which must be carried out in good faith.

Article 2

1. If, prior to the constitution of an arbitral tribunal, the parties to an undertaking to arbitrate disagree as to the existence of a dispute, or as to whether an existing dispute is within the scope of the obligation to have recourse to arbitration, such preliminary question may, in the absence of agreement between the parties upon another procedure, be brought before the International Court of Justice by application of either party. The decision rendered by the Court shall be final.

2. In its decision on the question, the Court may prescribe the provisional measures to be taken for the protection of the respective interests of the parties pending the constitution of the arbitral tribunal.

CHAPTER II

Constitution of the tribunal

Article 3

1. Within three months from the date of the request made for the submission of the dispute to arbitration, or from the date of the decision of the International Court of Justice in pursuance of article 2, paragraph 1, the parties to an undertaking to arbitrate shall proceed to constitute the arbitral tribunal by appointing a sole arbitrator or several arbitrators in accordance with the *compromis* referred to in article 9 or with any other instrument embodying the undertaking to arbitrate.

2. If a party fails to make the necessary appointments under the preceding paragraph within three months, the appointment shall be made by the President of the International Court of Justice at the request of the other party. If the President is prevented from acting or is a national of one of the parties, the appointments shall be made by the Vice-President. If the Vice-President is prevented from acting or is a national of one of the parties, the appointments shall be made by the oldest member of the Court who is not a national of either party.

3. The appointments referred to in paragraph 2 shall be made in accordance with the provisions of the *compromis* or of any other instrument embodying the undertaking to arbitrate. In the absence of such provisions the composition of the tribunal shall be determined, after consultation with the parties, by the President of the International Court of Justice or the judge acting in his place.

4. In cases where provision is made for the choice of a president of the tribunal by the other arbitrators, the tribunal shall be deemed constituted when the president is selected. If the president has not been chosen within two months of the appointment of the other arbitrators, he shall be designated in the manner prescribed in paragraph 2.

Article 4

1. The parties having recourse to arbitration shall constitute a tribunal which may consist of one or more arbitrators.

2. Subject to the circumstances of the case, the arbitrators should be chosen from among persons of recognized competence in international law.

Article 5

1. Once the tribunal has been constituted, its composition shall remain unchanged until the award has been rendered.

2. A party may, however, replace an arbitrator appointed by it, provided that the tribunal has not yet begun its proceedings. An arbitrator may not be replaced during the proceedings before the tribunal except by agreement between the parties.

3. The proceedings are deemed to have begun when the President or sole arbitrator has made the first order concerning written or oral proceedings.

Article 6

Should a vacancy occur on account of death or incapacity of an arbitrator or, prior to the commencement of proceedings, the resignation of an arbitrator, the vacancy shall be filled by the method laid down for the original appointment.

Article 7

1. Once the proceedings before the tribunal have begun, an arbitrator may withdraw only with the consent of the tribunal. The resulting vacancy shall be filled by the method laid down for the original appointment.

2. Should the withdrawal take place without the consent of the tribunal, the resulting vacancy shall be filled, at the request of the tribunal in the manner provided for in paragraph 2 of article 3.

Article 8

1. A party may propose the disqualification of one of the arbitrators on account of a fact arising subsequently to the constitution of the tribunal. It may propose the disqualification of one of the arbitrators on account of a fact arising prior to the constitution of the tribunal only if it can show that the appointment was made without knowledge of that fact or as a result of fraud. In either case, the decision shall be taken by the other members of the tribunal.

2. In the case of a sole arbitrator the question of disqualification shall be decided by the International Court of Justice on the application of either party.

3. The resulting vacancies shall be filled, at the request of the tribunal in the manner provided for in paragraph 2 of article 3.

CHAPTER III

The compromis

Article 9

Unless there are prior agreements which suffice for the purpose, the parties having recourse to arbitration shall conclude a compromis which shall specify:

- (a) The subject matter of the dispute;
- (b) The method of constituting the tribunal and the number of arbitrators;
- (c) The place where the tribunal shall meet.

In addition to any other provisions deemed desirable by the parties, the compromis may also specify the following:

- (1) The law to be applied by the tribunal, and the power, if any, to adjudicate *ex aequo et bono*;
- (2) The power, if any, of the tribunal to make recommendations to the parties;
- (3) The procedure to be followed by the tribunal;
- (4) The number of members constituting a quorum for the conduct of the proceedings;
- (5) The majority required for the award;
- (6) The time limit within which the award shall be rendered;
- (7) The right of members of the tribunal to attach dissenting opinions to the award;
- (8) The appointment of agents and counsel;
- (9) The languages to be employed in the proceedings before the tribunal; and
- (10) The manner in which the costs and expenses shall be divided.

Article 10

1. When the undertaking to arbitrate contains provisions which seem sufficient for the purpose of a compromis and the tribunal has been constituted, either party may submit the dispute to the tribunal

by application. If the other party refuses to answer the application on the ground that the provisions above referred to are insufficient, the tribunal shall decide whether there is already sufficient agreement between the parties on the essential elements of a compromis as set forth in article 9 to enable it to proceed with the case. In the case of an affirmative decision the tribunal shall prescribe the necessary measures for the continuation of the proceedings. In the contrary case the tribunal shall order the parties to conclude a compromis within such time limit as the tribunal will consider reasonable.

2. If the parties fail to agree on a compromis within the time limit fixed in accordance with the preceding paragraph, the tribunal shall draw up the compromis.

3. If neither party claims that the provisions of the undertaking to arbitrate are sufficient for the purposes of a compromis and the parties fail to agree on a compromis within three months after the date on which one of the parties has notified the other of its readiness to conclude the compromis, the tribunal, at the request of the said party, shall draw up the compromis.

CHAPTER IV

Powers of the tribunal

Article 11

The tribunal, which is the judge of its own competence, possesses the widest powers to interpret the compromis.

Article 12

1. In the absence of any agreement between the parties concerning the law to be applied, the tribunal shall be guided by Article 38, paragraph 1, of the Statute of the International Court of Justice.

2. The tribunal may not bring in a finding of non liquet on the ground of the silence or obscurity of international law or of the compromis.

Article 13

1. All questions shall be decided by a majority of the tribunal.

2. In the absence of any agreement between the parties concerning the procedure of the tribunal, the tribunal shall be competent to formulate its rules of procedure.

Article 14

The parties are equal in any proceedings before the tribunal.

Article 15

1. The tribunal shall be the judge of the admissibility and the weight of the evidence presented to it.

2. The parties shall co-operate with the tribunal in the production of evidence and shall comply with the measures ordered by the tribunal for this purpose. The tribunal shall take note of the failure of any party to comply with its obligations under this paragraph.

3. The tribunal shall have the power at any stage of the proceedings to call for such evidence as it may deem necessary.

4. At the request of either party, the tribunal may visit the scene with which the case before it is connected, provided that the requesting party offers to pay the costs.

Article 16

The tribunal shall decide on any incidental or additional claims or counter-claims arising directly out of the subject-matter of the dispute.

Article 17

The tribunal, or in case of urgency its president subject to confirmation by the tribunal, shall have the power to prescribe, at the request of one of the parties and if circumstances so require, any provisional measures to be taken for the protection of the respective interests of the parties.

Article 18

When, subject to the control of the tribunal, the agents and counsel have completed their presentation of the case, the proceedings shall be formally declared closed.

Article 19

The deliberations of the tribunal, which should be attended by all of its members, shall remain secret.

Article 20

1. Whenever one of the parties does not appear before the tribunal, or fails to defend its case, the other party may call upon the tribunal to decide in favour of its claim.

2. In such case, the tribunal may render an award if it is satisfied that it has jurisdiction and that the claim is well-founded in fact and in law.

Article 21

1. Discontinuance of proceedings by the claimant party may not be accepted by the tribunal without the consent of the respondent.

2. If the case is discontinued by agreement between the parties, the tribunal shall take note of the fact.

Article 22

The tribunal may take note of a settlement reached by the parties. At the request of the parties, it may embody the settlement in an award.

CHAPTER V

The award

Article 23

The award shall be rendered within the period fixed by the compromis unless the tribunal, with the consent of either party, decides to extend the period fixed in the compromis.

Article 24

1. The award shall be drawn up in writing. It shall contain the names of the arbitrators and shall be signed by the president and the members of the tribunal who have voted for it.

2. The award shall state the reasons on which it is based.

3. The award is rendered by being read in open court, the agents of the parties being present or duly summoned to appear.

4. The award shall immediately be communicated to the parties.

Article 25

Subject to any contrary provision in the compromis, any member of the tribunal may attach to the award his separate or dissenting opinion.

Article 26

The award is binding upon the parties when it is rendered. It must be carried out in good faith.

Article 27

Within a month after the award has been tendered and communicated to the parties, the tribunal, either of its own accord or at the request of either party, shall be entitled to rectify any clerical, typographical or arithmetical error or errors of the same nature apparent* on the face of the award.

Article 28

1. Any dispute between the parties as to the meaning and scope of the award may, at the request of either party and within one month of the rendering of the award, be submitted to the tribunal which rendered the award. A request for interpretation shall stay execution of the award pending the decision of the tribunal on the request.

2. If, for any reason, it is impossible to submit the dispute to the tribunal which rendered the award, and if the parties have not agreed otherwise within three months, the dispute may be referred to the International Court of Justice at the request of either party.

CHAPTER VI

Revision

Article 29

1. An application for the revision of the award may be made by either party on the ground of the discovery of some fact of such a nature as to have a decisive influence on the award, provided that when the award was rendered that fact was unknown to the tribunal and to the party requesting revision and that such ignorance was not due to the negligence of the party requesting revision.

2. The application for revision must be made within six months of the discovery of the new fact and in any case within ten years of the rendering of the award.

3. In the proceedings for revision the tribunal shall, in the first instance, make a finding as to the existence of the alleged new fact and rule on the admissibility of the application. If the tribunal finds the application admissible it shall then decide on the merits of the dispute.

4. The application for revision shall be made to the tribunal which rendered the award. If, for any reason, it is not possible to make the application to that tribunal, the application may, unless the parties agree otherwise, be made to the International Court of Justice, by either party.

CHAPTER VII

Annulment of the award

Article 30

The validity of an award may be challenged by either party on one or more of the following grounds:

- (a) That the tribunal has exceeded its powers;
- (b) That there was corruption on the part of a member of the tribunal;
- (c) That there has been a serious departure from a fundamental rule of procedure, including failure to state the reasons for the award.

Article 31

1. The International Court of Justice shall be competent, on the application of either party, to declare the nullity of the award on any of the grounds set out in the preceding article.

2. In cases covered by paragraphs (a) and (f) of article 30 the application must be made within sixty days of the rendering of the award and in the case covered by paragraph (b) within six months.

3. The application shall stay execution unless otherwise decided by the Court.

Article 32

If the award is declared invalid by the International Court of Justice, the dispute shall be submitted to a new tribunal to be constituted by agreement of the parties, or, failing such agreement, in the manner provided in article 3.

b. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS EIGHTH SESSION

The Assembly's Sixth Committee decided to consider first chapter II of the report of the International Law Commission (A/2456), the chapter dealing with arbitral procedure. It dealt with this chapter at its 382nd to 389th meetings from 9 to 18 November.

The Committee heard a statement by the Chairman of the Commission, J.P.A. François, who said that there was some degree of misunderstanding on the draft, which was merely a draft on arbitral procedure and not a draft convention on arbitration. Some delegations, he said, seemed to be willing to accept the obligations suggested in the draft in particular cases or in bilateral agreements, but were reluctant to conclude a general convention. By subscribing to a convention, he continued, a State would not assume an obligation to submit disputes to arbitration but only to follow a certain procedure for the implementation of such an obligation when undertaken. He considered that a general convention on arbitral procedure was needed in addition to bilateral treaties, and that it was illogical to accept procedures for arbitration in bilateral treaties but not in such a general convention.

During the debate in the Committee, the representatives of Afghanistan, Argentina, Belgium, Brazil, the Byelorussian SSR, Czechoslovakia, Egypt, France, Guatemala, India, Iran, Poland, Syria and the USSR expressed the view that the draft presented by the International Law Commission was unsatisfactory in view of its sharp deviation from the accepted norms of international arbitration. The procedure envisaged in the draft tended to convert arbitration into adjudication, it was maintained. Most of the criticism by these representatives of the draft

centred on articles 2, 3, 7, 8, 12, 28, 31 and 32, in which provision was made for referral to the International Court of Justice of various questions connected with the arbitration proceedings. It was argued that the procedure, if followed, would introduce the International Court of Justice as a court of revision and thereby detract from the efficacy of arbitration, an essential feature of which was the finality of the award. The procedure proposed, it was argued, would also discourage States from entering into arbitration agreements and would thus close an important means for the peaceful settlement of disputes. Some of these representatives, in particular the representative of Poland, emphasized that the draft, if accepted, would restrict the sovereignty of States by compelling them to appear before the International Court of Justice against their will.

On the other hand, the representatives of Canada, China, Cuba, Greece, Mexico, the Netherlands, New Zealand, Norway, Pakistan, Panama, Sweden and Uruguay, among others, expressed general support of the Commission's draft, which, they maintained, was aimed at making arbitration effective and at preventing future failures to fulfil the undertaking to arbitrate. Although, it was said, the draft convention would bring arbitration closer to permanent jurisdiction, it would not bind parties to enter into undertakings to arbitrate. As regards clauses providing for the intervention of the International Court of Justice, it was argued that many agreements to arbitrate already contained a voluntary undertaking providing for such intervention. Further, the idea of arbitration did not exclude the possibility of leaving to an impartial body acting independently of the wishes of the parties the decision of such questions as whether or not a dispute came within the obligation to arbitrate, according to the terms of a particular arbitration treaty.

The representatives of the United Kingdom and the United States, while paying tribute to the draft prepared by the Commission, reserved the position of their Governments as regards a draft convention on arbitral procedure and as regards the holding of a conference to conclude such a convention. The representatives of Israel and the United States expressed the view that the greatest usefulness of the draft would be as a model for procedural provisions in future arbitration agreements.

In reply to some of the points raised during the debate, the Chairman of the International Law Commission, Mr. François, issued an explanatory statement (A/C.6/L.320). He conceded that

a State in accepting article 2 of the draft providing for the submission to the International Court of Justice of the question of the arbitrability of the dispute, would be accepting a new restriction of its sovereign rights, but he maintained that that was the price it paid for the certainty that an undertaking to arbitrate would not be nullified by a disagreement between the parties on that preliminary question. As regards the provisions in articles 2, 28, 29, and 31 for the intervention of the International Court of Justice, Mr. François stated that in none of the cases contemplated was the Court envisaged as entering into the merits of a case or as rendering an arbitral award.

If a final decision could not be taken by the General Assembly at its present session, he asked the Committee, in the interests of advancing the work of codification, to consider resuming discussion of the draft at the next session.

Two draft resolutions were introduced in the Committee, one by Sweden (A/C.6/L.315) and the other jointly by Argentina, Egypt, France, India and Syria (A/C.6/L.316). Since both were similar in content, they were consolidated, by agreement of the sponsors, into a single draft resolution sponsored by Argentina, Canada, Chile, Egypt, France, India, Sweden and Syria (A/C.6/L.317).

Under this draft resolution, the General Assembly noting the final draft of the International Law Commission on arbitral procedure would:

(1) decide to transmit it to Member States together with the observations made on the draft in the Sixth Committee with a view to the submission by governments of whatever comments they might deem appropriate, if possible, before 1 January 1955; and

(2) request the Secretary-General to circulate to Member States any comments he might receive and to include the question in the provisional agenda of the Assembly's tenth session.

At its 388th meeting on 17 November 1953, the Committee by 23 votes to 13, with 10 abstentions, adopted an oral Philippine amendment to delete the word "final" from the preamble. By a roll-call vote of 35 to 8, it adopted a Cuban oral amendment to state that the draft included certain important elements with respect to the progressive development of international law on arbitral procedure.

The draft resolution, thus amended, was then voted on by paragraphs, which were adopted in votes ranging from 48 to none, with 2 abstentions, to 43 to 5, with 3 abstentions. The draft resolution was adopted, as a whole, by the Committee by 42 votes to none, with 9 abstentions.

The Sixth Committee's report (A/2589) was considered by the General Assembly at its 468th plenary meeting on 7 December 1953. The Assembly adopted the Committee's draft resolution, without discussion, by 45 votes to none, with 6 abstentions, as resolution 797(VIII). It read:

"The General Assembly,

"Noting the draft on arbitral procedure prepared by the International Law Commission at its fifth session,

"Considering that the said draft includes certain important elements with respect to the progressive development of international law on arbitral procedure,

"Considering that, having regard to the importance of the topic, the governments of Member States should have an opportunity of making known their views on the draft on arbitral procedure in the light of the discussion which has taken place at the current session of the General Assembly,

"1. Decides to transmit to Member States the draft on arbitral procedure prepared by the International Law Commission together with the observations made thereon in the Sixth Committee at the current session of the General Assembly, with a view to the submission by governments of whatever comments they may deem appropriate, if possible, before 1 January 1955;

"2. Requests the Secretary-General to circulate to Member States any comments he may receive, and to include the question in the provisional agenda of the tenth session of the General Assembly."

2. Regime of the High Seas

a. DRAFTS PREPARED BY THE COMMISSION

In connexion with its study of the topic "regime of the high seas", the Commission examined once more, in the light of comments received from governments, the provisional draft articles adopted at its third session.²² It invited J.P.A. François, special rapporteur on the regime of the high seas, to undertake a further study of this topic and to prepare a report on subjects within this field which were not covered in his third and fifth reports (A/CN.4/51 & A/CN.4/69).

It adopted draft articles on the following subjects:

(1) The Continental Shelf

In considering the subject of the continental shelf, the Commission had before it a further report from the special rapporteur Mr. J.P.A. François (A/CN.4/60) prepared after re-examination in the light of observations from the Governments of the following countries: Belgium, Brazil, Chile, Denmark, Ecuador, Egypt, France, Iceland, Israel, the Netherlands, Norway, the Philippines, Sweden, Syria, the Union of South

²² For the Commission's work at its third session see Y.U.N., 1951, pp. 841-45.

Africa, the United Kingdom, the United States and Yugoslavia. The Commission adopted eight draft articles on the continental shelf which, it recommended, the General Assembly should adopt by resolution. The text of the draft articles follows:

Article 1

As used in these articles, the term "continental shelf" refers to the sea-bed and subsoil of the submarine areas contiguous to the coast, but outside the area of the territorial sea, to a depth of two hundred metres.

Article 2

The coastal State exercises over the continental shelf sovereign rights for the purpose of exploring and exploiting its natural resources.

Article 3

The rights of the coastal State over the continental shelf do not affect the legal status of the superjacent waters as high seas.

Article 4

The rights of the coastal State over the continental shelf do not affect the legal status of the airspace above the superjacent waters.

Article 5

Subject to its right to take reasonable measures for the exploration of the continental shelf and the exploitation of its natural resources, the coastal State may not prevent the establishment or maintenance of submarine cables.

Article 6

1. The exploration of the continental shelf and the exploitation of its natural resources must not result in any unjustifiable interference with navigation, fishing or fish production.

2. Subject to the provisions of paragraphs 1 and 5 of this article, the coastal State is entitled to construct and maintain on the continental shelf installations necessary for the exploration and exploitation of its natural resources and to establish safety zones at a reasonable distance around such installations and to take in those zones measures necessary for their protection.

3. Such installations, though under the jurisdiction of the coastal State, do not possess the status of islands. They have no territorial sea of their own and their presence does not affect the delimitation of the territorial sea of the coastal State.

4. Due notice must be given of any such installations constructed, and due means of warning of the presence of such installations must be maintained.

5. Neither the installations themselves, nor the said safety zones around them may be established in narrow channels or on recognized sea lanes essential to international navigation.

Article 7

1. Where the same continental shelf is contiguous to the territories of two or more States whose coasts are opposite to each other, the boundary of the continental shelf appertaining to such States is, in the absence of agreement between those States or unless another boundary line is justified by special circum-

stances, the median line every point of which is equidistant from the base lines from which the width of the territorial sea of each country is measured.

2. Where the same continental shelf is contiguous to the territories of two adjacent States, the boundary of the continental shelf appertaining to such States is, in the absence of agreement between those States or unless another boundary line is justified by special circumstances, determined by application of the principle of equidistance from the base lines from which the width of the territorial sea of each of the two countries is measured.

Article 8

Any disputes which may arise between States concerning the interpretation or application of these articles should be submitted to arbitration at the request of any of the parties.

(2) Fisheries

The Commission reconsidered in the light of the observations of governments, articles on the resources of the sea provisionally adopted at its third session. It had before it the observations of the Governments of the following countries: Belgium, Brazil, Chile, Denmark, Ecuador, France, Iceland, the Netherlands, Norway, the Philippines, Sweden, the Union of South Africa, the United Kingdom and Yugoslavia. It adopted three draft articles on fisheries covering the basic aspects of an international regulation of fisheries. The Commission recommended that the Assembly adopt the articles by resolution and enter into consultation with the Food and Agriculture Organization of the United Nations with a view to the preparation of a draft convention incorporating the principles adopted by the Commission. The text of the draft articles on fisheries follows:

Article 1

A State whose nationals are engaged in fishing in any area of the high seas where the nationals of other States are not thus engaged, may regulate and control fishing activities in such areas for the purpose of protecting fisheries against waste or extermination. If the nationals of two or more States are engaged in fishing in any area of the high seas, the States concerned shall prescribe the necessary measures by agreement. If, subsequent to the adoption of such measures, nationals of other States engage in fishing in the area and those States do not accept the measures adopted, the question shall, at the request of one of the interested parties, be referred to the international body envisaged in article 3.

Article 2

In any area situated within one hundred miles from the territorial sea, the coastal State or States are entitled to take part on an equal footing in any system of regulation, even though their nationals do not carry on fishing in the area.

Article 3

States shall be under a duty to accept, as binding upon their nationals, any system of regulation of fisheries in any area of the high seas which an inter-

national authority, to be created within the framework of the United Nations, shall prescribe as being essential for the purpose of protecting the fishing resources of that area against waste or extermination. Such international authority shall act at the request of any interested State.

(3) Contiguous Zone

The Commission adopted a single article on contiguous zone. It stated that the article was identical to the one adopted at the Commission's third session except for the words reproduced in italics. Apart from some qualifications and reservations, the principle underlying the article encountered no opposition from governments, the Commission stated. The Commission did not recommend any Assembly action in respect of this article. Its text follows:

"On the high seas adjacent to its territorial sea, the coastal State may exercise the control necessary to prevent and punish the infringement, within its territory or territorial sea, of its customs, immigration, fiscal or sanitary regulations. Such control may not be exercised at a distance beyond twelve miles from the base line from which the width of the territorial sea is measured."

b. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS EIGHTH SESSION

The Assembly's Sixth Committee considered chapter III of the Commission's report (A/2456) containing these drafts at its 389th, 392nd and 393rd meetings on 18 and 25 November 1953.

It had before it three draft resolutions:

(1) A draft resolution by Iceland (A/C.6/L.314) which provided, *inter alia*, that the General Assembly, considering that at its fourth session it had recommended that the International Law Commission study simultaneously the regime of the high seas and the regime of territorial waters, and, having regard to the fact that the problems relating to the high seas, territorial waters, contiguous zones, the continental shelf and the superjacent waters were closely linked together juridically as well as physically, would decide not to deal with any aspect of the regime of the high seas or the regime of the territorial waters until all the problems involved had been studied by the International Law Commission and reported upon by it to the General Assembly.

(2) A draft resolution by Panama (A/C.6/L.319) which was superseded by a revised text (A/C.6/L.319/Rev.1), according to which the General Assembly would request the International Law Commission "to continue its study of the drafts relating to the territorial sea and to the régime of the high seas with a view to the harmonious co-ordination of these drafts and their inclusion in the agenda of the tenth session of the General Assembly".

(3) A joint draft resolution by Canada, Egypt, France, Syria and the United Kingdom (A/C.6/L.318), providing that the General Assembly, desiring to give governments sufficient time to study the draft articles on the continental shelf and those on fisheries and the

implications of the draft articles, would decide to postpone consideration of the parts of the report of the International Law Commission dealing with those subjects and to include them in the provisional agenda of the Assembly's tenth session.

To this joint draft resolution, the United States proposed an amendment (A/C.6/L.325), envisaging the inclusion in the provisional agenda of the ninth session of the subject of the continental shelf and in that of the tenth session of the subject of fisheries.

The representative of Iceland, supported by, among others, the representatives of Norway, Poland, Sweden and the USSR, stated that the regime of the high seas and that of the territorial sea were closely related and should be considered together. Furthermore, the draft articles on the continental shelf and those on fisheries could not be studied before certain aspects of the regime of the high seas, such as contiguous zones, and certain aspects of the regime of the territorial sea, such as the delimitation of that sea, were settled.

The sponsors of the five-Power draft resolution, supported by the representatives of Belgium, Brazil, Chile, Greece, India, the Netherlands, and New Zealand, among others, said that the adoption of the Icelandic draft resolution would postpone indefinitely the consideration of the question. They shared the view, expressed by the Chairman of the International Law Commission, that the subjects of the continental shelf and fisheries were susceptible of independent solution.

The representative of the United States said that the question of the continental shelf was quite distinct from that of fisheries and from other problems relating to the high seas. The question could be considered without affecting the claims of States with regard to the limit of territorial waters.

In a statement (A/C.6/L.324) circulated to the Committee, the Chairman of the International Law Commission, said that it was undesirable to postpone for such a long period consideration of the question of the continental shelf, since a number of States were already considering unilateral legislation to regulate their rights in the continental shelf. Such unilateral laws, he stated, were expected to display considerable divergencies and, once they were enacted, it would be more difficult to reach agreement among States on a generally accepted body of rules.

At the 393rd meeting of the Sixth Committee on 25 November, the Icelandic draft resolution was voted on by roll-call and was adopted by 19 votes to 14, with 18 abstentions.

In view of the adoption of this draft resolution, the joint draft resolution submitted by Canada,

Egypt, France, Syria and the United Kingdom and the United States amendment to it and the draft resolution submitted by Panama were not put to the vote.

The Sixth Committee's report (A/2589) was considered by the General Assembly at its 468th plenary meeting on 7 December 1953.

The representative of the Netherlands submitted an amendment (A/L.170) to the draft resolution recommended by the Sixth Committee. The amendment would refer to General Assembly resolution 374(IV) and would provide, in the operative part, that, instead of postponing consideration of the question "until all the problems involved had been studied by the International Law Commission", the Assembly would postpone consideration of the articles on the continental shelf and on fisheries only to the tenth session.

Explaining his amendment, the representative of the Netherlands said that the preamble of the draft resolution recommended by the Sixth Committee did not represent exactly the contents of Assembly resolution 374(IV). The word "simultaneously" did not occur in that resolution. Furthermore the amendment would bring the draft resolution into line with the view of the International Law Commission as expressed in the Sixth Committee by its Chairman. Supporting the amendment, the representative of the United Kingdom said that the draft resolution recommended by the Sixth Committee was negative in character and would indefinitely postpone the consideration of the Commission's work on fisheries and the continental shelf—subjects whose importance was increasing every day. He would vote against the Sixth Committee's draft resolution if the amendment proposed by the Netherlands were not carried, he said.

Opposing the amendment, the representative of Iceland said that its substance had already been rejected by the Sixth Committee. Instead of reaching a quick decision on the question, it would be far better if the question was thoroughly investigated by the Commission. He would therefore vote against the amendment.

The Netherlands amendments were rejected by 19 votes to 17, with 14 abstentions.

The draft resolution recommended by the Sixth Committee was adopted by the Assembly by 30 votes to 9, with 11 abstentions, as resolution 798(VIII). It read:

"The General Assembly,

"Considering that at its fourth session the General Assembly recommended that the International Law

Commission study simultaneously the regime of the high seas and the regime of territorial waters,

"Having regard to the fact that the problems relating to the high seas, territorial waters, contiguous zones, the continental shelf and the superjacent waters are closely linked together juridically as well as physically,

"Decides not to deal with any aspect of the regime of the high seas or of the regime of territorial waters until all the problems involved have been studied by the International Law Commission and reported upon by it to the General Assembly."

3. State Responsibility

At its 393rd and 394th meetings on 25 and 28 November, the Assembly's Sixth Committee considered a draft resolution submitted by Cuba (A/C.6/L.311), providing that the General Assembly "request the International Law Commission, as soon as it considers it possible, to undertake the codification of the principles of international law governing State responsibility and to include it among topics to which it accords priority".

Some representatives expressed the view that, since the item was not on the agenda of the General Assembly, it could not be considered by the Sixth Committee. The Committee, however, decided, by 16 votes to 5, with 24 abstentions, to consider the question.

In explaining the draft resolution, the representative of Cuba pointed out that "State responsibility" was one of the fourteen topics of international law which the Commission, at its first session in 1949, had provisionally selected for codification. In his view, the topic was now ripe for codification. He emphasized that many disputes between States arose out of claims based on real or alleged infringements of international obligations involving the responsibility of the State. A systematic formulation of the relevant principles would, he considered, facilitate the establishment of peaceful and friendly relations between States. The representative of Cuba added that the adoption of his draft resolution would not compel the Commission to undertake such codification immediately.

In the course of the Committee's consideration of the question, the representative of Cuba accepted the suggestion of the Chairman of the International Law Commission to substitute for the word "possible" the word "advisable" in the operative part. He also accepted an oral amendment by New Zealand to delete the words "and to include it among the topics to which it [the Commission] accords priority".

The Cuban draft resolution, as amended, was adopted by the Committee, by 30 votes to none, with 16 abstentions, and, on the Committee's recommendation (A/2589), by the General Assembly, without discussion, at its 468th plenary meeting on 7 December 1953, by 36 votes to none, with 16 abstentions. The resolution (799(VIII)) read:

"The General Assembly,

"Considering that it is desirable for the maintenance and development of peaceful relations between States that the principles of international law governing State responsibility be codified,

"Noting that the International Law Commission at its first session included the topic 'State responsibility' in its provisional list of topics of international law selected for codification,

"Requests the International Law Commission, as soon as it considers it advisable, to undertake the codification of the principles of international law governing State responsibility."

4. Others Matters Considered by the Commission

a. NATIONALITY INCLUDING STATELESSNESS

At the end of its fourth session, the Commissioner appointed Roberto Cordova (Mexico) to replace Manley O. Hudson (United States) as special rapporteur on the topic of "Nationality including statelessness". It also appointed Ivan Kerno as an expert to assist the special rapporteur. The special rapporteur presented a report (A/CN.4/64) to the Commission's fifth session, containing articles accompanied by detailed comment, for two draft conventions: one on the elimination of future statelessness and the other on the reduction of future statelessness. The Commission also had before it a "Report on Nationality including Statelessness" (A/CN.4/50) presented by Mr. Hudson to its fourth session, a memorandum prepared by Mr. Kerno on national legislation concerning grounds for the deprivation of nationality (A/CN.4/66) and two reports of the Secretary-General, namely, "A Study of Statelessness" (E/1112 & Add.1) and "The Problem of Statelessness" (A/CN.4/56 & Add.1).

The Commission adopted both draft conventions and decided to request the Secretary-General to issue them as a Commission document. It also decided to invite governments to submit their comments on the draft conventions as formulated by it. The Commission would then, it stated, consider whether and in what form it should submit to the General Assembly one or more final

draft conventions and what course of action it should recommend.

During the fifth session, the special rapporteur prepared an interim report and drafts of conventions bearing upon the problem of elimination or reduction of existing statelessness (A/CN.4/75). The Commission asked the special rapporteur to devote further study to the matter and to prepare a report for the next session.

b. OTHER DECISIONS

(1) The Commission rejected a proposal whereby a dissenting member of the Commission might attach a statement of his opinion to any decision by the Commission on draft rules of international law. It also rejected a proposal whereby, in cases other than those covered by the previous decision, a dissenting member might briefly explain his views in a footnote if a decision had been taken on a question of principle affecting the work of the Commission. During the discussion, it was proposed that members should be entitled to record, in an annex to the final report, their dissent from all or part of a report adopted by the Commission and to append a brief statement of the reason for their dissenting opinion. This proposal, also, was not accepted by the Commission, the vote being equally divided. Instead the Commission confirmed the rule adopted at its third session that detailed explanations of dissenting opinions should not be inserted in the report, but merely a statement to the effect that, for the reasons given in the summary records, a member was opposed to the adoption of a particular passage of the report.

(2) The Commission requested its special rapporteur on the law of treaties, H. Lauterpacht, to continue his work on the subject and to present a further report to the next session.

(3) The Commission requested Jean Spiropoulos, special rapporteur on the Draft Code of Offences against the Peace and Security of Mankind, to undertake a further study of the question and to submit a report to the Commission's next session.

(4) In view of the forthcoming periodical election of its members,²³ the Commission decided to postpone a decision on General Assembly resolution 685(VII)²⁴ by which the Commission was asked to undertake the codification of the topic "diplomatic intercourse and immunities" and to accord it priority.

²³ See p. 19.

²⁴ See Y.U.N., 1952, p. 803.

F. THE QUESTION OF DEFINING AGGRESSION

By resolution 688(VII)²⁵ of 20 December 1952, the General Assembly established a Special Committee of fifteen members²⁶ and requested it to submit to the Assembly's ninth session draft definitions of aggression or draft statements of the notion of aggression and to study on the assumption of a definition being adopted by a resolution of the General Assembly:

- (1) the various forms of aggression;
- (2) the connexion between a definition of aggression and the maintenance of international peace and security;
- (3) the problems raised by the inclusion of a definition of aggression in the Code of Offences against the Peace and Security of Mankind" and by its application within the framework of international criminal jurisdiction;
- (4) the effect of a definition of aggression on the exercise of the jurisdiction of the various organs of the United Nations;
- (5) any other problem which might be raised by a definition of aggression.

The Special Committee on the Question of Defining Aggression met at United Nations Headquarters, New York, from 24 August to 21 September 1953.

It elected Enrique de Marchena (Dominican Republic) as Chairman, B. V. A. Rolling (Netherlands) as Vice-Chairman and S. Tarazi (Syria) as Rapporteur.

To facilitate the Special Committee's work, the Secretary-General submitted a memorandum (A/AC.66/1) entitled "Some Aspects of the Definition of Aggression" containing an analysis of the views expressed at the seventh session²⁸ of the General Assembly on the question of defining aggression together with the comments of Governments on the draft code of offences against the peace and security of mankind and on the question of aggression.

In addition, the following texts were submitted to the Committee by members: (1) a draft definition of aggression submitted by the USSR (A/AC.66/L.2/Rev.1); (2) two working papers submitted by China (A/AC.66/L.4/Rev.3 and A/AC.66/L.7/Rev.2); (3) a working paper submitted by Mexico (A/AC.66/L.8); and (4) a working paper submitted by Bolivia (A/AC.66/L.9).

The USSR definition was in the form of a draft resolution (A/AC.66/L.2)²⁹ by which the General Assembly would formulate "directives" with a view to determining which party, in an international conflict, was guilty of aggression. The

text specified acts which when first committed by a State would constitute attack. Such acts would include: declaration of war; invasion by armed forces even without such a declaration; bombardment; landing or leading of armed forces into the boundaries of another State without the permission of its government; violation of conditions of such permission; naval blockade and support of armed bands organized in its own territories which invaded the territory of another State.

The USSR proposal would also include definitions of "indirect" aggression such as: promotion of civil war in another State; economic aggression, such as exercising economic pressure violating a State's sovereignty and threatening its economic independence; and ideological aggression, such as encouraging war propaganda or propaganda in favour of using atomic, bacterial, chemical and other weapons of mass destruction. The proposal also stated that an act other than those specified might constitute aggression if, in a particular case, the Security Council so resolved.

The Soviet proposal then listed considerations which might not be used as justifications for an attack or for acts of indirect, economic or ideological aggression. These included "arguments" of a political, strategic or economic nature, such as the amount of capital invested in the State attacked or other particular interests in the territory. The proposal stated, in particular, that the internal position of any acts, legislation or orders of any State might not be used as a justification.

The two working papers submitted by China (A/AC.66/L.3 & A/AC.66/L.7/Rev.2) stated that aggression consists of the employment of force, open or covert, armed or unarmed, by a State for the violation, impairment or destruction of the territorial integrity or political independence of another State, or for the subversion of its political or social order, or, in a case of dispute with another State, for the coercion of that State in place of pacific settlement. Among other acts included in the definition of aggression were: waging war; arming organized bands or third States for offensive action against a State; planting fifth columnists or subversive agents; inciting civil strife; and imposing a naval or economic blockade.

²⁵ For text see Y.U.N., 1952, p. 791.

²⁶ For members see Appendix I.

²⁷ See Y.U.N., 1951, pp. 841-42.

²⁸ See Y.U.N., 1952, pp. 785-91.

²⁹ For the text submitted by the USSR to the sixth session of the General Assembly, see Y.U.N., 1951, p. 837.

The Chinese text characterized as legitimate the employment of force in self-defence or reprisal, subject to the conditions laid down in international law and in carrying out a decision or recommendation of a competent organ of the United Nations.

The working paper submitted by Mexico (A/AC.66/L.8), stated that the proposed USSR definition could be improved and would be acceptable to the Mexican delegation if certain changes were incorporated. Among the changes suggested were the insertion in the preamble of a provision to the effect that aggression was the direct or indirect use of force by the authorities of one State against the territory or political independence of another State or for any purpose other than legitimate individual or collective defence or in compliance with a decision or recommendation of a competent organ of the United Nations.

It stated further that acts constituting "so-called" indirect, economic or ideological aggression should be regarded as aggression only if they involved or were accompanied by the use of force. However, it was stated, such acts, even if they did not constitute aggression, might justify enforcement measures by the Security Council in the same manner as if aggression had been committed, if by their effect on the victim State or for any other reason, they constituted a threat to peace. This point, the Mexican representative considered, should be particularly stressed in the Assembly's report.

The working paper submitted by Bolivia (A/AC.66/L.9) was in the form of a draft resolution, whereby the General Assembly would resolve that independently of acts of aggression designated as such by the competent organs of the United Nations, the following would constitute acts of aggression: invasion across the frontiers established by treaties or judicial or arbitral decisions or, in the absence of marked frontiers, an invasion affecting territories under the effective jurisdiction of a State; declaration of war, armed attack against the territory, ships or aircraft of another State; support given to armed bands for purposes of invasion; incitement to rebellion; the threat or use of force against the territorial integrity or political independence of any State or in any other manner incompatible with the purposes of the United Nations, including unilateral action whereby a State was deprived of economic resources or its basic economy was endangered.

In its report (A/2638) to the ninth session of the General Assembly, the Special Committee noted the different points of view which had emerged during its discussion on: the various

types of definitions of aggression; the Charter concept of aggression; the notions of indirect, economic and ideological aggression; the connexion between a definition of aggression and the maintenance of international peace and security; the effect of a definition of aggression on the exercise of the jurisdiction of the various organs of the United Nations; and the problems raised by the inclusion of a definition of aggression in the Draft Code of Offences Against the Peace and Security of Mankind.

As regards the various types of definitions, the report stated that some representatives favoured a general definition which, instead of listing acts of aggression, would contain general formulae applicable to all the cases contemplated. This type of definition, however, was criticized by other members. The representative of Poland, for example, maintained that it would be useless to have a general definition as it would not refer to the elements constituting the crime.

The representatives of China and the United Kingdom, in particular, the report said, criticized the enumerative or "analytical" type of definition which, they maintained, was incomplete and capable of being circumvented, a point to which the USSR representative replied by stating that his proposed definition (see above) was both analytical and synthetic and included a provision whereby the Security Council would be enabled to decide that an act not listed would, in a particular case, constitute aggression.

The United States representative held that instead of trying to establish a general formula which would probably be incomplete, it would be better to offer the competent United Nations organs, particularly the Security Council, a list of factors to be taken into account in deciding a given case.

A majority of members, the report stated, agreed that it was the duty of the Committee to define aggression in the sense of the Charter. However, the relevant Articles of the Charter were interpreted differently by them. Some members, including the representatives of France, the Netherlands and the United Kingdom, were of the opinion that the notion of aggression in the sense of the Charter was limited solely to armed aggression. The representatives of Bolivia, China, Iran, Mexico, Poland and the USSR maintained that it extended to other forms of aggression not necessarily involving the actual use of armed force. Yet other members expressed views that could not be identified with either of the two positions.

As regards the connexion between a definition of aggression and the maintenance of international peace and security, the report noted the following points of view which had emerged during discussions.

The representatives of Bolivia, the Dominican Republic, France, Iran, Mexico, Poland, Syria and the USSR expressed themselves in favour of defining aggression, maintaining that such a definition was possible and would be desirable for the maintenance of peace and security. Others took the view that such a definition would not only not be useful, but would in fact be dangerous to the maintenance of peace. The absence of such a definition had never been felt, the members opposing a definition stated. Some of these representatives asserted that a definition of aggression would actually assist an aggressor by enabling him to circumvent it.

The report stated that the representative of France favoured the inclusion of a definition of aggression in the Code of Offences Against the Peace and Security of Mankind and its application within the framework of international criminal jurisdiction. However, pending final decisions on those questions, his delegation, believing that a definition of aggression would serve a useful purpose in United Nations activities, was prepared to collaborate in the Committee's work to that end.

The representative of the Netherlands stated that the objections that could be raised to a definition of aggression intended to be applied under a system of collective security would not all apply to a definition to be used in the more restricted field of international criminal jurisdiction. He stressed, however, that two problems might arise from the application by an international criminal court of a definition of aggression: first, a decision by such a court bearing on a case of aggression might hamper the Security Council in its essential function, which was to maintain peace and security; it might hinder its action in the peaceful settlement of a dispute. Secondly, the Security Council and the international criminal court might pronounce two contradictory decisions

on a case of aggression brought simultaneously before both of them. He suggested that, to obviate that difficulty, the text of the definition of aggression should include a provision under which the international court would be bound by the Security Council's decisions, which would be taken on the basis of that definition. It might, however, well be that the crime of aggression would be considered, for the time being, less comprehensive than the concept of aggression in the sense of Article 39³⁰ of the Charter. If that were the case, the representative of the Netherlands said, an international criminal court might find an act, considered as aggression by the Security Council, not criminal in the sense of a code of international criminal law.

In its observations on the draft Code of Offences Against the Peace and Security of Mankind and on the question of defining aggression, the Netherlands Government proposed that the concept of aggression should be defined as follows:

"Aggression is the threat or use of force by a State or government against the territorial integrity or political independence of another State or against a territory under international regime in any manner, whatever the weapons employed and whether openly, or otherwise, for any reason or for any purpose other than individual or collective self-defence against such a threat or use of force or in pursuance of a decision or recommendation by a competent organ of the United Nations".

As to the effect of a definition of aggression on the exercise of the jurisdiction of the various organs of the United Nations, the report of the Special Committee stated that members were agreed that any definition of aggression included in a General Assembly resolution would merely have the status of a recommendation. It would not have a binding character. However, the report said, some members stressed that such a definition would exercise great moral authority over the international organs called upon to pronounce on a case of aggression.

The Special Committee decided unanimously not to put the various draft definitions of aggression to a vote but to transmit them as they stood to Member States and to the General Assembly.

G. INTERNATIONAL CRIMINAL JURISDICTION

The 1953 Committee on International Criminal Jurisdiction established by General Assembly resolution 687(VII)³¹ to make a further study of problems relating to an international criminal jurisdiction met at United Nations Headquarters from 27 July to 20 August 1953. In accordance with resolution 687(VII), the Committee's report

(A/2645) was to be considered at the Assembly's ninth session.

³⁰ Article 39 states that the Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken to maintain or restore peace and security.

³¹ See Y.U.N., 1952, p. 806.

The Committee elected George Maurice Morris (United States) as Chairman, Víctor Perez Perozo (Venezuela) as Vice-Chairman and B.V.A. Röling (Netherlands) as Rapporteur³². It also elected a standing drafting sub-committee, consisting of the Chairman and the Rapporteur of the Committee and the representatives of Argentina, Australia, Belgium and the Philippines. The sub-committee held two meetings and, on the basis of decisions of principle taken by the full Committee, prepared drafts for the Committee's consideration.

The Committee had before it the following documents:

(1) the report (A/2136) of the Geneva Committee on International Criminal Jurisdiction established by the General Assembly at its fifth session³³ and the draft statute for an international criminal court prepared by that Committee and annexed to its report;

(2) a "Compilation of Comments and Suggestions relating to the Draft Statute for an International Criminal Court" (A/AC.65/1) prepared by the Secretariat on the basis of comments and suggestions on the Geneva Committee's report by eleven governments (A/2186 and Add.1);

(3) comments on the subject by the Belgian Government (A/AC.65/3) placed before the Committee in the course of its meetings; and

(4) a memorandum entitled "Historical Survey of the Question of International Criminal Jurisdiction" (A/CN.4/7/Rev.1) originally prepared by the Secretary-General for the International Law Commission.

The Committee dealt with the main problems relating to the establishment of an international criminal court and re-examined the Geneva draft statute.

During its discussions, the Committee's report said, some members expressed the view that the establishment of an international criminal court was inadvisable at the present stage in the development of international organization. Such a court would not enjoy the general support of the international community and its establishment was impracticable since States were not prepared to recognize its jurisdiction. In the present international situation States could not be expected to accept the limitations on their sovereignty which the establishment of such a court would involve.

Other members expressed the view that the idea of international criminal jurisdiction was gaining ground, as was evidenced by the establishment of ad hoc tribunals such as those of Nürnberg and Tokyo. The tendency to judge an international activity by common standards of morality would be strengthened by the existence of an international criminal court, these members believed. They

held that the unanimously affirmed principles of Nürnberg, for example, made international criminal jurisdiction desirable, and the institution of such jurisdiction should be promoted by establishing its possibility as far as present inter-State relations would permit. Consequently these members favoured the establishment of a court, the jurisdiction of which, they said, would depend on voluntary submission to that jurisdiction by States which were willing so to submit.

As to the kind of court to be established, some members believed it necessary that it should be stable, permanent, independent, effective and universal. They considered that it would be better not to have any court at all than to have one of inferior quality. Other members considered, however, that it was unrealistic to insist on perfection at the outset and that it was better to have a court with limited powers than to have none at all. All members agreed that there should be some degree of sponsorship by the United Nations for the creation of the court, if it were ultimately found desirable and possible to have one. However, some expressed the view that the court and the United Nations should operate as separately as possible. Most of the members recognized international criminal justice as a positive factor in the maintenance of peace.

As regards the methods by which an international criminal court might be established members agreed that various combinations among the following three methods were possible: (1) the establishment of the court through the amendment of the United Nations Charter; (2) establishment by a multilateral convention; and (3) establishment by a resolution of the General Assembly. The Committee also discussed in some detail the method of creating the court by a General Assembly resolution, followed by multilateral conventions conferring jurisdiction. The Committee voted, as follows, on the best method of establishing the court.

By 8 votes to 2, with 3 abstentions, it decided that the best method of establishing an international criminal court would be by means of a convention prepared by an international diplomatic conference convened under the auspices of the United Nations.

By 6 votes to 1, with 8 abstentions, it decided to recommend to the General Assembly that the court should not come into existence until juris-

³² For members, see Appendix I.

³³ For a summary of this Report, see Y.U.N., 1951, pp. 852-54.

diction had been conferred upon it by a certain number of States (the precise number to be decided later).

By 5 votes to 4, with 6 abstentions, it decided to recommend to the General Assembly that the court should not come into existence until a certain number of States (the precise number to be determined later) had ratified the convention containing the statute of the court.

The Committee then drew up a revised draft statute for an international criminal court the main features of which were as follows.

Under the revised draft statute, a permanent international criminal court would be established to try natural persons, whether constitutionally responsible rulers, public officials or private individuals accused of crimes generally recognized under international law. The court would apply international law and, where appropriate, national law. It would consist of fifteen independent judges, elected regardless of nationality, no two of whom might be nationals of the same State. Stateless persons might be elected as judges. Judges would be elected by the States which conferred jurisdiction on the court. An alternative text provided that the judges would be elected by the Members of the United Nations and those non-member States which conferred jurisdiction on the court. The term of office of the judges would be nine years and they would be eligible for re-election.

Jurisdiction of the court was not to be presumed. A State might confer jurisdiction on the court by convention, special agreement or unilateral declaration. No person, however, might be tried before the court unless jurisdiction had been conferred on it by the State or States of which he was a national and by the State or States in which the crime was alleged to have been committed. States which conferred jurisdiction on the court would jointly bear the expenses necessary for its operation. A State might withdraw its conferment of jurisdiction.

Proceedings before the court might be instituted by a State which had conferred jurisdiction upon the court over such offences as were involved in those proceedings; an alternative text provided that, in the interest of the maintenance of peace, a United Nations organ to be designated by the United Nations might stop the presentation or prosecution of a particular case before the court. Penalties imposed by the court were to be subject to limitations in the instrument conferring jurisdiction.

The proceedings of the court might be initiated only by States. A State initiating proceedings would present evidence of international crime to a Committing Chamber of five judges, appointed annually for one year by the court. A judge who had dealt with a case in the Chamber might not try it in the full court. The Chamber would give the accused reasonable opportunity to be heard and, if necessary, might order further inquiry or investigation. If the Chamber was satisfied that the evidence was sufficient to support the complaint, the Chamber was so to certify to the court and to the complainant. A prosecuting attorney, appointed by the complainant State, would then file with the court an indictment based on the findings of the Committing Chamber and he would be responsible for conducting the prosecution.

The indictment would contain a concise statement of the facts which constituted each alleged offence and a specific reference to the law under which the accused was charged. It would be served upon the accused and brought to the notice of the State or States of which he was a national, of the State where the crime was alleged to have been committed and, as far as possible, of the States of which the victims were nationals.

Trials would be without jury, except where otherwise provided in the instrument by which jurisdiction had been conferred upon the court. The accused would be presumed to be innocent until proved guilty and would have all guarantees for a fair trial.

The accused would have the right to be heard but would not be compelled to speak. If the court considered it impossible to ensure a fair trial, it might suspend proceedings. If proceedings were not resumed within a time limit determined by the court, it would dismiss the case and the accused would be automatically released. The court was not to proceed with the trial unless satisfied that the accused had had the indictment and any amendment thereof served upon him and had had sufficient time to prepare his defence.

The court would sit in public unless there were exceptional circumstances in which it found that public sittings might prejudice the interests of justice. Its deliberations would be in private and were not to be disclosed. The court would have the power to issue warrants of arrest relating to crimes over which it had jurisdiction to determine the provisional liberty of the accused. It would have the authority necessary for the proper conduct of a trial. If the complainant State with-

drew its case, the court alone was to decide whether the accused should be discharged.

The court would be constituted by seven judges and decisions would be by a majority of judges participating in the trial. The judgment would set forth the reasons for the findings and contain the names of the judges who took part in the decision and any separate opinion of individual judges. The judgment of the court would be final and without appeal.

No person who had been tried and acquitted or convicted before the court, might be subsequently tried for the same offence in any court within the jurisdiction of any State which had conferred jurisdiction upon the court with respect to that offence. Sentence would be executed in accordance with relevant conventions; it might, however, be subject to revision if a fact were subsequently discovered which was of such a

nature as to be a decisive factor and which was unknown to the court and the applicant. The draft statute made provision for granting clemency, which included pardon and reduction of sentence, and parole to convicted persons. This power was to be exercised by a Board of Clemency and Parole which would be independent of the court. The Board, consisting of five persons, would be elected by the States conferring jurisdiction on the court. An alternative text provided that the Board should be elected by Members of the United Nations and those non-member States which had conferred jurisdiction upon the court.

The draft statute finally provided that nothing contained in it would prejudice the right of two or more States which had conferred jurisdiction on the court jointly to set up special tribunals to try the perpetrators of crimes over which each of those States had jurisdiction according to the general rules of international law.

H. CONTINUATION OF THE FUNCTIONS OF THE UNITED NATIONS TRIBUNAL IN LIBYA

By its resolution 388(V) of 15 December 1950, the General Assembly set up a United Nations Tribunal in Libya composed of three persons selected by the Secretary-General to: (1) give, upon request, to the Administering Powers, the Libyan Government and the Italian Government such instructions as might be required to give effect to the economic and financial provisions set out in the resolution; and (2) to decide all disputes arising between the authorities concerning the interpretation and application of those provisions.

Sub-Committee 1 of the Ad Hoc Political Committee which studied the question at the Assembly's fifth session recommended (A/AC.38/L.70) that the question of the continuation of the Tribunal be considered by the Assembly at its seventh or eighth session. Accordingly it was placed on the agenda of the eighth session and was considered at the 368th meeting of the Sixth Committee on 10 October and at the 453rd plenary meeting on 23 October 1953.

In considering the question, the Sixth Committee had before it a memorandum (A/2459) by the Secretary-General which contained replies from the Governments of Italy and Libya to his letter requesting their views on the subject. Both Governments considered that the Tribunal should continue for a further period of time. The Government of Libya also expressed the view that

the expenses of the Tribunal should continue to be borne by the United Nations.

The memorandum also referred to a communication from the President of the Tribunal informing the Secretary-General that a considerable part of the Tribunal's time in 1954 would be taken up by the consideration of a request for instructions made by the Government of Italy, and that both the Government of Italy and that of Libya had under consideration a large number of requests by their nationals for the submission of cases to the Tribunal. The memorandum further stated that it was also likely that both Governments might require consultation with the Tribunal on the interpretation of various agreements provided for under Assembly resolution 388(V).

A joint draft resolution was submitted by Argentina and Egypt (A/C.6/L.294), recommending that the Assembly continue the Tribunal and request the Secretary-General to report on its continuation to the tenth session of the General Assembly. The United Kingdom submitted an amendment (A/C.6/L.301) to request the Secretary-General to report to the ninth rather than the tenth session of the Assembly. The representative of the United Kingdom stated that his amendment was not aimed at preventing the continuation of the Tribunal beyond the ninth session if this was necessary. But it was expected that the

Tribunal would complete its work in about twelve to fourteen months and therefore, he considered, it would be better if the Assembly reviewed the question at its ninth session.

The representative of France as well as the sponsors of the draft resolution opposed the United Kingdom amendment on the ground that the Secretary-General could be expected to make a comprehensive report only after the Tribunal had completed its work.

The United Kingdom amendment was rejected by 20 votes to 10, with 16 abstentions. The joint draft resolution was adopted, with textual amendments, by 43 votes to none, with 6 abstentions.

When the Sixth Committee's report (A/2513) was considered by the General Assembly at its 453rd plenary meeting, the President stated that the Secretary-General would continue to make financial provision for the United Nations Tribunal in Libya in his estimate for Section 5 of the budget and would submit a detailed 1954 budget for the Tribunal to the Fifth Committee for its review and approval during the session. The requirements would be generally the same

as those for which funds were appropriated in 1953, she added.

The draft resolution recommended by the Sixth Committee was adopted, without discussion, by 51 votes to none, with 6 abstentions, as resolution 792(VIII). It read:

"The General Assembly,

"Recalling its resolution 388(V) of 15 December 1950 on the economic and financial provisions relating to Libya, article X of which set up a United Nations Tribunal in Libya and defined its functions,

"Noting that the Governments of Italy and Libya are conducting negotiations for the conclusion of the various agreements provided for in resolution 388(V),

"Noting that both those Governments, in their replies to a letter from the Secretary-General, state that they consider that the Tribunal should be continued for a further period,

"Having noted the explanatory memorandum by the Secretary-General concerning the continuation of the functions of the Tribunal,

"1. Resolves that the United Nations Tribunal in Libya shall continue its existence;

"2. Requests the Secretary-General, after consultation with the Governments concerned regarding the future of the Tribunal, to report to the General Assembly at its tenth session."

I. ACCELERATION OF RATIFICATION OF THE GENOCIDE CONVENTION

The Sub-Commission on Prevention of Discrimination and Protection of Minorities at its fourth session in October 1951 had submitted (E/CN.4/461) to the Commission on Human Rights a draft resolution concerning the Genocide Convention. The Commission on Human Rights, at its ninth session, from 7 April to 30 May 1953, decided (E/2447) not to take action on the second part of the resolution, which would have requested the General Assembly to give effect to the wish of the Committee on International Criminal Jurisdiction, established by the General Assembly in December 1950, to have drawn up, together with the instrument establishing an international penal tribunal, a protocol empowering the tribunal to deal with the issue of genocide. The Commission, however, approved the first part of the proposal, by which it expressed the opinion that genocide, one of the gravest forms of discrimination, constituted a crime under international law and that widespread knowledge of the nature and importance of the Convention would further its humanitarian and civilizing purpose. It recommended to the Economic and Social Council a draft resolution (E/2447 E) to request Assembly action.

The Council at its sixteenth session discussed the question during its consideration of the subject of prevention of discrimination and protection of minorities,³⁴ at the 250th to 256th meetings of its Social Committee from 24 to 31 July and at its 746th plenary meeting on 3 August 1953. A Turkish oral amendment, to replace the word "Governments" by the word "States", on the ground that it was States, not Governments, that ratified conventions, was adopted by 13 votes to none, with 5 abstentions. The draft resolution, proposed by the Commission, as amended, was adopted by the Social Committee (E/2449 E) at its 255th meeting on 30 July, by 14 votes to none, with 4 abstentions, and by the Council at its 746th plenary meeting on 3 August 1953 by the same vote. The representatives of India and Argentina indicated that they had abstained primarily because their Governments had not yet been able to ratify the Convention.

In this resolution (502 E (XVI)), the Council drew the Assembly's attention to the resolution adopted by the Commission on Human Rights and requested the General Assembly to reiterate

³⁴ See also p. 391ff.

its appeal to States to accelerate their ratifications or adherences to the Convention and to undertake all necessary measures to assure the widest possible diffusion of its nature, contents and purposes, in particular the list of States which had voted for, signed, ratified or adhered to the Convention.

The question was placed on the agenda of the eighth session of the General Assembly and was discussed by the Sixth Committee at its 368th meeting. The Committee had before it a note by the Secretary-General (A/2458) giving the text of the Council resolution, some background information on the Convention on Genocide and the steps leading to the adoption of the Council resolution.

The representatives of Cuba, France, Haiti, Liberia, Panama and Uruguay submitted a draft resolution (A/C.6/L.300), by which the Assembly would reiterate its appeal to States to accelerate their ratifications of or accessions to the Genocide Convention. It would also request the Secretary-General to undertake all necessary measures to ensure the widest possible diffusion of the nature, contents and purposes of the Convention.

Statements in support of the joint draft resolution and of the Council resolution were made by the representatives of Brazil, Canada, Cuba, Egypt, Ethiopia, France, Lebanon, Nicaragua, Panama, Peru, Poland, Syria, Uruguay and the USSR.

The representative of Canada said that his Government had not only ratified the Convention but had also adopted the necessary legislation for its implementation.

The representative of France said that the Convention on Genocide represented an important advance in the matter of the definition of international offences, since it had dispelled the vagueness surrounding the concept of genocide and had made it a punishable crime. He said that France had been among the first 20 States to ratify the Convention and had therefore helped to bring it into force. As French legislation contained the provisions necessary for the application of the Convention, France was complying fully with the obligations it had assumed under the Convention.

The representative of Uruguay said that, although his country had not yet ratified the Convention, the necessary action had been initiated. His delegation had therefore co-sponsored the joint draft resolution.

Referring to the second paragraph of the draft resolution which would request the Secretary-General to undertake all necessary measures for the diffusion of the Convention, the representative of Yugoslavia said that the Secretary-General had already given considerable publicity to it through information media and other publications. He suggested that some acknowledgment should be made of that fact in the draft resolution. He therefore proposed orally that in its second paragraph the draft resolution should request the Secretary-General "to continue to take" all necessary measures. The suggestion was adopted by the Committee without vote.

The representative of India said that his delegation would abstain in the vote on the draft resolution, not because his Government in any way disagreed with the principles set forth in the Convention, but because it had not yet been able to ratify the instrument.

The draft resolution was adopted by the Sixth Committee by 44 votes to none, with 6 abstentions.

The representative of the United Kingdom stated that his delegation had voted in favour of the General Assembly's resolution 260(III) approving the Convention for signature and ratification. However, technical and constitutional difficulties had thus far prevented its ratification, and he had therefore abstained on the voting on the draft resolution. A similar statement was made by the representative of New Zealand.

The Sixth Committee's report (A/2507) was considered by the General Assembly at its 455th plenary meeting on 3 November 1953.

In explanation of his abstention, the representative of the Netherlands reaffirmed his country's traditional interest in the development and codification of international law which had led his Government to take an active part in the final drafting of the Genocide Convention. He stated that his Government had always advocated the institution of an international criminal court. However, the provision for the punishment of political genocide had been deleted from article II by an amendment which the Netherlands had strongly opposed. This, as well as the reservations of several States in regard to the compulsory jurisdiction of the International Court of Justice in disputes relating to the Convention, had weakened that instrument. His Government had therefore not ratified the Convention on Genocide and could not join in inviting others to do so.

The draft resolution recommended by the Committee was adopted by 50 votes to none, with 8 abstentions (resolution 795(VIII)). It read:

"The General Assembly,

"Considering its resolution 260 A (III) of 9 December 1948, by which it approved the Convention on the Prevention and Punishment of the Crime of Genocide,

and believing that the Convention represents a valuable contribution to the development of international law,

"1. Reiterates its appeal to States to accelerate their ratifications of, or accessions to, the Convention on the Prevention and Punishment of the Crime of Genocide;

"2. Requests the Secretary-General to continue to take all necessary measures designed to ensure the widest possible diffusion of the nature, contents and purposes of the Convention."

J. ACCESSIONS TO THE CONVENTION ON THE DECLARATION OF DEATH OF MISSING PERSONS

The Government of Italy, on 20 and 26 March 1953, in notes (E/2350/Add.5) addressed to the Secretary-General, expressed its desire to accede to the Convention on the Declaration of Death of Missing Persons,³⁵ which was opened for accession, at Lake Success, on 6 April 1950. Article 13 of the Convention provides that States which are neither Members of the United Nations nor parties to the Statute of the International Court of Justice may accede to the Convention if they are invited by the Economic and Social Council passing upon the request of the State concerned. Accordingly, the Secretary-General proposed that this item be placed on the agenda of the fifteenth session of the Council.

On the basis of a joint draft resolution by Argentina, Uruguay and Venezuela (E/L.490), the Council, at its 681st plenary meeting on 10 April, without discussion, unanimously adopted resolution 479(XV), inviting the Government of Italy to accede to the Convention.

During the Council's sixteenth session, the Government of the Federal Republic of Germany, by communications dated 8 July 1953 and 21 July 1953 addressed to the Secretary-General, expressed its desire to accede to the Convention on the Declaration of Death of Missing Persons at the earliest possible date, in order to be able to issue declarations of death having general effect even in cases where this was impossible at the moment under current German law.

The Council, at its 750th plenary meeting on 5 August 1953, considered a memorandum by the Secretary-General (E/2495), in which he transmitted the texts of the communications, referred to article 13 of the Convention and proposed that the item be added to the Council's agenda.

The Council decided, by 15 votes to 2, with 1 abstention, to include the additional item in the agenda. During the discussion of the substance of the question, a number of representatives, including those of Argentina, Australia, Belgium, Cuba, Turkey and the United States, favoured the accession of the Federal Republic of Germany to the Convention, stressing, *inter alia*, the humanitarian aspects of the question. The representatives of Poland and the USSR, however, held that only a government representing a unified Germany would have the right to accede to an international convention and that it would be wrong for the Council to deal with only one part of the whole problem of unification. Moreover, the Polish representative stated, it would be a mockery for a government largely composed of people responsible for the slaughter of the victims to be allowed to accede to the relevant convention. The representative of India emphasized that he would support the joint draft resolution by Argentina and Cuba (E/L.569), inviting the Federal Government to accede to the Convention, only on the understanding that the accession of the Federal Republic of Germany to the Convention was authorized on purely humanitarian grounds, and would not establish on behalf of that Government any claim to have jurisdiction over the whole of Germany. He also emphasized that adoption of the draft resolution would have no relevance to the future four-Power negotiations on the problem of Germany.

The joint draft resolution was adopted by 15 votes to 2, with 1 abstention. By this resolution (508(XVI)), the Council invited the Government of the Federal Republic of Germany to accede to the Convention on the Declaration of Death of Missing Persons.

³⁵ See Y.U.N., 1950, pp. 881-82.

K. MULTILATERAL CONVENTIONS

1. New Conventions Concluded under the Auspices of the United Nations

The following conventions, protocols, agreements or other instruments of which the Secretary-General is the depositary were drawn up under the auspices of the United Nations during 1953.³⁶

Final Act of the Third United Nations Technical Assistance Conference, signed at New York on 27 February 1953."

Convention on the Political Rights of Women, signed at New York on 31 March 1953.

Convention on the International Right of Correction, signed at New York on 31 March 1953.

Protocol for Limiting and Regulating the Cultivation of the Poppy Plant, the Production of, International and Wholesale Trade in, and Use of Opium, New York, 23 June 1953.

Third Protocol of Rectifications and Modifications to the Texts of the Schedules to the General Agreement on Tariffs and Trade, signed at Geneva on 24 October 1953.

Declaration of 24 October 1953 on the Continued Application of Schedules to the General Agreement on Tariffs and Trade.

Final Act of the Fourth United Nations Technical Assistance Conference, signed at New York on 13 November 1953."

2. Status of Signatures, Ratifications and Accessions: Entry Into Force

The number of international agreements for which the Secretary-General exercises depositary functions had risen by 31 December 1953 to 109.³⁸

During 1953, a total of 281 signatures were affixed to international agreements for which the

Secretary-General exercises depositary functions, and 101 instruments of ratification, accession or notification were transmitted to the Secretary-General.

The following agreements entered into force during 1953:

International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage carried by Rail, signed at Geneva on 10 January 1952 (entered into force on 1 April 1953).

International Convention to Facilitate the Crossing of Frontiers for Goods carried by Rail, signed at Geneva on 10 January 1952 (entered into force on 1 April 1953).

Fifth Protocol of Rectifications to the General Agreement on Tariffs and Trade, signed at Torquay on 16 December 1950 (entered into force on 30 June 1953).

Second Protocol of Supplementary Concessions to the General Agreement on Tariffs and Trade (Austria and Federal Republic of Germany), done at Innsbruck on 22 November 1952 (entered into force on 30 August 1953).

First Protocol of Rectifications and Modifications to the texts of the Schedules to the General Agreement on Tariffs and Trade. Done at Geneva on 27 October 1951 (entered into force on 21 October 1953).

Protocol amending the Slavery Convention signed at Geneva on 25 September 1926, opened for signature and acceptance at New York on 7 December 1953 (entered into force on 7 December 1953).

Protocol on Road Signs and Signals, signed at Geneva on 19 September 1949 (entered into force on 20 December 1953).

European Agreement supplementing the 1949 Convention on Road Traffic and the 1949 Protocol on Road Signs and Signals, signed at Geneva on 16 September 1950 (entered into force on 20 December 1953).

L. REGISTRATION AND PUBLICATION OF TREATIES AND INTERNATIONAL AGREEMENTS

During 1953, a total of 855 agreements were registered with the Secretariat—81 ex officio, 576 by 21 governments, and 198 by five specialized agencies. A total of 42 treaties and agreements were filed and recorded—nine by the Secretariat of the United Nations, 22 at the request of three governments and eleven at the request of three specialized agencies.

This brought up to 4,106 the total of treaties and agreements registered or filed and recorded by the end of 1953.

The texts of treaties and agreements registered or filed and recorded are published by the Sec-

³⁶ This list includes all agreements which have been deposited with the Secretary-General from 1 January—31 December 1953 but excludes other conventions, protocols and agreements which were drawn up under the auspices of the specialized agencies and of which the Secretary-General is not the depositary.

³⁷ Opened for signature at United Nations Headquarters but not constituting an international agreement.

³⁸ This number does not include those agreements concluded under the auspices of the League of Nations for which the Secretary-General of the United Nations exercises depositary functions.

retariat in the United Nations Treaty Series in the original languages, followed by translations in English and French. Seven volumes (82 to 88) of the Treaty Series were published in the course of 1953.

In order to facilitate reference to the United Nations Treaty Series, the Secretariat publishes

a General Index. Four volumes of the General Index were published by the end of 1953: No. 1 covering the first fifteen volumes of the Treaty Series, No. 2—volumes 16 to 30, No. 3—volumes 31 to 50 and No. 4—volumes 51 to 75. A cumulative General Index No. 5 covering volumes 1 to 100 of the Treaty Series was being prepared.

M. PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS.

During 1953, the following five States deposited their instruments of accession to the Convention on the Privileges and Immunities of the United Nations: the Byelorussian SSR, Paraguay, Syria, the Ukrainian SSR and the USSR. This brought to 43 the number of States which had deposited their instruments of accession to the Convention by the end of 1953. The States acceding to the Convention and the dates of deposit of their instruments of accession are:

	Date of deposit of instrument	
United Kingdom	17 September	1946
Dominican Republic	7 March	1947
Liberia	14 March	1947
Iran	8 May	1947
Honduras	16 May	1947
Panama	27 May	1947
Guatemala	7 July	1947
El Salvador	9 July	1947
Ethiopia	22 July	1947
Haiti	6 August	1947
France	18 August	1947
Norway	18 August	1947
Sweden	28 August	1947
Afghanistan	5 September	1947
Philippines	28 October	1947
Nicaragua	29 November	1947
New Zealand	10 December	1947
Greece	29 December	1947
Poland	8 January	1948
Canada	22 January	1948
Iceland	10 March	1948
Netherlands	19 April	1948
India	13 May	1948
Denmark	10 June	1948
Egypt	17 September	1948
Pakistan	22 September	1948
Belgium	25 September	1948
Chile	15 October	1948
Luxembourg	14 February	1949
Australia	2 March	1949
Lebanon	10 March	1949
Iraq	15 September	1949
Israel	21 September	1949
Costa Rica	26 October	1949

	Date of deposit of instrument	
Brazil	15 December	1949
Bolivia	23 December	1949
Yugoslavia	30 June	1950
Turkey	22 August	1950
USSR	22 September	1953
Syria	29 September	1953
Paraguay	2 October	1953
Byelorussian SSR	22 October	1953
Ukrainian SSR	20 November	1953

During 1953, one instrument of accession to the Convention on the Privileges and Immunities of the Specialized Agencies was deposited with the Secretary-General, by Cambodia. Three notifications from States already parties to the Convention, namely Denmark, Ecuador and Sweden, extending the application of the Convention to further specialized agencies were also received during the year.

By 31 December 1953, seventeen States (including three States not Members of the United Nations) had acceded to the Convention; in addition, two States, Egypt and Italy, had submitted instruments subject to reservations. The States acceding to the Convention and the dates of deposit of their instruments of accession are:

	Date of deposit of instrument	
Netherlands	2 December	1948
India	10 February	1949
United Kingdom	16 August	1949
Denmark	25 January	1950
Norway	25 January	1950
Philippines	20 March	1950
Austria	21 July	1950
Luxembourg	20 September	1950
Hashemite Kingdom of Jordan	12 December	1950
Ecuador	8 June	1951
Guatemala	30 June	1951
Pakistan	23 July	1951
Sweden	12 September	1951
Chile	21 September	1951
Yugoslavia	23 November	1951
Haiti	16 April	1952
Cambodia	15 October	1953

N. STATUS OF CLAIMS FOR INJURIES INCURRED IN THE SERVICE OF THE UNITED NATIONS

The following action in respect of such claims occurred during 1953.

On 11 September 1952, the Secretary-General wrote to the Government of Israel requesting payment to the United Nations of the sum of \$US 25,233.00 as reparation for the monetary damage borne by the Organization as a consequence of the death of the United Nations military observer Colonel André Sérot, who was assassinated with the United Nations Mediator Count Folke Bernadotte in Jerusalem on 17 September 1948. Subsequently, the Secretary-General was requested by Colonel Sérot's father to present a claim on his behalf for the payment of 200,000 French francs for the monetary damage caused to him by the death of Colonel Sérot. The Sec-

retary-General, by a letter of 9 December 1952, submitted the additional claim to the Government of Israel.

In reply to the Secretary-General's communications, the Permanent Representative of Israel to the United Nations, by a note verbale dated 2 April 1953, remitted the sum of \$US 25,233.00 in payment of the claim for damage to the United Nations, and \$575.00 (equivalent to 200,000 French francs) in payment of the claim for damage to Colonel Sérot's father.

Negotiations with Jordan for the death of Ole Helge Bakke and with Egypt for the deaths of Lt. Col. Joseph Quéru and Captain Pierre Jeannel were still pending at the end of the year.

Appendices

APPENDIX I. DELEGATIONS TO THE GENERAL ASSEMBLY AND MEMBERS OF ITS SUBSIDIARY BODIES

A. DELEGATIONS TO THE GENERAL ASSEMBLY

1. Resumed Seventh Session (24 February to 23 April 1953)¹

ARGENTINA:

Representative: Cecilio J. Morales.

AUSTRALIA:

Representative: A. S. Watt; Alternate: Keith G. Brennan.

BURMA:

Representative: U Kyin; Alternate: Sain Bwa.

CANADA:

Alternate: S. M. Scott.

CHILE:

Representatives: Rudecindo Ortega, Luis Melo Lecaros, Gonzalo Montt, Alfonso Grez, Horacio Suarez; Alternate: Carlos Souper.

CZECHOSLOVAKIA:

Representatives: Václav David, Karel Petrzelka, Oldrich Kaisr.

DENMARK:

Representatives: William Borberg, Ernst Christiansen; Alternate: Birger Dons Moeller.

DOMINICAN REPUBLIC:

Representative: General Rafael L. Trujillo Molina.²

ECUADOR:

Representatives: Leopoldo Benites V., Arturo Meneses, Pedro Concha.

EGYPT:

Representative: Aly Kamel Fahmy.

EL SALVADOR:

Representative: Roberto E. Quiros; Alternate: Rafael Huevoz.

IRAQ:

Alternate: Ata Abdul Wahab.

ISRAEL:

Representative: Mrs. Gilda Mayerson.

LEBANON:

Representatives: Hassan Saab, Edward A. Rizk.

LIBERIA:

Representatives: J. D. Lawrence, C. Wellington Campbell, Wilmot David; Alternate: John Cox.

MEXICO:

Representative: Rafael de la Colina.

NORWAY:

Representatives: Sven Nielsen, Chr. S. Oftedal; Alternates: Carl Stabel, Erik Dons.

PANAMA:

Alternate: Ernesto de la Ossa.

PHILIPPINES:

Representatives: Salvador P. Lopez, Jose D. Ingles.

POLAND:

Representative: Juliusz Katz-Suchy.

SWEDEN:

Representatives: Arne Sören Lundberg, Oscar Thorning; Alternate: Baron Goran von Otter.

UNITED KINGDOM:

Alternates: C. A. G. Meade, F. A. Vallat.

UNITED STATES:

Representatives: Henry Cabot Lodge, Jr., James J. Wadsworth; Alternate: William Sanders.

URUGUAY:

Representatives: Roberto Mac Eachen, César Montero-Bustamante.

2. Resumed Seventh Session (17 to 28 August)³

BELGIUM:

Representative: Joseph Nisot; Alternate: Georges Cassiers.

COLOMBIA:

Alternate: José Umaña Bernal.

CUBA:

Alternate: Miss Uldarica Manas.

DOMINICAN REPUBLIC:

Representative: Oscar Robles Toledano.

¹ The names contained in this section are additions or amendments to the official listing of delegations to the seventh session, for which see Y.U.N., 1952, pp. 131-34.

² When General Trujillo Molina was present, Enrique de Marchena, representative, was designated to act as alternate.

³ The names contained in this section are further additions and amendments to the official listing of delegations to the seventh session.

ETHIOPIA:

Alternate: Abate Ageda.

GREECE:

Alternates: Stavros G. Roussos, Dennis Carayannis.

HAITI:

Alternates: Ernest G. Chauvet, Pierre L. Hudicourt.

INDIA:

Representative: Rajeshwar Dayal.

INDONESIA:

Representative: Sudjarwo Tjondronegoro; Alternate: Laili Roesad.

IRAN:

Alternate: Nasrollah Saifpour Fatemi.

IRAQ:

Alternate: Usamah T. Kadry.

ISRAEL:

Representative: Moshe A. Tov.

LIBERIA:

Representatives: Ernest J. Yancy, H. Carey Thomas;
Alternate: Cecil D. B. King.

MEXICO:

Alternate: Luciano Joub Blanc-Rivas.

NEW ZEALAND:

Alternate: R. H. Wade.

PARAGUAY:

Alternate: Fernando A. Caballero-Marsal.

PHILIPPINES:

Representative: J. M. Elizalde; Alternate: Delfín R. García.

POLAND:

Alternate: Bohdan Lewandowski.

SYRIA:

Representatives: Salah Eddine Tarazi, Najmuddine Rifai.

USSR:

Representative: Semen K. Tsarapkin.

URUGUAY:

Alternate: César Montero-Bustamante.

YUGOSLAVIA:

Alternates: Franc Kos, Djuro Nincic.

3. Eighth Session

AFGHANISTAN:

Representatives: Mohammed Kabir Ludin, Mir Najmouddin Ansari, Jalaluddin Tarzi, Abdul Rahman Pazhwak, Abdul Hakim Tabibi; Alternates: Abdulrah Yaftali, Ataullah Naser-Zia.

ARGENTINA:

Representatives: Rodolfo Muñoz, Fernando García Olano, General Laureano O. Anaya, Enrique Ferrer Vieyra, Cesar A. Bunge; Alternates: Cecilio Jose Morales, Leonardo Cafiero, Armando Bulacia, Julio Cesar Carasales, Juan Campos Catelín.

AUSTRALIA:

Representatives: R. G. Casey,⁴ Sir Percy Spender, Sir Douglas Copland, Paul McGuire, William D. Forsyth; Alternates: W. A. Wynes,⁴ K. C. O. Shann, T. W. Eckersley, Arthur H. Loomes, E. J. B. Foxcroft.

BELGIUM:

Representatives: Paul van Zeeland, Fernand van Langenhove, Pierre Ryckmans, Maurice Orban, William van Remoortel; Alternates: Miss Jeanne Driessen, Victor Leemans, Hubert Rassart, Joseph Nisot.

BOLIVIA:

Representatives: Walter Guevara Arze, Eduardo Arze Quiroga, Carlos Salamanca, Gastón Araoz, Renán Castrillo.

BRAZIL:

Representatives: Mario de Pimentel Brandao, Antonio Sampaio Doria, José Ferreira de Souza, Benedito Valladares Ribeiro, Gilberto Amado; Alternates: Henrique de Souza Gomes, Rómulo de Almeida, Joaquim Canuto Mendes de Almeida, Paulo Celso Moutinho, Ottolmy Strauch.

BURMA:

Representatives: Myint Thein, James Barrington, Shan Lone, Maung Maung, Ba Shin; Alternates: Hla Aung, Khin Hla Maung, On Sein, Tun Win, Vum Ko Hau.

BYELORUSSIAN SSR:

Representatives: K. V. Kiseiyov, Pavel E. Astapenko, G. A. Povetyev, M. T. Lynkov, Mrs. Faina A. Novikova.

CANADA:

Representatives: Lester B. Pearson, A. Cote, S. S. McKeen, David M. Johnson, G. F. Davidson; Alternates: A. A. MacNaughton, George Sutton Patterson,⁵ Mrs. A. L. Caldwell, S. D. Hemsley, G. B. Summers.

CHILE:

Representatives: Jose Maza, Rudecindo Ortega Masson, Arturo Olavarría, Julio Justiniano, Sergio Bustamante; Alternates: Luis Melo Lecaros, Alfonso Grez, Carlos Souper.

CHINA:

Representatives: Tingfu F. Tsiang, Shih-Shun Liu, Chieh Liu, Tsune-Chi Yu, C. L. Hsia; Alternates: Shuhsi Hsu, Hua-Cheng Wang, Chih-Mai Chen, Chiping H. C. Kiang, Yu-Wan Liu.

COLOMBIA:

Representatives: Francisco Urrutia, Carlos Echeverri-Cortes, Lt.-General Gabriel Paris, Alfredo Carbonell, Misael Pastrana Borrero; Alternates: Eduardo Carrizosa, José Umaña Bernal, Gustavo Gáviria, Alberto Suárez-Borrero.

⁴ On the departure of Mr. Casey, on 27 September. Mr. Wynes and Keith G. Brennan were designated to act, respectively, as representative and alternate.

⁵ Died on 8 November.

COSTA RICA:

Representatives: Eladio Trejos Flores, Cristián Tattenbach Yglesias, Carlos José Gutiérrez Gutiérrez, Rubén Esquivel de la Guardia, Ricardo Fernández Palma; Alternates: Manuel Fernández, Roberto Fernández Zuniga, Raul Trejos Flores, Efraín Alfaro, Mrs. María Lilia Facio.

CUBA:

Representatives: Emilio Núñez-Portuondo, Carlos Blanco, Francisco García-Amador, Jose Miguel Ribas, Francisco Dominguez; Alternates: Mrs. María Teresa de la Campa, Miss Uldarica Manas, Juan O'Naghten, Miss Josefina Garcia Sierra.

CZECHOSLOVAKIA:

Representatives: Vaclav David, Jiri Nosek, Frantisek Vavricka, Robert Schmelz, Karel Petrzelka; Alternates: Oldrich Kaisr, Ivan Kopecky, Jaroslav Pscolka, Vladimír Kaigl, Zdenek Trhlik.

DENMARK:

Representatives: H. C. Hansen, Kristen Amby, Henry L. W. Jensen, Alsing Andersen, Hermod Lannung; Alternates: William Borberg, Hugo Hergel, Birger Dons Moeller, Finn T. B. Friis, Miss Karen Johnsen.

DOMINICAN REPUBLIC:

Representatives: Tulio Franco y Franco, Joaquin Salazar, Oscar Robles-Toledano, Miss Minerva Bernardino, Enrique de Marchena; Alternate: Luís Romanacce-Chalas.

ECUADOR:

Representatives: Jose Vicente Trujillo, Benjamin Peralta Paez, Leopoldo Benites Vinueza, Pedro Concha Enríquez, Arturo Meneses Pallares; Alternates: Marcos Uscocovich, Gonzalo Apunte Caballero.

EGYPT:

Representatives: Hilmy Bahgat Badawi, Ahmed Galal Eddine Abdel-Razek, Omar Loutfi, Hamed Sultan, Mahmoud Azmi; Alternates: Naguib Saad, Mahmoud Abou-Afia, Mahmoud Moharram Hammad, Major General Abdel Hamid Ghaleb, Ali Zein-El-Abdin Hosni.

EL SALVADOR:

Representatives: Miguel Rafael Urquía, Ramon González-Montalvo, Carlos Serrano-García, Rafael Eguizabal, Roberto E. Quirós; Alternate: Manuel Monterrosa.

ETHIOPIA:

Representatives: Yilma Deressa, Zaude Gabre Heywot; Alternates: Katama Abebe, Araya Oqbaegzy, Fantaye Woldeyohannis, Addimon Tesemma, Solomon Tekle.

FRANCE:

Representatives: Georges Bidault,⁶ Maurice Schumann, Jules Moch, Daniel Mayer, Henri Hoppenot; Alternates: Marcel Plaisant,⁶ Leon Jouhaux, Maurice Bourges-Maunoury, Pierre Schneider, Pierre Montel.

GREECE:

Representatives: Alexis Kyrou, Thanassis Aghnides, Mrs. Lina P. Tsaldaris, Jean Spiropoulos, Xenophon Zolotas; Alternates: Ion-Alexandre K. Tziras, Constantin A. Triantaphyllakos, Constantin Tranos, Stavros G. Roussos.

GUATEMALA:

Representatives: Guillermo Toriello Garrido, Eduardo Castillo Arriola, Julio Estrada de la Hoz, Carlos González Orellana, Jose L. Mendoza. Alternates: Julio Gomez Padilla, Raul Sierra Franco.

HAITI:

Representatives: Luc E. Fouché, Max H. Dorsinville, Ernest G. Chauvet, Pierre L. Hudicourt.

HONDURAS:

Representatives: Tiburcio Carias, Jr., Romeo Aguero, Humberto Lopez Villamil.

ICELAND:

Representatives: Thor Thors, Vilhjalmur Thor, Johann Hafstein, Kristjan Albertson, Hans G. Andersen.

INDIA:

Representatives: Mrs. Vijaya Lakshmi Pandit, V. K. Krishna Menon, Nawab Ali Yawar Jung, Anil K. Chanda, Rajeshwar Dayal; Alternates: Mrs. Lakshmi N. Menon, C. C. Shah, R. Venkataraman, Arthur Samuel Lall, Azim Husain.

INDONESIA:

Representatives: Dr. Sunario,⁷ Abu Hanifah, Moe-karto Notowidigdo, Oetoyo Ramelan, Sudjarwo Tjondronegoro; Alternates: Zairin Zain,⁷ Achmad Natanegara, Dr. Soebekti, Miss Laili Roesad, Mrs. Artati S. Marzuki.

IRAN:

Representatives: Nasrollah Entezam, Ali Gholi Ardalan, Ghassem Ghassemzadeh, Khosrow Khosrovani, Abdollah Forouhar; Alternates: Djavad Sadr. Mahmoud Mirfakhri, F. N. Kia, Fereydoun Adamiyat.

IRAQ:

Representatives: Abdullah Bakr, Mousa Shabander, Awni Khalid, Hikmat Al-Chadirchi, Adnan Pachachi; Alternates: Hashim Hilli, Mrs. Badia Afnan, Nathir Umari, Ata Abdul Wahab, Rashid Raouf.

ISRAEL:

Representatives: Abba Eban, Herzl Berger, Jacob Klebanoff, Jacob Robinson, Moshe A. Tov; Alternates: Arthur Lourie, Emile Najjar, Mordecai R. Kidron, Mrs. Zena Harman, Arthur Liveran.

LEBANON:

Representatives: Charles Malik, Khalil Takieddine, Karim Azkoul, Edward A. Rizk, Khalil Itani.

LIBERIA:

Representatives: Henry F. Cooper, Richard S. S. Bright, J. Dudley Lawrence, Ernest J. Yancy, Carey Thomas; Alternate: Cecil D. B. King.

LUXEMBOURG:

Representatives: Joseph Bech, Hugues Le Gallais, Jean-Pierre Kremer, Camille Dumont; Alternate: Pierre Wurth.

⁶ In the absence of Mr. Bidault, Mr. Plaisant and Pierre Abelin were designated to serve, respectively, as representative and alternate.

⁷ On the departure of Dr. Sunario, on 28 September, Zairin Zain and Ibnu Suwongso Hamimzar were designated to act, respectively, as representative and alternate.

MEXICO:

Representatives: Luis Padilla Nervo, Rafael de la Colina, Luciano Joub Blanc Rivas, Carlos Peon del Valle, Mario Ramon Beteta; Alternates: Antonio Gomez Robledo, Eduardo Espinosa y Prieto, Francisco Villagrán.

NETHERLANDS:

Representatives: J. M. A. H. Luns,⁸ D. J. von Baluseck, L. J. C. Beaufort, G. J. N. M. Ruygers, Ch. M. Dozy; Alternates: C. W. A. Schurmann,⁸ J. de Kadt, J. Meijer, A. J. P. Tammes, W. H. J. van Asch van Wijck.

NEW ZEALAND:

Representatives: T. Clifton Webb,⁹ Leslie Knox Munro, A. D. McIntosh, J. V. Wilson, G. R. Laking; Alternates: C. C. Aikman, A. R. Perry, J. V. Scott.

NICARAGUA:

Representatives: Guillermo Sevilla-Sacasa, Col. Julio C. Morales, Alejandro Carrion M,

NORWAY:

Representatives: Halvard M. Lange, Finn Moe, C. J. Hambro, Jens Boyesen, Hans Engen; Alternates: Jacob S. Worm-Muller,¹⁰ Sven Nielsen,¹⁰ Hans Borgen, Mrs. Aase Lionaes, Erik Dons.

PAKISTAN:

Representatives: Mohammad Zafrulla Khan, Amjad Ali, Hakim Mohammed Ahson, Syed Masoom Shah, Mohammed Nurul-Huda; Alternates: Khwaja Mohammed Safdar, Mohammed Mir Khan, Lal Shah Bokhari.

PANAMA:

Representatives: Victor Navas, Eusebio A. Morales, Roberto Arias, Juan Rivera Reyes, Ernesto de la Ossa; Alternate: Roberto de la Guardia.

PARAGUAY:

Representatives: Luis Oscar Boettner, Osvaldo Chaves, Fernando A. Caballero Marsal.

PERU:

Representatives: Victor A. Belaunde, Juan Bautista de Lavalle, Fernando Berckemeyer, Carlos Holguin; Alternates: Manuel Felix Maurtua, José Antonio Encinas.

PHILIPPINES:

Representatives: Joaquin M. Elizalde, Miguel Cuaderno, Jr., Salvador P. Lopez; Alternates: Mauro Mendez, Narciso G. Reyes, Delfin R. Garcia, Melquiades Ibañez.

POLAND:

Representatives: Marian Naszkowski, Jozef Winiewicz, Juliusz Katz-Suchy, Mrs. Zofia Wasilkowska, Henryk Birecki; Alternates: Mieczyslaw Lobodycz, Bohdan Lewandowski.

SAUDI ARABIA:

Representative: Shaikh Asad Al-Faqih; Alternates: Shaikh Ahmed Abdul Jabbar, Aouney W. Dejany, Jamil M. Baroody, Omar Haliq, Omar Abou Khadra.

SWEDEN:

Representatives: Osten Unden, Rickard Sandier, Mrs. Ulla Lindstrom,¹¹ Knut Ewerlöf,¹¹ Ake Holmback; Alternates: Rolf Solhman, Oscar Thorsing, Valter Aman,¹¹ Manne Stahl, Torsten Bengtson.¹¹

SYRIA:

Representatives: Khalil Mardam,¹² Farid Zeineddine, Ahmed Shukairi, Rafik Asha, Husni Sawaf; Alternates: Salah Eddine Tarazi,¹² Adib Daoudy, Abdul Aziz Allouni, Jawdat Mufti, Najmuddine Rifai.

THAILAND:

Representatives: Prince Wan Waithayakon,¹³ Khem-jati Punyaratabhan, Pote Sarasin, Thanat Khoman, Manu Amatayakul; Alternates: Mom Chao Jotisi Devakul, Thawan Kimsawat, Upadit Pachariangkun.

TURKEY:

Representatives: Fuat Köprülü, Selim Sarper, Melih Esenbel, Kemal Süleyman Vaner; Alternates: Adil Derinsu, Hamdi Özgürel, Necmettin Tuncel, Sadi Eldem.

UKRAINIAN SSR:

Representatives: A. M. Baranovsky, L. F. Palamarchuk, P. V. Kriven, Mrs. E. N. Khokhol, I. Z. Shtokalo.

UNION OF SOUTH AFRICA:

Representatives: G. P. Jooste, S. F. du Toit, J. R. Jordaan, W. C. Naude, L. Wessels; Alternates: R. H. Coaton, D. B. Sole, M. I. Botha, J. S. F. Botha.

USSR:

Representatives: Andrei Y. Vyshinsky, Yacov A. Malik, Georgi N. Zarubin, Semen K. Tsarapkin, A. M. Kuchkarov; Alternates: K. V. Novikov, V. M. Khvostov, P. D. Morozov, G. P. Arkadyev.

UNITED KINGDOM:

Representatives: Anthony Eden, Selwyn Lloyd, Henry Hopkinson,¹⁴ Sir Gladwyn Jebb, Mrs. E. Emmet; Alternates: Sir Clifford Norton, Sir Alec Randall, Sir Walter Hankinson, P. M. Crosthwaite, F. A. Vallat.

UNITED STATES:

Representatives: John Foster Dulles, Henry Cabot Lodge, Jr., James F. Byrnes, Mrs. Frances P. Bolton, James P. Richards; Alternates: Archibald J. Carey, Jr., James D. Zellerbach, Henry Ford, H. Charles W. Mayo, Mrs. Oswald B. Lord.

⁸ In the absence of Mr. Luns, Mr. Schurmann was designated to act as representative.

⁹ Departed 7 October.

¹⁰ In the absence of Mr. Worm-Muller and Mr. Nielsen, Francis Irgens and Thore Boye were designated to act as alternates.

¹¹ In the absence of Mrs. Lindstrom and Messrs. Ewerlöf, Aman and Bengtson, Rolf Edberg, Erik Hagberg, Sten Wahlund and Miss Brita Elmén were designated to act, respectively, as representatives and alternates.

¹² In the absence of Mr. Marman, Mr. Tarazi was designated to act as representative.

¹³ Departed on 16 October.

¹⁴ On the departure of Mr. Hopkinson, on 5 October, Viscount Hudson was designated to act as representative.

URUGUAY:

Representatives: Alberto Dominguez Cámpora, Alfredo Dupetit Ibarra, Enrique Rodríguez Fabregat, Mrs. Isabel Pinto de Vidal, Julio Cesar Vignale; Alternates: Washington Fernández, Quintin Alfonsín, Cesar Montero Bustamante, Jorge Suarez.

VENEZUELA:

Representatives: Santiago Perez Perez, Victor Manuel Perez Perozo, Lorenzo Mendoza Fleury, Francisco Manuel Mármol; Alternate: Victor Manuel Rivas.

YEMEN:

Representatives: Prince Saif Al Islam Abdullah, Cadi Mohammed Al-Hajri, Abdurrahman Abulsamad Abou-Taleb, Adnan Tarcici, Cadi Ismail Al-Girafi; Alternate: Mohammed Abou-Taleb.

YUGOSLAVIA:

Representatives: Koca Popovic, Vladimir Popovic, Leo Mates, Mrs. Mitra Mitrovic, Josip Djerdja; Alternates: Milan Bartos, Krsto Bulajic, Franc Kos.

**Delegations of Non-Member Nations
Maintaining Permanent Observers
Offices at Headquarters**

AUSTRIA:

Heinrich Haymerle.

FINLAND:

Artturi Lehtinen, Tuure Mentula.

GERMANY, FED. REP. OF:

Hans E. Riesser, Richard Paulig, Edgar Reichel, Walter Kopp, Johannes Haas-Heye.

ITALY:

Gastone Guidotti, Guerino Roberti, Marco Francisci di Baschi.

JAPAN:

Renzo Sawada, Torao Ushiroku, Miss Toshiko Yamane.

KOREA:

Yung Tai Pyun, You Chan Yang, Col. Ben C. Limb, Pyo Wook Han, Major General Duk Shin Choi, Col. Soo Young Lee, Chai Hang Ea, Yu Dong Han.

SWITZERLAND:

Auguste Lindt, Claude van Muyden.

Representatives of Specialized Agencies

INTERNATIONAL LABOUR ORGANISATION (ILO):

A. M. Malik, Leon Jouhaux, Sir Guildhaume Myrdin-Evans, G. Bergenstrom, G. P. Delaney, N. Tata, David A. Morse, C. W. Jenks, R. A. Métall, R. E. Manning, R. Roux, R. Morellet.

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO):

F. L. McDougall, Harold Vogel, Miss A. Banos.

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION (UNESCO):

Luther H. Evans, René Maheli, Claude M. Berkeley, Solomon V. Arnaldo, Arthur F. Gagliotti, Gerald Carnes.

INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO):

Edward Warner, E. C. R. Ljunberg, E. R. Marlin, J. Hutchinson.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT (BANK):

Eugene R. Black, E. Lopez Herrarte.

INTERNATIONAL MONETARY FUND (FUND):

Ivar Rooth, Gordon Williams.

WORLD HEALTH ORGANIZATION (WHO):

Marcolino G. Candau, Pierre Dorolle, H. C. Grant, R. L. Coigny, Mrs. Mabel S. Ingalls, Mrs. S. Meagher, Roberto Rendueles.

WORLD METEOROLOGICAL ORGANIZATION (WMO):

F. W. Reichelderfer, Paul H. Kutschenreuter, Harold N. Burke.

B. MEMBERSHIP OF SUBSIDIARY BODIES⁵

1. Standing Committees¹⁶

a. ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS

Elected to serve until 31 December 1953:

Rafik Asha (Syria), Andre Ganem (France), Braj Kumar Nehru (India).

Elected to serve until 31 December 1954:

Thanassis Aghnides (Greece) (Chairman), Eduardo Carrizosa (Colombia), Igor V. Chechetkin (USSR).

Elected to serve until 31 December 1955:

Carlos Blanco (Cuba), Arthur H. Clough (United Kingdom), William O. Hall (United States).

b. COMMITTEE ON CONTRIBUTIONS

Elected to serve until 31 December 1953:

Arthur H. Clough (United Kingdom), Adolfo Nass¹⁷ (Venezuela), Miss Maria Z. N. Witteveen (Netherlands).

Elected to serve until 31 December 1954:

René Charron (France), Arthur Samuel Lall (India) (Chairman), Josue Saenz (Mexico), G. F. Saksin (USSR).

Elected to serve until 31 December 1955:

S. M. Burke (Pakistan), Jiri Nosek (Czechoslovakia) (Vice-Chairman), Stuart Arthur Rice (United States).

¹⁵ For officers of the Main Committees and membership of the Procedural Committees, see pp. 7-8.

¹⁶ For election of new members to take office on 1 January 1954, see p. 19.

¹⁷ Was unable to attend the Committee's 1953 session; designated I. Silva-Sucre to represent him.

2. Other Subsidiary Bodies

a. INTERIM COMMITTEE OF THE GENERAL ASSEMBLY

Each Member of the United Nations has the right to be represented on the Interim Committee.¹⁸

b. DISARMAMENT COMMISSION¹⁹

c. PEACE OBSERVATION COMMISSION

CHINA	NEW ZEALAND
COLOMBIA	PAKISTAN
CZECHOSLOVAKIA	SWEDEN
FRANCE	USSR
INDIA	UNITED KINGDOM
IRAQ	UNITED STATES
ISRAEL	URUGUAY

Chairman: Oscar Thorsing (Sweden); Vice-Chairman: Jiri Nosek (Czechoslovakia); Rapporteur: Gideon Rafael (Israel).

BALKAN SUB-COMMISSION

COLOMBIA	SWEDEN
FRANCE	UNITED STATES
PAKISTAN	

d. COLLECTIVE MEASURES COMMITTEE

AUSTRALIA	MEXICO
BELGIUM	PHILIPPINES
BRAZIL	TURKEY
BURMA	UNITED KINGDOM
CANADA	UNITED STATES
EGYPT	VENEZUELA
FRANCE	YUGOSLAVIA

Chairman: Joao Carlos Muniz (Brazil)

e. PANEL OF MILITARY EXPERTS

Army: Lt.-General B. H. Calmeijer (Netherlands); Lt.-General Withers A. Burrell (United States), General de Corps d'Armée Jean Adolphe Leonce Curnier (France), Lt.-General Jira Vichitsonggram (Thailand), Maj.-General Archimedes Argyropoulos (Greece), Maj.-General Rustu Erdelhum (Turkey), Maj.-General L. O. Lyne, C.B., D.S.O. (United Kingdom), Maj.-General R. O. G. Morton, C.B.E. (Canada).

Navy: Vice-Admiral A. D. Struble (United States), Vice-Admiral C. Caslon, C.B., C.B.E. (United Kingdom), Vice-Admiral E. Flokas (Greece), Vice-Admiral d'Escadre Jacques Marie Missoffe (France), Vice-Admiral J. W. G. van Hengel (Netherlands), Rear-Admiral Tacettin Taleyman (Turkey).

Air force: Lt.-General C. Giebel (Netherlands), Lt.-General Hubert R. Harmon (United States) (until 8 September), Lt.-General Leon W. Johnson (United States) (from 17 September), Maj.-General Kemal Colakoglu (Turkey), Air Vice-Marshal Sir Alexander P. Davidson, K.B.E., C.B. (United Kingdom), General de Brigade Aérienne Louis Eugene Tapie (France), Group Captain George Doucas (Greece).

f. SPECIAL COMMITTEE ON ADMISSION OF NEW MEMBERS

ARGENTINA:

Representative: Enrique Ferrer Vieyra.

BELGIUM:

Representative: Joseph Nisot.

CANADA:

Representative: David M. Johnson.

CHINA:

Representative: Tingfu F. Tsiang; Alternates: Shuhsi Hsu, H. C. Kiang.

COLOMBIA:

Representative: Carlos Echeverri Cortes.

CUBA:

Representative: Jose Miguel Ribas.

EGYPT:

Representative: Aly Kamel Fahmy.

EL SALVADOR:

Representative: Miguel Rafael Urquía (Chairman); Alternate: Carlos Serrano Garcia.

FRANCE:

Representative: Pierre Ordonneau.

GREECE:

Representative: Alexis Kyrou.

LEBANON:

Representative: Edward Rizk.

NETHERLANDS:

Representative: D. J. von Balluseck; Alternates: Baron D. W. van Lynden, H. Scheltema.

NEW ZEALAND:

Representative: Leslie Knox Munro; Alternates: A. R. Perry, J. V. Scott.

NORWAY:

Representative: Hans Engen (Rapporteur); Alternate: Erik Dons.

PERU:

Representative: Carlos Holguin de Laval.

PHILIPPINES:

Representative: Salvador P. Lopez (Vice-Chairman).

UNION OF SOUTH AFRICA:

Representative: J. R. Jordaan; Alternates: M. I. Botha, J. J. Theron.

UNITED KINGDOM:

Representative: Sir Gladwyn Jebb; Alternates: P. M. Crosthwaite, P. S. Laskey.

¹⁸ The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and USSR do not participate in the work of the Committee, the establishment of which they consider illegal and unconstitutional.

¹⁹ The Commission reports both to the General Assembly and the Security Council (See under Security Council).

UNITED STATES:

Representative: Henry Cabot Lodge, Jr.; Alternates: James J. Wadsworth, Paul Taylor, Milton K. Wells.

g. COMMITTEE OF GOOD OFFICES ON THE ADMISSION OF NEW MEMBERS

Ahmed Galal Eldine Abdelrazek (Egypt), Daniel J. von Balluseck (Netherlands), Victor Andrés Belaunde (Peru) (Chairman).

h. UNITED NATIONS COMMISSION TO INVESTIGATE CONDITIONS FOR FREE ELECTIONS IN GERMANY

BRAZIL	PAKISTAN
ICELAND	POLAND ²⁰
NETHERLANDS	

i. UNITED NATIONS COMMISSION FOR THE UNIFICATION AND REHABILITATION OF KOREA

AUSTRALIA:

Representative: Thomas K. Critchley; Alternate: Lionel E. Phillips.

CHILE:

Representative: Gonzalo Montt.

NETHERLANDS:

Acting Representatives: David Ketel, Berend J. Slingenberg.

PAKISTAN:

Representative: Mian Ziaud Din; Alternate: Abdul Ghayur Kakar.

PHILIPPINES:

Representatives: José P. Melencio,²¹ Maximino G. Bueno.

THAILAND:

Representative: Prince Pridi Debyabongs Devakula; Alternate: Chitti Sucharitakul.

TURKEY:

Representative: Kamil Idil.

j. UNITED NATIONS KOREAN RECONSTRUCTION AGENCY

Agent-General: Lt.-General John B. Coulter (United States).²²

Representatives Serving on Advisory Committee

CANADA:

David M. Johnson (Chairman).

INDIA:

Rajeshwar Dayal.

UNITED KINGDOM:

Arthur H. Clough.

UNITED STATES:

Graham R. Hall.

URUGUAY:

Darwin Bracco.

k. UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

FRANCE:

Pierre Ordonneau.

TURKEY:

Semih Baran, Adil Derinsu.

UNITED STATES:

John C. Ross, James Barco.

l. UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

Acting Director: Leslie J. Carver (United Kingdom).²³

Representatives Serving on Advisory Commission

EGYPT:

Mahmoud Riad.

FRANCE:

Henry Ingrand.

JORDAN:

Yusuf Haikal.

LEBANON²⁴

SYRIA:

Adib Daoudy.

TURKEY:

Adil Derinsu.

UNITED KINGDOM:

Thomas Rapp.

UNITED STATES:

Arthur Z. Gardiner.

m. NEGOTIATING COMMITTEE FOR EXTRA-BUDGETARY FUNDS²⁵

AUSTRALIA

LEBANON

CANADA

PAKISTAN

COLOMBIA

UNITED KINGDOM

FRANCE

UNITED STATES

HAITI

²⁰ Officially declined to participate.

²¹ Died on 13 December.

²² Appointed on 16 May to succeed J. Donald Kingsley (United States) whose appointment expired on 15 May 1953.

²³ John B. Blandford (United States) resigned as Director on 7 March. At the end of 1953 he had not yet been replaced.

²⁴ Accepted as member of the Commission on 29 December; no representative appointed in 1953.

²⁵ The Committee, as re-established on 5 October, consists of the same members with the exception of Haiti, which was replaced by Chile.

n. UNITED NATIONS GOOD OFFICES COMMISSION (ON THE QUESTION OF THE TREATMENT OF PEOPLE OF INDIAN ORIGIN IN THE UNION OF SOUTH AFRICA)

CUBA:

Jose Miguel Ribas.

SYRIA:

Salah Eddine Tarazi.

YUGOSLAVIA:

Leo Mates.

O. UNITED NATIONS COMMISSION ON THE RACIAL SITUATION IN THE UNION OF SOUTH AFRICA²⁶

Hernán Santa Cruz (Chile) (Chairman and Rapporteur), Dantes Bellegarde (Haiti), Henri Laugier (France).

p. UNITED NATIONS TRIBUNAL IN LIBYA

Vicente Sánchez Gavito (Mexico), Hugo G. L. Wickstrom (Sweden), Faiz Yorukoglu (Turkey).

q. UNITED NATIONS TRIBUNAL IN ERITREA

Vicente Sánchez Gavito (Mexico), Hugo G. L. Wickstrom (Sweden), Faiz Yorukoglu (Turkey).

r. OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

High Commissioner: G. J. van Heuven Goedhart.

Deputy High Commissioner: James M. Read.

Director: M. Pages.

High Commissioner's Advisory Committee on Refugees (Third Session)

AUSTRALIA:

Representative: Patrick Shaw (Chairman); Alternate: Laurence Corkery.

AUSTRIA:

Representative: Mrs. Johanna Monschein.

BELGIUM:

Representative: René Contempre (Vice-Chairman); Alternate: Jean Desy.

BRAZIL:

Representative: C. A. de Souza e Silva.

DENMARK:

Representative: Finn T. B. Friis; Alternate: Hans Erik Kastoft.

FRANCE:

Representative: Jean Serres; Alternates: Bernard Toussaint, Miss Lucie Masbrenier, Miss Henriette Legrand, Maurice Cantan.

GERMANY, FED. REP. OF:

Representative: Werner G. Middelman (Rapporteur); Alternates: Gustav von Schmoller, Kurt Breull, Peter Dahnen.

HOLY SEE:

Representative: Monseigneur Mario Brini; Alternate: Reverend Henri de Riedmatten.

ISRAEL:

Representative: Menahem Kahany.

ITALY:

Representative: Lorenzo Nicolai; Alternates: Mario Rotelli, Aster Amatucci.

SWITZERLAND:

Representative: Oscar Schurch; Alternate: Carlo Fedele.

TURKEY:

Representative: Necmettin Tuncel.

UNITED KINGDOM:

Representative: Edward R. Warner; Alternate: P. C. Pell.

UNITED STATES:

Representative: George Warren; Alternate: Donald C. Blaisdell.

VENEZUELA:

Representative: Daniel Uzcategui-Ramírez; Alternate: Alberto Weibezahn Massiani.

5. Ad hoc COMMISSION ON PRISONERS OF WAR

Countess Bernadotte (Sweden); Jose Gustavo Guerrero (El Salvador), Vice-President of the International Court of Justice (Chairman and Rapporteur), Aung Khine (Burma); Judge of the High Court of Burma.

t. COMMITTEE OF EXPERTS ON COMMODITY TRADE AND ECONOMIC DEVELOPMENT

Charles F. Carter (United Kingdom), Sumitro Djojohadikusumo (Indonesia), Francisco Garcia Olano (Argentina), Jan Goudriaan (Netherlands) (Chairman), Klaus Knorr (United States).

u. UNITED NATIONS ADVISORY COUNCIL FOR SOMALILAND UNDER ITALIAN ADMINISTRATION

COLOMBIA:

Edmundo de Holte Castello.

EGYPT:

Mahmoud Moharram Hammad.²⁷

PHILIPPINES:

Vicente L. Pastrana.

²⁶ Ralph Bunche (United States) and Jaime Torres Bodet (Mexico) had been originally appointed members but were unable to accept. The General Assembly on 30 March appointed Mr. Bellegarde and Mr. Laugier in their stead.

²⁷ Replaced by Mohamed Hamdy, who arrived in Somaliland on 28 November.

V. Ad hoc COMMITTEE ON SOUTH WEST AFRICA

NORWAY:
Representative: Hans Engen; Alternate: Erik Dons.

SYRIA:
Representative: Farid Zeineddine; Alternate: Najmud-dine Rifai.

THAILAND:
Representative: Thanat Khoman (Chairman).

UNITED STATES:
Representative: Benjamin Gerig.

URUGUAY:
Representative: Enrique Rodríguez Fabregat; Alternate: Francisco A. Forteza.

W. COMMITTEE ON SOUTH WEST AFRICA

BRAZIL	SYRIA
MEXICO	THAILAND
NORWAY	URUGUAY
PAKISTAN	

X. COMMITTEE ON INFORMATION FROM NON-SELF-GOVERNING TERRITORIES
(Fourth Session)

AUSTRALIA:
Representative: Allan H. Loomes (Chairman); Alternate: J. D. Petherbridge.

BELGIUM²⁸

BRAZIL:
Representative: Sergio Armando Frazao (Vice-Chairman).

CHINA:
Representative: Yu-Wan Liu; Alternates: Hsi-Kun Yang, Chih-Hung Ting.

CUBA:
Representative: Miss Uldarica Manas; Alternate: Miss Josefina Garcia Sierra.

DENMARK:
Representative: William Borberg; Alternates: Eske Brun, Birger Dons Moeller, P. P. Sveistrup.

ECUADOR:
Representative: Jose V. Trujillo; Alternate: Leopoldo Benites-Vinueza.

FRANCE:
Representative: Leon Pignon; Alternates: Francis Huré, A. Charton, H. de la Bastide.

INDIA:
Representative: Mrs. Lakshmi N. Menon (Rapporteur); Alternate: P. K. Banerjee.

INDONESIA:
Representative: Miss L. Roesad; Alternate: B. A. Masfar.

IRAQ:
Representative: Awni Khalidy; Alternate: Usamah T. Kadry.

NETHERLANDS:
Representative: A. I. Spits; Alternates: H. Scheltema, C. J. Grader.

NEW ZEALAND:
Representative: J. V. Scott.

PAKISTAN:
Representative: V. A. Hamdani; Alternate: R. Piracha.

UNITED KINGDOM:
Representative: W. A. C. Mathieson; Alternates: W. E. F. Ward, G. K. Caston.

UNITED STATES:
Representative: Mason Sears; Alternates: Benjamin Gerig, Antonio Fernos-Isern, Ralph Bedell, R. R. Robbins, W. L. Yeomans.

y. Ad hoc COMMITTEE ON FACTORS (NON-SELF-GOVERNING TERRITORIES)

AUSTRALIA:
Representative: Allan H. Loomes; Alternate: J. D. Petherbridge.

BELGIUM:
Representative: Joseph Nisot; Alternate: Georges Cassiers.

BURMA:
Representative: James Barrington; Alternate: Ba Maung.

CUBA:
Representative: Miss Josefina Garcia Sierra; Alternate: Miss Ana Maria Perera.

GUATEMALA:
Representative: Eduardo Castillo Arriola; Alternate: M. G. Ramirez.

IRAQ:
Representative: Awni Khalidy (Chairman); Alternates: Usama Kadry, Ata A. Wahab.

NETHERLANDS:
Representative: A. I. Spits; Alternates: H. Scheltema, R. H. Pos, N. Debrot.

UNITED KINGDOM:
Representative: W. A. C. Mathieson.

UNITED STATES:
Representative: Benjamin Gerig (Vice-Chairman and Rapporteur); Alternates: William I. Cargo, Edward P. Noziglia.

VENEZUELA:
Representative: Santiago Pérez-Pérez; Alternate: Ignacio Silva-Sucre.

z. SUB-COMMITTEE ON THE REVISION OF THE QUESTIONNAIRE (RELATING TO TRUST TERRITORIES)

EL SALVADOR	INDIA
HAITI	SYRIA

²⁸ Did not send representative.

aa. BOARD OF AUDITORS

Elected to serve until 30 June 1953 and re-elected to serve until 30 June 1956:

Auditor-General of Canada (Robert Watson Sellar).

Elected to serve until 30 June 1954:

Auditor-General of Colombia (Jaime Jaramillo).

Elected to serve until 30 June 1955:

Auditor-General of Denmark (Otto F. Remke).

bb. UNITED NATIONS ADMINISTRATIVE TRIBUNAL

Elected to serve until 31 December 1953:

Lord Crook (United Kingdom) (1st Vice-President), Vladimir Outrata (Czechoslovakia).

Elected to serve until 31 December 1954:

Bror Arvid Sture Petren (Sweden) (2nd Vice-President), Homero Viteri-Lafronte (Ecuador).

Elected to serve until 31 December 1955:

Djalal Abdoh (Iran), Madame Paul Bastid (France) (President), Omar Loutfi (Egypt).

cc. COMMITTEE ON SPECIAL ADMINISTRATIVE QUESTIONS

AUSTRALIA:

Representative: K. G. Brennan (Rapporteur); Alternate: J. G. Petherbridge.

BELGIUM:

Representative: Georges Cassiers; Alternate: J. Woulbroun.

BRAZIL:

Representative: Luiz Bastian-Pinto (Vice-Chairman).

CHILE:

Representative: Rudecindo Ortega Masson.

CHINA:

Representative: Ching-Lin Hsia; Alternate: C. H. C. Kiang.

DOMINICAN REPUBLIC:

Representative: Joaquin Salazar; Alternate: L. Romanacce-Chalas.

GREECE:

Representative: Alexis Kyrou.

IRAQ:

Representative: Awni Khalidy.

NORWAY:

Representative: Erik Dons.

PAKISTAN:

Representative: Viqar Ahmed Hamdani (Chairman).

POLAND:

Representative: Eugeniusz Kulaga.

dd. UNITED NATIONS STAFF PENSION COMMITTEE

Elected by the General Assembly (to serve until 31 December 1955):

Members: Keith G. Brennan. R. T. Cristobal, Francisco A. Forteza; Alternates: Arthur H. Clough, Warren B. Irons, Fazlollah Nouredin Kia.

Appointed by the Secretary-General:

Members: Hans C. Andersen, Georges Palthey, David Vaughan; Alternates: John McDiarmid, L. Michelmore, Urbain F. Roullier.

Elected by Participants (to serve until 31 December 1955):

Members: Pierre Obez, Marc Schreiber, Raphael Trachtenberg; Alternates: Charles Hogan, Georges Rabinovitch, Byron F. Wood.

ee. INVESTMENTS COMMITTEE

Elected to serve until 31 December 1953:

Jacques Rueff—Honorary Governor of the Bank of France.

Elected to serve until 31 December 1954:

Leslie R. Rounds—Former Senior Vice-President of the Federal Reserve Bank of New York.

Elected to serve until 31 December 1955:

Ivar Rooth—Former Governor of the Bank of Sweden, Managing Director of the International Monetary Fund.

ff. INTERNATIONAL LAW COMMISSION

Ricardo J. Alfaro (Panama), Gilberto Amado (Brazil) (First Vice-Chairman), Roberto Cordova (Mexico), J. P. A. François (Netherlands) (Chairman), Shushi Hsu (China), Manley O. Hudson (United States)²⁹, Faris el-Khouri (Syria), F. I. Kozhevnikov (USSR) (Second Vice-Chairman), H. Lauterpacht (United Kingdom) (Rapporteur), Radhabinod Pal (India), A. E. F. Sandstrom (Sweden), Georges Scelle (France), Jean Spiropoulos (Greece), Jesus Maria Yepes (Colombia), Jaroslav Zourek (Czechoslovakia).

gg. 1953 COMMITTEE ON INTERNATIONAL CRIMINAL JURISDICTION

ARGENTINA:

Representative: Fernando Garcia Olano; Alternate: Raul A. Laurel.

AUSTRALIA:

Representative: K. H. Bailey; Alternate: Allan H. Loomes.

BELGIUM:

Representative: J. Y. Dautricourt; Alternate: Georges Cassiers.

CHINA:

Representative: Hua-Cheng Wang.

²⁹

Did not attend Commission's fifth session.

DENMARK:
Representative: Birger Dons Moeller.

EGYPT:
Representative: Yehia Sami.

FRANCE:
Representative: Marcel Merle.

ISRAEL:
Representative: Jacob Robinson; Alternate: David I. Marmor.

NETHERLANDS:
Representative: B. V. A. Röling (Rapporteur).

PAKISTAN³¹

PANAMA:
Representative: Ernesto de la Ossa.

PERU:
Representative: Manuel Felix Maurtua.

PHILIPPINES:
Representative: Mauro Méndez.

UNITED KINGDOM:
Representative: Francis A. Vallat.

UNITED STATES:
Representative: George Maurice Morris (Chairman);
Alternate: John Maktos.

VENEZUELA:
Representative: Victor Manuel Pérez-Perozo (Vice-Chairman).

YUGOSLAVIA:
Representative: Djuro Nincic; Alternate: Aleksander Bozovic.

hh. SPECIAL COMMITTEE ON THE QUESTION OF DEFINING AGGRESSION

BOLIVIA:
Representative: Gaston Araoz.

BRAZIL:
Representative: Gilberto Amado.

CHINA:
Representative: Shuhsi Hsu.

DOMINICAN REPUBLIC:
Representative: Enrique de Marchena (Chairman);
Alternate: Tulio Franco y Franco.

FRANCE:
Representative: Charles Chaumont.

IRAN:
Representative: Fereydoun Adamiyat.

MEXICO:
Representative: Jorge Castañeda.

NETHERLANDS:
Representative: B. V. A. Röling (Vice-Chairman).

NORWAY:
Representative: Hans Engen, Alternates: Erik Dons,
Rasmus S. Gundersen.

PAKISTAN³¹

POLAND:
Representative: Jozef Winiewicz.

SYRIA:
Representative: Salah Eddine Tarazi (Rapporteur).

USSR:
Representative: P. D. Morozov.

UNITED KINGDOM:
Representative: Francis A. Vallat.

UNITED STATES:
Representative: John Maktos.

it. SPECIAL COMMITTEE ON MEASURES TO LIMIT THE DURATION OF REGULAR SESSIONS OF THE GENERAL ASSEMBLY

AFGHANISTAN:
Representative: Mohammed Ismail Osman.

AUSTRALIA:
Representative: Keith G. Brennan.

CHILE:
Representative: Alfonso Grez.

CHINA:
Representative: Chiping H. C. Kiang.

CZECHOSLOVAKIA:
Representative: Karel Petrzelka (Vice-Chairman);
Alternate: J. Rybar.

EL SALVADOR:
Representative: Carlos Serrano Garcia.

FRANCE:
Representative: Pierre Ordonneau.

IRAN:
Representative: F. N. Kia.

NETHERLANDS:
Representative: H. Scheltema.

NORWAY:
Representative: Erik Dons (Rapporteur).

PHILIPPINES:
Representative: Mauro Mendez.

USSR:
Representative: N. P. Emelyanov.

UNITED KINGDOM:
Representative: F. A. Vallat.

UNITED STATES:
Representative: William O. Hall; Alternate: Paul Taylor.

URUGUAY:
Representative: Enrique Rodríguez Fabregat (Chairman);
Alternate: Darwin Bracco.

³⁰ Not represented
³¹ Not represented

APPENDIX II. REPRESENTATIVES TO THE SECURITY COUNCIL AND MEMBERS OF ITS
SUBSIDIARY BODIESA. REPRESENTATIVES AND DEPUTY, ALTERNATE AND ACTING REPRESENTATIVES
ACCREDITED TO THE COUNCIL

CHILE:

Rudecindo Ortega Masson, Alfredo Lea Plaza, Horacio Suárez, Gonzalo Montt.

CHINA:

Tingfu F. Tsiang, C. L. Hsia, Shuhsi Hsu, Chiping H. C. Kiang.

COLOMBIA:

Evaristo Sourdis, Carlos Echeverri-Cortés, Eduardo Carrizosa.

DENMARK:

William Borberg, Birger Dons Moeller.

FRANCE:

Henri Hoppenot, Francis Lacoste (to 22 April), Charles Lucet (from 22 April), Pierre Ordonneau.

GREECE:

Alexis Kyrou, Stavros G. Roussos.

LEBANON:

Charles Malik, Karim Azkoul, Edward Rizk.

PAKISTAN:

Ahmed S. Bokhari, Syed Itaat Husain (to 17 June), Viqar Ahmed Hamdani.

USSR:

Yakov A. Malik, Valeryan A. Zorin, Andrei Y. Vyshinsky, Semen K. Tsarapkin.

UNITED KINGDOM:

Sir Gladwyn Jebb, J. E. Coulson, P. M. Crosthwaite.

UNITED STATES:

Warren R. Austin, Henry Cabot Lodge, Jr., Ernest A. Gross, John C. Ross, James J. Wadsworth.

B. MILITARY STAFF COMMITTEE

CHINA:

Army Representative: Lt. General Ho Shai-lai (from 19 June).

Navy Representative: Commodore Kao Ju-fon (to 27 September).

FRANCE:

Army Representative: General de Brigade Marcel Penette.

Navy Representative: Capitaine de Fregate Marc Sanoner.

Air Force Representative: Commandant Louis Le Gelard (to 27 April).

USSR:

Army Representative: Maj.-General Ivan A. Skliarov.

Air Force Representative: Lt.-General A. R. Sharapov.

UNITED KINGDOM:

Army Representatives: Maj.-General W. A. Dimoline (to 11 October); Maj.-General W. H. Stratton (from 12 October to 21 December); Brigadier I. H. Good (from 22 December).

Navy Representatives: Commander R. H. Graham (to 31 July); Vice-Admiral C. C. Hughes-Hallet (from 1 August).

Air Force Representatives: Group Captain A. M. Montagu-Smith (to 17 June); Air Vice-Marshal J. D. Breakey (from 18 June).

UNITED STATES:

Army Representative: Lt.-General W. A. Buess.

Navy Representative: Vice-Admiral A. D. Struble.

Air Force Representatives: Lt.-General H. R. Harmon (to 30 June); Lt.-General L. W. Johnson (from 1 July).

C. DISARMAMENT COMMISSION

CANADA:

Representative: David M. Johnson; Alternate: James George.

CHILE:

Representative: Rudecindo Ortega Masson (from 20 February); Alternates: Gonzalo Montt (from 9 March), Luis Melo Lecaros (from 10 September), Alfonso Grez (from 10 September), Captain Harold Nagel, Colonel Jorge Navarrete.

CHINA:

Representative: Tingfu F. Tsiang; Alternate: Hsioh-Ren Wei.

COLOMBIA:

Representatives: Evaristo Sourdis (to June), Francisco Urrutia (from July); Alternates: Lt.-General Rafael Sánchez Amaya (23 May to 30 June), Lt.-General Gabriel Paris (from 30 June).

DENMARK:

Representative: William Borberg; Deputy Representative: Birger Dons Moeller.

FRANCE:

Representatives: Jules Moch, Henri Hoppenot.

GREECE:

Representative: Alexis Kyrou.

LEBANON:

Representative: Charles Malik.

PAKISTAN:

Representative: Ahmed S. Bokhari; Alternates: Syed Itaat Husain (to 17 June), Viqar Ahmed Hamdani (from 17 June).

USSR:

Representative: Valeryan Aleksandrovich Zorin (to 17 March), Andrei Yanuaryevich Vyshinsky (from 17 March).

UNITED KINGDOM:

Representative: Sir Gladwyn Jebb; Alternate: P. M. Crosthwaite.

representatives of all the members of the Security Council.

UNITED STATES:

Representatives: Warren R. Austin, Henry Cabot Lodge, Jr.; Deputy Representatives: Benjamin V. Cohen, James J. Wadsworth.

F. Ad Hoc COMMITTEES AND COMMISSIONS

1. United Nations Commission for Indonesia²

D. COLLECTIVE MEASURES COMMITTEE¹

AUSTRALIA BELGIUM UNITED STATES

E. STANDING COMMITTEES

1. Committee of Experts

2. Chief of Staff of the United Nations Truce Supervision Organization in Palestine

Major-General Vagn Bennike³

2. Committee on the Admission of New Members

3. United Nations Representative for India and Pakistan

Frank P. Graham

The two Standing Committees are each composed of

APPENDIX III. DELEGATIONS TO THE ECONOMIC AND SOCIAL COUNCIL AND MEMBERS OF ITS SUBSIDIARY BODIES

A. DELEGATIONS TO THE COUNCIL

1. Fifteenth Session

Members of the Council

PHILIPPINES:

Representative: General Carlos P. Rómulo;¹ Alternates: Salvador P. Lopez,¹ Mauro Mendez, Narciso G. Reyes, Melquiades Ibañez.

ARGENTINA:

Representative: Rodolfo Muñoz; Alternates: Fernando García Olano, Enrique Ferrer Vieyra, Cecilio J. Morales.

POLAND:

Representative: Henryk Birecki.

AUSTRALIA:

Representative: A. H. Tange; Alternates: Keith G. Brennan, E. J. B. Foxcroft, A. H. Loomes.

SWEDEN:

Representative: Richard Mauritz Edvard Sterner; Alternates: Erik Westerlind, Baron Goran von Otter, Ernst Michanek.

BELGIUM:

Representative: Raymond Scheyven.

TURKEY:

Representative: Selim Sarper; Alternates: Kemal S. Vaner, Hamdi Ozgurel, Semih Baran.

CHINA:

Representative: C. L. Hsia.

USSR:

Representative: Valerian Aleksandrovich Zorin, Amazasp Avakimovich Arutiunian;² Alternate: Vasily Matveevich Zonov.

CUBA:

Representative: Emilio Nunez Portuondo; Alternates: Carlos Blanco, Jose Miguel Ribas.

UNITED KINGDOM:

Representative: Sir Gladwyn Jebb; Alternates: C. A. G. Meade, A. Christelow.

EGYPT:

Representative: Ahmed Galal Eddine Abdel-Razek; Alternates: Aly Kamel Fahmy, Abdel Moneim El Tanamli.

UNITED STATES:

Representative: James J. Wadsworth, Jr.; Alternate: Walter M. Kotschnig.

FRANCE:

Representative: Pierre Abelin, Georges Boris; Alternates: André Armengaud, Andre Dulin, Roger Garreau, Philippe de Seynes.

¹ Reports to the General Assembly and to the Security Council (see under General Assembly).

² On 1 April 1951, adjourned sine die, while continuing to hold itself at the disposal of the parties.

³ Appointed by the Secretary-General on 9 June to succeed Major-General William E. Riley who resigned effective 15 May (but agreed to continue until a successor could be found).

¹ In the absence of General Rómulo, Mr. Lopez acted as representative from 22 April.

² Acted as representative from 13 April.

INDIA:

Representative: Ali Yawar Jung; Alternates: Arthur Samuel Lall, B. R. Shenoy, Mrs. Shyam Kumari Khan.

URUGUAY:

Representative: Orestes Lanza; Alternate: Crisólogo Brotos.

VENEZUELA:

Representative: Santiago Perez Perez; Alternate: Víctor M. Pérez Perozo.

YUGOSLAVIA:

Representative: Leo Mates; Alternates: Franc Kos, Janez Stanovnik.

Observers from States Members of the United Nations not Members of the Council

AFGHANISTAN:

Mohammed Kabir Ludin.

BRAZIL:

Luiz Bastian Pinto, Sergio Armando Frazao, Lauro Soutello Alves.

CHILE:

Alfonso Grez.

CZECHOSLOVAKIA:

Jiri Nosek.

DENMARK:

Mrs. Nonny Wright.

DOMINICAN REPUBLIC:

Joaquin Salazar, Miss Minerva Bernardino.

IRAQ:

Nathir A. Umari.

NETHERLANDS:

Miss Maria Z. N. Witteveen, M. H. Jonker.

SYRIA:

Rafik Asha, Abdel-Kader Huneidi.

Observers from States not Members of the United Nations

GERMANY, FED. REP. OF:

Hans E. Riesser, Edgar H. Reichel, Eduard C. Schneider, Wolfgang Opfermann.

Representatives of Specialized Agencies

INTERNATIONAL LABOUR ORGANISATION:

Representative: David A. Morse; Alternates: Luis Alvarado, R. A. Métall.

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS:

Joseph L. Orr, Harold Vogel, Miss Alicia Banos.

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION:

Solomon V. Arnaldo, Arthur F. Gagliotti, Gerald Carnes.

INTERNATIONAL CIVIL AVIATION ORGANIZATION:

E. R. Marlin, J. Hutchison.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT:

Eugene R. Black, Richard H. Demuth, Enrique Lopez Herrarte.

INTERNATIONAL MONETARY FUND:

Ivar Rooth, Gordon Williams, J. B. Wright.

WORLD HEALTH ORGANIZATION:

Brock Chisholm, William P. Forrest, P. M. Kaul, Rudolph L. Coigny.

INTERNATIONAL TELECOMMUNICATION UNION:

Francis Colt de Wolf, Harvey B. Otterman.

WORLD METEOROLOGICAL ORGANIZATION:

Paul H. Kutschenreuter, Harold N. Burke.

PREPARATORY COMMITTEE OF THE INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION:

Branko Lukac.

Representatives of Other Inter-Governmental Organizations

LEAGUE OF ARAB STATES:

Saba Habashy, Omar Haliq.

Representatives of Non-Governmental Organizations

Category A

INTERNATIONAL CHAMBER OF COMMERCE:

A. D. Bestebreurtje, Sr., Mrs. Roberta M. Lusardi.

INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS:

Miss Toni Sender, Martin Wagner.

INTERNATIONAL CO-OPERATIVE ALLIANCE:

Leslie E. Woodcock.

INTERNATIONAL FEDERATION OF CHRISTIAN TRADE UNIONS:

Gerard Thormann.

INTERNATIONAL ORGANIZATION OF EMPLOYERS:

C. E. Shaw.

INTER-PARLIAMENTARY UNION:

Boris Mirkine-Guetzévitch.

WORLD FEDERATION OF TRADE UNIONS:

Miss Elinor Kahn.

WORLD FEDERATION OF UNITED NATIONS ASSOCIATIONS:

Col. Charles L. Marburg, Clark M. Eichelberger, Mrs. C. Beresford Fox, Stephen M. Schewebel.

Category B and Register

AGUDAS ISRAEL WORLD ORGANIZATION:

Isaac Lewin, Salomon Goldsmith.

ANTI-SLAVERY SOCIETY:

W. W. C. Greenidge.

ASSOCIATED COUNTRY WOMEN OF THE WORLD:

Miss Eleanor S. Roberts.

CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE:

Joseph E. Johnson, Miss Marian Neal, William G. Avirett, Miss Anne Winslow.

COMMISSION OF THE CHURCHES ON INTERNATIONAL AFFAIRS:

O. Frederick Nolde, Richard M. Fagley.

COMMITTEE FOR ECONOMIC DEVELOPMENT:

Wesley F. Rennie, Robert S. Donaldson, Miss Sylvia Stone.

CONSULTATIVE COUNCIL OF JEWISH ORGANIZATIONS:

Moses Moskowitz.

CO-ORDINATING BOARD OF JEWISH ORGANIZATIONS FOR CONSULTATION WITH THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS:

Col. Bernard Bernstein, Frank Goldman, Stanley D. Halperin, Barnett Janner.

ENGINEERS JOINT COUNCIL:

Edmund A. Pratt, Steward E. Reimel.

FRIENDS WORLD COMMITTEE FOR CONSULTATION:

William R. Fraser, John Judkyn.

INDIAN COUNCIL OF WORLD AFFAIRS:

Chetpat R. Sundaram.

INTER-AMERICAN COUNCIL OF COMMERCE AND PRODUCTION:

Noel Sargent, Earl Cruikshank, Miss Vada Horchler, Mrs. Estrella Baldi.

INTERNATIONAL ALLIANCE OF WOMEN:

Mrs. Charlotte B. Mahon, Miss Anne Guthrie, Mrs. Lois T. Ruml, Miss Ruth F. Woodsmall, Miss Anna L. Strauss.

INTERNATIONAL AUTOMOBILE FEDERATION:

Russel E. Singer, J. Maxwell Smith, Jerry D. Ryan.

INTERNATIONAL CATHOLIC CHILD BUREAU:

Rev. William F. Jenks, Father Jules Cagnon.

INTERNATIONAL CATHOLIC MIGRATION COMMISSION:

Miss Margaret M. Littke, Edmund E. Cummings, Miss Irene Dalgiewicz.

INTERNATIONAL CATHOLIC PRESS UNION:

Charles J. McNeil.

INTERNATIONAL COMMISSION AGAINST FORCED LABOUR CAMPS:

Théo Bernard.

INTERNATIONAL CONFERENCE OF CATHOLIC CHARITIES:

Louis C. Longarzo, Miss Beatrice M. Faivre, Msgr. John O'Grady.

INTERNATIONAL CONGRESSES FOR MODERN ARCHITECTURE:

Jose Luis Sen.

INTERNATIONAL COUNCIL OF WOMEN:

Mrs. Laura Dreyfus-Barney, Mrs. Eunice H. Carter, Mrs. Barclay Parsons.

INTERNATIONAL FEDERATION FOR HOUSING AND TOWN PLANNING:

Charles S. Ascher.

INTERNATIONAL FEDERATION OF BUSINESS AND PROFESSIONAL WOMEN:

Mrs. Esther W. Hymer, Miss Ruth Tomlinson.

INTERNATIONAL FEDERATION OF FREE JOURNALISTS:

Zygmunt Nagorski, Jr., Richard E. Mossin.

INTERNATIONAL FEDERATION OF SETTLEMENTS:

Miss Helen Hall, Miss Fern Colburn, Miss Lillie M. Peck.

INTERNATIONAL FEDERATION OF UNIVERSITY WOMEN:

Dr. Janet H. Robb, Miss France McGillicudy.

INTERNATIONAL FEDERATION OF WOMEN LAWYERS:

Miss Helen E. Cottrell, Miss A. Viola Smith.

INTERNATIONAL INSTITUTE OF ADMINISTRATIVE SCIENCES:

Charles S. Ascher.

INTERNATIONAL LAW ASSOCIATION:

Clyde Eagleton.

INTERNATIONAL LEAGUE FOR THE RIGHTS OF MAN:

Max Beer, Roger N. Baldwin, Miss Frances R. Grant.

INTERNATIONAL ORGANIZATION FOR STANDARDIZATION:

Edmund A. Pratt.

INTERNATIONAL SOCIETY FOR CRIMINOLOGY:

Gregory Zilboorg, Paul W. Tappan, Thorsten Sellin.

INTERNATIONAL SOCIETY FOR THE WELFARE OF CRIPPLES:

Donald L. Wilson, Norman Acton, Leonard W. Mayo.

INTERNATIONAL TOURING ALLIANCE:

Russel E. Singer, J. Maxwell Smith, Jerry D. Ryan.

INTERNATIONAL UNION FOR CHILD WELFARE:

Miss Mary A. Dingman.

INTERNATIONAL UNION FOR THE SCIENTIFIC STUDY OF POPULATION:

Louis I. Dublin.

INTERNATIONAL UNION OF LOCAL AUTHORITIES:

Charles S. Ascher.

LIAISON COMMITTEE OF WOMEN'S INTERNATIONAL ORGANIZATIONS:

Mrs. Barbara D. Evans.

LUTHERAN WORLD FEDERATION:

Stewart W. Herman.

NOUVELLES EQUIPES INTERNATIONALES:

Konrad Sieniewicz.

PAX ROMANA:

Mrs. Margaret L. McGivern.

SALVATION ARMY:

Miss Dorothy Berry, Thomas A. Johnson.

ST. JOAN'S INTERNATIONAL SOCIAL AND POLITICAL ALLIANCE:

Mrs. Wanda Grabinska, Dr. Magda de Spur.

WOMEN'S INTERNATIONAL LEAGUE FOR PEACE AND FREEDOM:

Mrs. Gladys D. Walser.

WORLD ASSEMBLY OF YOUTH:

Murray W. Frank, Herbert F. Weiss.

WORLD ASSOCIATION OF GIRL GUIDES AND GIRL SCOUTS:

Mrs. Constance M. Rittenhouse.

WORLD FEDERATION FOR MENTAL HEALTH:

Mrs. Helen S. Ascher, Miss Helen Speyer, Mrs. Grace F. O'Neill.

WORLD JEWISH CONGRESS:

Gerhard Jacoby, Maurice L. Perlzweig, Nehemiah Robinson.

WORLD MEDICAL ASSOCIATION:

Miss Margaret L. Natwick, Louis H. Bauer.

WORLD O.R.T. UNION:

Paul Bernick, Jack Radar, Jacob G. Frumkin.

WORLD UNION FOR PROGRESSIVE JUDAISM:

Ronald S. Ronalds, Mrs. Eleanor S. Polstein.

WORLD UNION OF CATHOLIC WOMEN'S ORGANIZATIONS:

Miss M. Catherine Schaefer, Mrs. Alba Zizzamia, Mrs. Jean Gartlan.

WORLD VETERANS FEDERATION:

Gilbert A. Harrison.

WORLD'S ALLIANCE OF YOUNG MEN'S CHRISTIAN ASSOCIATIONS:

Owen E. Pence.

WORLD'S WOMEN'S CHRISTIAN TEMPERANCE UNION:

Miss Florence A. Boole, Miss Helen G. Estelle, Miss Elizabeth A. Smart.

WORLD'S YOUNG WOMEN'S CHRISTIAN ASSOCIATION:

Mrs. Arthur Forrest Anderson, Miss Margaret E. Forsyth.

YOUNG CHRISTIAN WORKERS:

John P. Grady.

2. Sixteenth Session

Members of the Council

ARGENTINA:

Representative: Rodolfo Muñoz.

AUSTRALIA:

Representative: Patrick Shaw; Alternates: Herbert Riley Woodrow, Keith Gabriel Brennan.

BELGIUM:

Representative: Raymond Scheyven; Alternates: Mrs. Georgette Ciselet, Roger de Kinder.

CHINA:

Representative: C. L. Hsia; Alternate: Paonan Cheng.

CUBA:

Representative: Emilio Nunez Portuondo; Alternates: Guillermo de Blanck, Jose Miguel Ribas, Miss Uldarica Manas.

EGYPT:

Representative: Ahmed Galal Eddine Abdel-Razek; Alternates: Mahmoud Azmi, Abdel Monem El Tanamli, Saleh Mahmoud.

FRANCE:

Representative: Pierre Abelin; Alternate: Georges Boris.

INDIA:

Representative: B. R. Sen; Alternates: Dharma Vira, B. P. Adarkar, S. Sen.

PHILIPPINES:

Representative: Salvador P. Lopez; Alternates: Jose D. Ingles, Narciso G. Reyes.

POLAND:

Representative: Juliusz Katz-Suchy.

SWEDEN:

Representative: Richard Mauritz Edvard Sterner; Alternates: Erik Westerlind, Ernst Michanek, Torsten Chr. Bjoerck, Claes Nyman.

TURKEY:

Representative: Adnan Kural; Alternates: Hamdi Ozgurel, Hasan Isik, Necmettin Tuncel.

USSR:

Representative: Amazasp Avakimovich Arutyunyan.

UNITED KINGDOM:

Representative: Marquess of Reading; Alternates: C. A. G. Meade, E. R. Warner.

UNITED STATES:

Representative: John C. Baker; Deputy Representative: Walter M. Kotschnig.

URUGUAY:

Representative: I. Eduardo Perotti; Alternates: Carlos Moreno, Armando Malet, Guillermo Stewart-Vargas.

VENEZUELA:

Representative: Victor Montoya; Alternates: Víctor Manuel Rivas, Daniel Uzcategui Ramirez.

YUGOSLAVIA:

Representative: Leo Mates; Alternates: Janez Stanovnik, Ratko Pleic.

Observers from States Members of the United Nations not Members of the Council

BRAZIL:

C. A. de Souza e Silva.

CHILE:

H. Diaz Casanueva.

COLOMBIA:

Luis González Barros.

CZECHOSLOVAKIA:

Jiri Nosek.

DOMINICAN REPUBLIC:

Miss Minerva Bernardino.

INDONESIA:

A. Y. Helmi, Khouw Bian Tie.

IRAN:

Mahmoud Esfandiary, Mohammad Ali Ehtechami.

ISRAEL:

Menahem Kahany.

NETHERLANDS:

W. H. J. van Asch van Wijck,

SYRIA:

Farid el Lahham.

Observers from States not Members of the United Nations

GERMANY, FED. REP. OF:

Gert Feine, Bernt Christian Huber.

ITALY:

Giacomo Silimbani, Pietro Ghezzi Morgalanti, Tommaso Notarangeli, Saverio Callea.

JAPAN:

Kensuke Sato.

LIBYA:

Ali Aneizi, Mustafa Ben Halim, Negmeddin Fahat.

SWITZERLAND:

Charles-Albert Wetterwald, Jacques-Bernard Ruedi.

VIETNAM:

Tran Van Kha, Milnguyen Xuan Dung, Pham Huy Ty.

Representatives of Specialized Agencies

INTERNATIONAL LABOUR ORGANISATION:

Representative: David A. Morse; Alternates: C. W. Jenks, Luis Alvarado, W. Yalden-Thomson.

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS:

F. L. McDougall, Sir Herbert Broadley, Karl Olsen, N. G. Abhyankar.

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION:

John W. Taylor, René Maheu, Malcolm Adiseshiah, C. M. Berkeley, P. C. Terenzio.

INTERNATIONAL CIVIL AVIATION ORGANIZATION:

Edward Warner, C. Ljungberg, E. R. Marlin.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT:

Walter Hill.

INTERNATIONAL MONETARY FUND:

Ivar Rooth, Gordon Williams, Henry C. Murphy.

WORLD HEALTH ORGANIZATION:

Brock Chisholm, Pierre Dorolle, W. Timmerman, H. G. Baity, H. C. Grant, W. P. Forrest, H. Hafezi, Paul Bertrand, Miss B. Howell, Mrs. T. C. Jarvis.

UNIVERSAL POSTAL UNION:

Fritz Hess, Fulke R. Radice.

INTERNATIONAL TELECOMMUNICATION UNION:

Leon Mulatier, Hugh Townsend.

WORLD METEOROLOGICAL ORGANIZATION:

G. Swoboda, J. R. Rivet, J. L. Galloway, R. L. Munteanu.

PREPARATORY COMMITTEE OF THE INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION:

Branko Lukac.

INTERIM COMMISSION FOR THE INTERNATIONAL TRADE ORGANIZATION:

Representatives: E. Wyndam White, Jean Royer; Alternate: William E. Roth.

Representatives of Other Intergovernmental Organizations

COUNCIL OF EUROPE:

M. Taliani, F. Ruppert.

LEAGUE OF ARAB STATES:

Mohamed Ali Namazi.

Representatives of Non-Governmental Organizations

Category A

INTERNATIONAL CHAMBER OF COMMERCE:

Edmond Giscard D'Estaing, Jacques L'Huillier, Lucien Sermon.

INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS:

Jean Moeri, Miss Toni Sender.

INTERNATIONAL COOPERATIVE ALLIANCE:

Marcel Boson, W. P. Watkins.

INTERNATIONAL FEDERATION OF CHRISTIAN TRADE UNIONS:

Georges Eggermann, Gaston Tessier, Auguste A. J. Vanistendael.

INTERNATIONAL ORGANIZATION OF EMPLOYERS:

G. Emery, Ch. Kuntschen, Joseph Vanek.

INTER-PARLIAMENTARY UNION:

André de Blonay, A. Robinet de Cléry.

WORLD FEDERATION OF TRADE UNIONS:

Jan Dessau, Abdoulaye Diallo, Tom Drinkwater, Miss Elinor Kahn, Chang-Cheng Liu.

WORLD FEDERATION OF UNITED NATIONS ASSOCIATIONS:

Max D'Arcis, Henri Cochaux, John A. F. Ennals, Andre de Maday, Roberto Arias Pérez.

Category B and Register

AGUDAS ISRAEL WORLD ORGANIZATION:

H. A. Goodman, Chief Rabbi A. Safran.

CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE:

Miss Lois Herman.

CATHOLIC INTERNATIONAL UNION FOR SOCIAL SERVICE:

Miss A. M. Hertoghe, Miss J. de Romer, Miss M. Baers, Mr. Oswald.

CENTRE OF INTERNATIONAL RELATIONSHIPS FOR WHOLESALE TRADE:

Paul Dubois-Millot.

COMMISSION OF THE CHURCHES ON INTERNATIONAL AFFAIRS:

Elfan Rees.

CONSULTATIVE COUNCIL OF JEWISH ORGANIZATIONS:

J. François Brunschwig.

CO-ORDINATING BOARD OF JEWISH ORGANIZATIONS FOR CONSULTATION WITH THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS:

G. Warburg.

FRIENDS WORLD COMMITTEE FOR CONSULTATION:

Colin W. Bell, Miss Martha Biehle, J. Duncan Wood.

INTERNATIONAL ABOLITIONIST FEDERATION:

Miss Micheline de Felice, Th. de Felice.

INTERNATIONAL ALLIANCE OF WOMEN—EQUAL RIGHTS, EQUAL RESPONSIBILITIES:

Miss Marie Graff, Mrs. Nina Spiller.

INTERNATIONAL ASSOCIATION OF PENAL LAW:

J. Graven, Miss T. de Peganow, Mrs. H. Romniciano.

INTERNATIONAL ASSOCIATION OF UNIVERSITY PROFESSORS AND LECTURERS:

W. F. Burgi.

INTERNATIONAL BUREAU FOR THE SUPPRESSION OF TRAFFIC IN WOMEN AND CHILDREN:

Miss C. M. Harris.

INTERNATIONAL BUREAU FOR THE UNIFICATION OF PENAL LAW:

J. Graven, Miss T. de Peganow, Mrs. H. Romniciano.

INTERNATIONAL CATHOLIC CHILD BUREAU:

Michel Normand.

INTERNATIONAL CATHOLIC MIGRATION COMMISSION:

Miss Marguerite Schnyder de Wartensee.

INTERNATIONAL CATHOLIC PRESS UNION:

R. P. Marie Martin Cottier, Jean-Pierre Dubois-Dumée, A. Trachsel.

INTERNATIONAL COMMISSION AGAINST CONCENTRATION CAMP PRACTICES:

Théo Bernard.

INTERNATIONAL COMMITTEE OF SCIENTIFIC MANAGEMENT:

A. Chaptuis, L. A. H. Enthoven, Hugo de Haan, H. Pasdermadjian.

INTERNATIONAL COUNCIL OF WOMEN:

Mrs. L. D. Barney, Mrs. Eunice Carter, Miss L. C. A. van Eeghen, Miss Renée Girod, Mrs. Mabel Jackson Haight, Mrs. Alice Wible.

INTERNATIONAL FEDERATION FOR HOUSING AND TOWN PLANNING:

Charles S. Ascher.

INTERNATIONAL FEDERATION OF BUSINESS AND PROFESSIONAL WOMEN:

Miss Gladys Fell, Miss Margaret Pickard, Mrs. Schrader-Rivollet.

INTERNATIONAL FEDERATION OF FREE JOURNALISTS:

Christophe Gorski.

INTERNATIONAL FEDERATION OF FRIENDS OF YOUNG WOMEN:

Mrs. E. Berthoud van Werveke, Miss Valérie de Perrot, Miss Valentine Weibel.

INTERNATIONAL FEDERATION OF HIGH POLICE OFFICERS:

Paul Villetorte.

INTERNATIONAL FEDERATION OF JOURNALISTS:

C. J. Bundock.

INTERNATIONAL FEDERATION OF UNIVERSITY WOMEN:

Miss J. M. Bowie, Miss Renée Dubois, Mrs. M. Fiechter, Miss Janet Robb, Mrs. Nantet de Serrant.

INTERNATIONAL INSTITUTE OF ADMINISTRATIVE SCIENCES:

Charles S. Ascher.

INTERNATIONAL LEAGUE FOR THE RIGHTS OF MAN:

A. Robinet de Cléry, Miss Frances Grant, Andre de Maday, L. Schuerman.

INTERNATIONAL STATISTICAL INSTITUTE:
J. W. Nixon.

INTERNATIONAL UNION FOR CHILD WELFARE:
Miss L. Frankenstein, Mrs. J. M. Small, Georges
Thélin.

INTERNATIONAL UNION OF LOCAL
AUTHORITIES:
Charles S. Ascher.

LEAGUE OF RED CROSS SOCIETIES:
Henry W. Dunning, Z. S. Hantchef.

LIAISON COMMITTEE OF WOMEN'S
INTERNATIONAL ORGANIZATIONS:
Mrs. L. D. Barney.

PAX ROMANA:
Miss Isabelle Archinard, Georges Borgeaud, Ramon
Sugranyes de Franch, R. P. Jean de la Croix
Kaelin.

ST. JOAN'S INTERNATIONAL SOCIAL
AND POLITICAL ALLIANCE:
Mrs. M. Leroy-Boy.

UNION OF INTERNATIONAL ASSOCIATIONS:
Raoul Lenz, G. P. Speckaert.

WOMEN'S INTERNATIONAL LEAGUE
FOR PEACE AND FREEDOM:
Mrs. Gertrude Baer.

WORLD ASSEMBLY OF YOUTH:
George Carter, Miss Helen M. Dale, Antoine Law-
rence, Guthrie Moir.

WORLD CALENDAR ASSOCIATION,
INTERNATIONAL, THE:
James Avery Joyce.

WORLD FEDERATION FOR MENTAL HEALTH:
Mrs. Helen Ascher, J. R. Rees.

WORLD FEDERATION OF CATHOLIC
YOUNG WOMEN AND GIRLS:
Miss Marie Joséphe de Moor, Miss Madeleine Plan-
cherel.

WORLD JEWISH CONGRESS:
M. L. Perlzweig, G. M. Riegner, S. Roth.

WORLD UNION FOR PROGRESSIVE JUDAISM:
R. L. Ronalds.

WORLD UNION OF CATHOLIC WOMEN'S
ORGANIZATIONS:
Miss J. de Romer.

WORLD UNION OF JEWISH STUDENTS:
Dov. Sternfield.

WORLD VETERANS FEDERATION:
R. A. Sandison.

WORLD'S ALLIANCE OF YOUNG MEN'S
CHRISTIAN ASSOCIATIONS:
Owen E. Pence.

WORLD'S YOUNG WOMEN'S CHRISTIAN
ASSOCIATION:
Miss Alice Arnold, Miss Elizabeth Palmer, Miss.
Janet Thomson.

YOUNG CHRISTIAN WORKERS:
Patrick Keegan.

B. MEMBERSHIP OF SUBSIDIARY BODIES

1. Functional Commissions and Sub-Commissions

a. TRANSPORT AND COMMUNICATIONS COMMISSION

(Sixth Session)

BRAZIL:
Representative: Araujo Lima.³

BYELORUSSIAN SSR:
Representative: A. E. Gurinovich.

CHINA:
Representative: C. Y. Hsiao.

COLOMBIA:
Representative: Gustavo E. Gaviria.

EGYPT:
Representative: Mahmoud Farid;⁴ Alternate: Ibrahim
Ezzat.

FRANCE:
Representative: J. Goursat.

INDIA:
Representative: Arthur Samuel Lall; Alternate: P. K.
Banerjee.

NETHERLANDS:
Representative: Willem L. de Vries (Chairman).

NORWAY:
Representative: Erling Foen.

PAKISTAN:
Representative: Masarrat Husain Zuberi;⁴ Alternate.
Viqar A. Hamdani.

PARAGUAY:
Representative: Hugo Seifart.

POLAND:
Representative: E. Kulaga.

USSR:
Representative: I. G. Suyazov;⁵ Alternate: N. A.
Obraztsov.

UNITED KINGDOM:
Representative: Brigadier-General Sir H. Osborne
Mance (Vice-Chairman); Alternate: R. S. F. Ed-
wards.

³ Did not attend session; was represented by C. C.
Rodrigues (Observer).

⁴ Did not attend session.

⁵ Was present only at last day of session.

UNITED STATES:

Representative: George P. Baker.

b. FISCAL COMMISSION

(Fourth Session)

BELGIUM:

Representative: Paul Callebaut; Alternates: Edgard Schreuder, Marcel D'Haese.

CANADA:

Representative: A. K. Eaton (Rapporteur).

CHILE:

Representative: Carlos Valenzuela; Alternate: Sergio Molina.

CHINA:

Representative: Kan Lee.

COLOMBIA:

Representative: Eduardo Carrizosa; Alternate: Edmundo Castello, Jr.

CUBA:

Representative: J. Perez Cubillas.

CZECHOSLOVAKIA:

Representative: Joseph Vins;⁶ Alternates: Jaroslav Rybar (First Vice-Chairman), Frantisek Lukes.

FRANCE:

Representative: Jacques Certeux (Chairman).

INDIA:

Representative: Arthur Samuel Lall; Alternate: P. K. Banerjee.

PAKISTAN:

Representative: Abdul Qadir (Second Vice-Chairman).

SWEDEN:

Representative: Erik Lindahl.

UNION OF SOUTH AFRICA:

Representative: M. J. Wells.

USSR:

Representative: Igor V. Chechetkin.

UNITED KINGDOM:

Representative: W. W. Morton;⁶ Alternate: R. O. Nicholas.

UNITED STATES:

Representative: Edward F. Bartelt.

c. STATISTICAL COMMISSION

(Seventh Session)

ARGENTINA:

Representative: Cecilio J. Morales; Alternates: Jose Maria Rivera, L. J. Cafiero.

AUSTRALIA:

Representative: S. R. Carver; Alternate: Donald V. Youngman.

CANADA:

Representative: Herbert Marshall.

CHINA:

Representative: Choh-Ming Li.

CZECHOSLOVAKIA:

Representative: F. Fajfr;⁷ Alternates: J. Rybar, F. Lukes.

DENMARK:

Representative: Einar Cohn;⁷ Alternate: Mrs. Rigmor Skade.

EGYPT:

Representative: M. Mashaly;⁷ Alternate: A. Ghorbal.

FRANCE:

Representative: R. Rivet.

INDIA:

Representative: P. C. Mahalanobis (Rapporteur).

NETHERLANDS:

Representative: Ph. J. Idenburg.

PANAMA:

Representative: Miss Carmen A. Miro (Vice-Chairman).

UKRAINIAN SSR:

Representative: V. A. Ryabichko;⁷ Alternate: V. A. Krivitski.

USSR:

Representative: T. V. Ryabushkin.

UNITED KINGDOM:

Representative: H. Champion (Chairman); Alternate: J. Stafford.

UNITED STATES:

Representative: Stuart Arthur Rice.

d. POPULATION COMMISSION

(Seventh Session)

AUSTRALIA:

Representative: Lister G. Hopkins;⁷ Alternate: D. V. Youngman.

BELGIUM:

Representative: J. Mertens de Wilmars (Assistant Rapporteur).

BRAZIL:

Representative: G. Jardim (Vice-Chairman).

CHINA:

Representative: Choh-Ming Li.

FRANCE:

Representative: A. Sauvy.

INDONESIA:

Representative: Mrs. A. Marzuki.

IRAN:

Representative: F. Adamiyat.

MEXICO:

Representative: L. Joubanc Rivas.

⁶ Did not attend session.

⁷ Did not attend session.

PERU:
Representative: J. A. Encinas P.

SWEDEN:
Representative: H. Hyrenius.

UKRAINIAN SSR:
Representative: V. A. Krivitski.

USSR:
Representative: T. V. Ryabushkin.

UNITED KINGDOM:
Representative: N. H. Carrier (Rapporteur).

UNITED STATES:
Representative: R. V. Peel.

YUGOSLAVIA:
Representative: D. Vogelnik (Chairman).

e. SOCIAL COMMISSION
(Ninth Session)

ARGENTINA:
Representative: Cecilio J. Morales; Alternate: J. C. Carasales.

BELGIUM:
Representative: Charles Roger.

BRAZIL:
Representative: C. V. Moog; Alternate: Lauro Soutello Alves.

BYELORUSSIAN SSR:
Representative: Vladimir N. Bendryshev; Alternate: Yury Teplov.

CANADA:
Representative: R. Byrns Curry (Chairman).

CHINA:
Representative: Yung-Chang Liang.

CZECHOSLOVAKIA:
Representative: Jiri Nosek (Second Vice-Chairman).

ECUADOR:
Representative: Leopoldo Benites-Vinueza.

FRANCE:
Representative: Henry Hauck; Alternate: G. Amanrich.

GREECE:
Representative: Alexis Kyrou; Alternate: Stavros Roussos.

INDIA:
Representative: Mrs. Ashedevi Arayanayakam (First Vice-Chairman); Alternate: P. K. Banerjee.

IRAQ:
Representative: Mrs. Badia Afnan.

ISRAEL:
Representative: G. G. Lotan.

NORWAY:
Representative: Kaare Salvesen (Rapporteur).

PHILIPPINES:
Representative: Narciso G. Reyes.

USSR:
Representative: Vasili **M. Zonov**.

UNITED KINGDOM:
Representative: Sir Oswald Alien.

UNITED STATES:
Representative: James J. Wadsworth; Alternate: George Bigge.

f. COMMISSION ON HUMAN RIGHTS
(Ninth Session)

AUSTRALIA:
Representative: H. F. E. Whitlam.

BELGIUM:
Representative: F. Dehousse;⁷ Alternates: G. Kaeck-
enbeeck (Rapporteur), Jean Leroy.

CHILE:
Representative: Humberto **Díaz** Casanueva.

CHINA:
Representative: Paonan Cheng.

EGYPT:
Representative: Mahmoud Azmi (Chairman); Alternate: Abdel-Hamid Abdel-Ghani.

FRANCE:
Representative: René Cassin (first Vice-Chairman); Alternate: P. Juvigny.

INDIA:
Representative: Mrs. Kamaladevi Chattopadhyay.

LEBANON:
Representative: Charles Malik;⁷ Alternate: Joseph Harfouche.

PAKISTAN:
Representative: Abdur Rahman.

PHILIPPINES:
Representative: Jose D. Ingles.

POLAND:
Representative: H. Birecki;⁷ Alternates: Jean Druto, Mrs. Fryderyka Kalinowska.

SWEDEN:
Representative: Mrs. Agda Rossel.

UKRAINIAN SSR:
Representative: P. V. Kriven.

USSR:
Representative: P. D. Morozov.

UNITED KINGDOM:
Representative: S. Hoare; Alternate: Patrick Attlee.

UNITED STATES:
Representative: Mrs. Oswald B. Lord; Alternates: Philip Halpern, J. F. Green.

⁷ Did not attend session.

URUGUAY:

Representative: Italo E. Perotti (Second Vice-Chairman); Alternate: Francisco A. Forteza.

YUGOSLAVIA:

Representative: Branko Jevremovic; Alternate: Milos Melovski.

**SUB-COMMISSION ON PREVENTION OF
DISCRIMINATION AND PROTECTION
OF MINORITIES⁸**

g. COMMISSION ON THE STATUS OF WOMEN
(Seventh Session)

BURMA:

Representative: Miss Daw Ohn.

BYELORUSSIAN SSR:

Representative: Mrs. Faina Novikova (Second Vice-Chairman).

CHILE:

Representative: Miss Gabriela Mistral; Alternate: Mrs. Margarita Gallo-Muller.

CHINA:

Representative: Miss Pao Swen Tseng.

CUBA:

Representative: Miss Uldarica Manas.

DOMINICAN REPUBLIC:

Representative: Miss Minerva Bernardino (Chairman).

FRANCE:

Representative: Mrs. Marie-Hélène Lefauchaux.

HAITI:

Representative: Mrs. Fortuna Augustin Guéry.

IRAN:

Representative: Mrs. Safiyeh Firouz.⁹

LEBANON:

Representative: Mrs. Laure Tabet.

NETHERLANDS:

Representative: Miss Elisabeth Ribbius Peletier (First Vice-Chairman).

NEW ZEALAND:

Representative: Mrs. Grace Hilda Ross;⁹ Alternate: Miss Joan Young.

PAKISTAN:

Representative: Mrs. Anwar Ahmed (Rapporteur).

POLAND:

Representative: Mrs. Zofia Wasilkowska.

USSR:

Representative: Mrs. Elizavieta Popova.

UNITED KINGDOM:

Representative: Mrs. John Warde.

UNITED STATES:

Representative: Mrs. Lorena Hahn.

VENEZUELA:

Representative: Mrs. Isabel Sánchez de Urdaneta.

h. COMMISSION ON NARCOTIC DRUGS
(Eighth Session)

CANADA:

Representative: Colonel C. H. L. Sharman; Alternate: K. C. Hossick.

CHINA:

Representative: Chi-Kwei Liang.

EGYPT:

Representative: Ibrahim Ezzat.

FRANCE:

Representative: C. Vaille (Vice-Chairman).

INDIA:

Representative: E. S. Krishnamoorthy; Alternate: S. C. Mathur.

IRAN:

Representative: Ali Gholi Ardalan.

MEXICO:

Representative: O. Rabasa (Chairman); Alternate: A. Martinez-Lavalle.

NETHERLANDS:

Representative: A. Kruyssen.

PERU¹⁰

POLAND:

Representative: E. Kulaga; Alternate: Mrs. Maria Kowalczyk.

TURKEY:

Representative: C. Or; Alternate: Selman Açba.

USSR:

Representative: V. M. Zonov.

UNITED KINGDOM:

Representative: J. H. Walker.

UNITED STATES:

Representative: H. J. Anslinger.

YUGOSLAVIA:

Representative: D. Nikolic (Rapporteur).

2. Regional Economic Commissions¹¹

a. ECONOMIC COMMISSION FOR EUROPE
(Eighth Session)

(1) Members of the Commission

ALBANIA:

Behar Shtylla.

⁸ Did not meet during 1953; for members elected to take office on 1 January 1954 see p. 32.

⁹ Did not attend session.

¹⁰ Was not represented at the session.

¹¹ In the case of these Commissions, the head of the delegation only is given.

AUSTRIA:
 Carl Wildmann.

BELGIUM:
 Jean Querton.

BULGARIA:
 Trifonov Milouchev.

BYELORUSSIAN SSR:
 A. A. Tchishov.

CZECHOSLOVAKIA:
 Josef Ullrich.

DENMARK:
 Gunnar Seidenfaden.

FINLAND:
 Olli J. Vallila.

FRANCE:
 Andre Philip.

GREECE:
 Xenophon Zolotas.

HUNGARY:
 Zoltan Szanto.

ITALY:
 Tommaso Notarangeli.

LUXEMBOURG:
 J. Sturm.

NETHERLANDS:
 Baron C. A. Bentinck.

NORWAY:
 Peter Anker.

POLAND:
 E. Milnikiel.

ROMANIA:
 Mihail Magheru.

SWEDEN:
 Mrs. Karin Kock.

SWITZERLAND:
 Hermann Hauswirth.

TURKEY:
 Fatin Rustu Zorlu.

UKRAINIAN SSR:
 P. V. Kriven.

USSR:
 Amazasp Arutiunian.

UNITED KINGDOM:
 Marquess of Reading.

UNITED STATES:
 Miss Miriam Camp.

YUGOSLAVIA:
 Bogdan Crnobrnja.

(2) Non-Member of the Commission

AUSTRALIA:
 L. Corkery.
 Chairman: Josef Ullrich (Czechoslovakia).
 Vice-Chairman: Xenophon Zolotas (Greece).

**b. ECONOMIC COMMISSION FOR ASIA AND
 THE FAR EAST**
 (Ninth Session)

(1) Members of the Commission

AUSTRALIA:
 D. J. Munro.

BURMA:
 Kyaw Myint.

CHINA:
 S. K. Chow.

FRANCE:
 Pierre Abelin.

INDIA:
 D. P. Karmarkar.

INDONESIA:
 Sumitro Djojohadikusumo.

NETHERLANDS:
 W. J. Cator.

PAKISTAN:
 A. Khaleeli.

PHILIPPINES:
 S. R. Mendinueto.

THAILAND:
 C. Sakol Varavarn.

USSR:
 S. S. Nemtchina.

UNITED KINGDOM:
 Sir John Sterndale Bennett.

UNITED STATES:
 Merrill C. Gay.

(2) Associate Members

CAMBODIA:
 Sonn Voeunsai.

CEYLON:
 A. E. Goonesinha.

HONG KONG:
 Kwok Chan.

JAPAN:
 I. Ohta.

KOREA:
 Y. C. Kang.

LAOS:
 H. Boucharron.

MALAYA AND BRITISH BORNEO:

Dato Mahmud bin Mat.

VIETNAM:

Tran-Van-Meo.

(3) Non-Member of the Commission

CANADA:

R. D. Wallace.

Chairman: Sumitro Djojohadikusumo (Indonesia).
Vice-Chairman: Pierre Abelin (France).

**c. ECONOMIC COMMISSION FOR LATIN
AMERICA**
(Fifth Session)

ARGENTINA:

Juan Isaac Cooke.

BOLIVIA:

Néstor Cevallos Tovar.

BRAZIL:

Horacio Lafer.

CHILE:

Humberto Martones.

COLOMBIA:

Darío Botero Isaza.

COSTA RICA:

Gonzalo J. Facio.

CUBA:

Gustavo Gutierrez Sánchez.

DOMINICAN REPUBLIC:

Victor Garrido.

ECUADOR:

Ricardo Crespo Ordóñez.

EL SALVADOR:

Rafael Glower Valdivieso.

FRANCE:

Lionel de Tinguy du Pouet.

GUATEMALA:

Manuel Noriega Morales.

HAITI:

Pierre Rigaud.

HONDURAS:

Raul Alvarado Tróchez.

MEXICO:

Antonio Martinez Baez.

NETHERLANDS:

C. H. H. Jong Baw.

NICARAGUA:

Luis Augusto Cantarero.

PANAMA:

Eduardo MacCullough.

PARAGUAY:

Augusto Urbietta Fleitas.

PERU:

Emilio Barreto.

UNITED KINGDOM:

Geoffrey Harington Thompson.

UNITED STATES:

Merwin L. Bohan.

URUGUAY:

Giordano Bruno Eccher.

VENEZUELA:

Antonio Casas Briceño.

Chairman: Euvaldo Lodi (Brazil).

First Vice-Chairman: Gabriel Landa (Cuba).

Second Vice-Chairman: Néstor Cevallos Tovar
(Bolivia).

Rapporteur: Giordano Bruno Eccher (Uruguay).

3. Standing Committees

a. TECHNICAL ASSISTANCE COMMITTEE OF THE COUNCIL

This Committee is composed of the members of the Economic and Social Council.

b. COMMITTEE ON NEGOTIATIONS WITH INTER-GOVERNMENTAL AGENCIES¹²

c. COUNCIL COMMITTEE ON NON- GOVERNMENTAL ORGANIZATIONS

BELGIUM	UNITED KINGDOM
CHINA	UNITED STATES
FRANCE	VENEZUELA
USSR	

Chairman: President of the Economic and Social Council.

d. INTERIM COMMITTEE ON PROGRAMME OF CONFERENCES

CHINA	UNITED KINGDOM
FRANCE	UNITED STATES
USSR	

4. Special Bodies

a. PERMANENT CENTRAL OPIUM BOARD

Ramon Sánchez (Chile), Paul Reuter (France),¹³ M. E. Rehman (India), Fouad Abou Zahar (Lebanon), Emilio D. Espinosa (Philippines), Hans Fischer (Switzerland), Sir Harry Greenfield (United Kingdom),¹⁴ Herbert L. May (United States).

¹² Consists of the President of the Council, as Chairman, and eleven members of the Council. This Committee did not meet during 1953.

¹³ Elected Vice-President for one year on 6 July.

¹⁴ Elected President for one year on 6 July.

Appendices

b. DRUG SUPERVISORY BODY

Appointed by the Commission on Narcotic Drugs:
Colonel C. H. L. Sharman (Canada).¹⁵

Appointed by the Permanent Central Opium Board:
Herbert L. May (United States).

Appointed by the World Health Organization: Hans
Fischer (Switzerland);¹⁶ Sedat Tavat (Turkey).

Director-General of WHO, Marcolino G. Candau.¹⁹

President of the Bank, Eugene R. Black.

Managing Director of the Fund, Ivar Rooth.

Secretary-General of ICAO, Carl Ljungberg.

Director of UPU, Fritz Hess.

Secretary-General of ITU, Leon Mulatier.

Secretary-General of WMO, G. Swoboda.

c. UNITED NATIONS CHILDREN'S FUND

Executive Director: Maurice Pate

(1) Executive Board

ARGENTINA	ISRAEL
AUSTRALIA	ITALY
BELGIUM	NORWAY
BRAZIL	PAKISTAN
BYELORUSSIAN SSR	PERU
CANADA	PHILIPPINES
CHINA	SWITZERLAND
CZECHOSLOVAKIA	THAILAND
ECUADOR	USSR
FRANCE	UNITED KINGDOM
GREECE	UNITED STATES
INDIA	URUGUAY
IRAQ	YUGOSLAVIA

Chairman: A. R. Lindt (Switzerland).

1st Vice-Chairman: Awni Khalidy (Iraq).

2nd Vice-Chairman: Cleantho de Paiva Leite (Brazil).

3rd Vice-Chairman: Robert Fenaux (Belgium).

4th Vice-Chairman: B. Rajan (India).

(2) Programme Committee

AUSTRALIA	INDIA
BRAZIL	ISRAEL
CANADA	PHILIPPINES
CHINA	USSR
ECUADOR	UNITED KINGDOM
FRANCE	UNITED STATES

Chairman: K. G. Brennan (Australia).

(3) Committee on Administrative Budget

ARGENTINA	PAKISTAN
FRANCE	UNITED STATES
GREECE	YUGOSLAVIA
IRAQ	

Chairman: Awni Khalidy (Iraq).

d. ADMINISTRATIVE COMMITTEE ON CO-ORDINATION

Composed of the Secretary-General of the United Nations and the executive heads of the specialized agencies brought into relationship with the United Nations.¹⁷

Director-General of ILO, David A. Morse.

Director-General of FAO, Norris E. Dodd.

Director-General of UNESCO, Luther H. Evans.¹⁸

e. INTERIM CO-ORDINATING COMMITTEE FOR INTERNATIONAL COMMODITY ARRANGEMENTS

Edgar A. Cohen (Chairman), nominated by the Contracting Parties to the General Agreement on Tariffs and Trade.

Robert B. Tetro, nominated by the Food and Agriculture Organization of the United Nations and concerned in particular with agricultural primary commodities.

Georges Peter, appointed on the basis of particular experience with non-agricultural primary commodities.

Walter Muller, appointed by the Secretary-General on the basis of wide experience in the problems confronting countries undergoing development whose economies are primarily dependent on the production and international marketing of primary commodities.

f. TECHNICAL ASSISTANCE BOARD

Is composed of an Executive Chairman and the executive heads, or their representatives, of the organizations participating in the Expanded Programme of technical assistance (United Nations, ILO, FAO, UNESCO, ICAO, WHO, ITU, WMO).²⁰

Executive Chairman: David Owen

¹⁵ Elected President for one year on 16 July.

¹⁶ Elected Vice-President for one year on 16 July.

¹⁷ Agreements are in full force and effect between the United Nations and these agencies in accordance with Articles 57 and 63 of the Charter. An agreement with the proposed Inter-Governmental Maritime Consultative Organization (IMCO), approved by the Assembly in November 1948, will come into force when that Organization is officially established and when the agreement has been approved by the Assembly of IMCO.

¹⁸ The negotiation of an agreement between the United Nations and the International Trade Organization (ITO), when and if established, has been authorized by the Economic and Social Council.

Elected on 1 July at an extraordinary session of the General Conference of UNESCO to replace Jaime Torres Bodet who had resigned. Mr. Evans took office on 4 July.

¹⁹ Elected on 11 May at the sixth World Health Assembly to succeed Director-General Brock Chisholm who had resigned. Mr. Candau took office on 20 July.

²⁰ The Bank and the Fund, though they do not participate in the Expanded Programme and are not titular members of the Board, are represented at its meetings and co-operate fully with the promotion of the objectives of the Programme.

5. Ad hoc Committees

a. Ad hoc ADVISORY COMMITTEE OF EXPERTS
ON THE PREVENTION OF CRIME AND THE
TREATMENT OF OFFENDERS

Samuel Thompson Barnett (New Zealand), Paul Cornil (Belgium), Behram Hormasji Mehta (India), Thorsten Sellin (United States), Sebastian Soler (Argentina).

b. Ad hoc COMMITTEE ON IRON ORE
RESOURCES

F. Blondel (France), Carl E. Dutton (United States), N. S. Krishnan (India), Benjamin Leiding (Chile), G. C. Monture (Canada), F. G. Percival (United Kingdom), Martin Wiberg (Sweden).

c. Ad hoc COMMITTEE ON FORCED LABOUR

Paal Berg (Norway), Enrique Garcia Sayan (Peru), Sir Ramaswami Mudaliar (India) (Chairman).

d. Ad hoc COMMITTEE ON RESTRICTIVE
BUSINESS PRACTICES
(fourth Session)

BELGIUM:

Representative: Emile Thiltgès.²¹

CANADA:

Representative: T. D. MacDonald; Alternate: A. S. Whiteley.

FRANCE:

Representative: Philippe de Seynes

INDIA:

Representative: Arthur Samuel Lall; Alternate: Avtar Singh.

MEXICO:

Representative: Alfonso Cortina.

PAKISTAN:

Representative: A. A. Farooq.

SWEDEN:

Representative: Ingvar Svennilson (Chairman); Alternates: C. Olsson, Baron Goran von Otter.

UNITED KINGDOM:

Representative: Douglas Carter; Alternate: A. D. Neale.

UNITED STATES:

Representative: Corwin D. Edwards.

URUGUAY:

Representative: Juan Felipe Yriart (Vice-Chairman); Alternate: Francisco A. Forteza.

e. COMMITTEE OF NINE²²

Amjad Ali (Pakistan), Fernand Baudhuin (Belgium), C. V. Bramsnaes (Denmark), Miguel Cuaderno (Philippines), Sir Cyril Jones (United Kingdom), Leo Mates (Yugoslavia), Hernan Santa Cruz (Chile), Eduardo Suarez (Mexico) (Chairman), Wayne C. Taylor (United States).

SPECIAL RAPPOORTEUR (on matters relating
to Freedom of Information):

Salvador P. Lopez (Philippines).

SPECIAL RAPPOORTEUR (in connexion with
the study of discrimination in the field of
education):

M. R. Masani (India).

APPENDIX IV. DELEGATIONS TO THE TRUSTEESHIP COUNCIL AND MEMBERS OF
ITS SUBSIDIARY BODIESA. DELEGATIONS TO THE TWELFTH SESSION
OF THE COUNCIL

Members of the Council

AUSTRALIA:

Representative: W. D. Forsyth; Alternates: A. H. Loomes, J. D. Petherbridge.

BELGIUM:

Representative: Pierre Ryckmans; Alternate: Robert Scheyven.

CHINA:

Representative: Shih-Shun Liu; Alternate: Yu-Wan Liu.

DOMINICAN REPUBLIC:

Representative: Joaquin E. Salazar; Alternates: Enrique de Marchena, Miss Minerva Bernardino.

EL SALVADOR:

Representative: Miguel Rafael Urquía; Alternates: Carlos Serrano Garcia, Rafael Eguizábal, Roberto E. Quirós.

FRANCE:

Representative: Leon Pignon; Alternate: Francis Huré.

NEW ZEALAND:

Representative: Leslie Knox Munro; Alternates: G. R. Laking, A. R. Perry, J. V. Scott.

SYRIA:

Representative: Rafik Asha; Alternates: Salah Eddine Tarazi, Najmuddine Rifai.

²¹ Served as Acting Chairman in the absence of the Chairman and Vice-Chairman.

²² Appointed by the Secretary-General under Council resolution 416 A (XIV) to prepare a report on a special United Nations fund for economic development.

THAILAND:

Representative: Thanat Khoman; Alternate: Mom Chao Jotisi Devakul.

USSR:

Representative: Vasily Matveevich Zonov.

UNITED KINGDOM:

Representative: Sir Alan Cuthbert Burns; Alternate: W. A. C. Mathieson.

UNITED STATES:

Representative: Mason Sears; Alternate: Benjamin Gerig.

States Members of the United Nations Not Members of the Council

COLOMBIA:¹

Representative: Edmundo de Holte-Castello.

EGYPT:¹

Representative: Mahmoud Moharram Hammad.

PHILIPPINES:¹

Representative: Vicente L. Pastrana.

Non-Member of the United Nations and Non-Member of the Trusteeship Council

ITALY:²

Representative: Gastone Guidotti; Alternate: Guerino Roberti.

Special Representatives of Administering Authorities

AUSTRALIA:

J. H. Jones (for the Trust Territory of New Guinea).

NEW ZEALAND:

F. J. H. Grattan (for the Trust Territory of Western Samoa).

ITALY:

Pier Pasquale Spinelli (for the Trust Territory of Somaliland under Italian administration).

UNITED STATES:

Frank E. Midkiff (for the Trust Territory of the Pacific Islands).

Representatives of Specialized Agencies

INTERNATIONAL LABOUR ORGANISATION (ILO):

Representative: R. A. Métall; Alternate: R. Morellet.

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION (UNESCO):

Representatives: Solomon V. Arnaldo, Marcel Des-tombes.

WORLD HEALTH ORGANIZATION (WHO):

Representative: R. L. Coigny.

B. MEMBERSHIP OF SUBSIDIARY BODIES

1. Standing Committees

a. STANDING COMMITTEE ON ADMINISTRATIVE UNIONS

CHINA	THAILAND
NEW ZEALAND	UNITED STATES

b. STANDING COMMITTEE ON PETITIONS

(to 20 July 1953)

BELGIUM	NEW ZEALAND
DOMINICAN REPUBLIC	USSR
EL SALVADOR	UNITED STATES

(from 20 July 1953)

AUSTRALIA	SYRIA
BELGIUM	USSR
EL SALVADOR	UNITED KINGDOM

2. Ad hoc Committees

a. COMMITTEE ON RURAL ECONOMIC DEVELOPMENT OF THE TRUST TERRITORIES

CHINA	THAILAND
DOMINICAN REPUBLIC	UNITED KINGDOM
FRANCE	UNITED STATES

b. COMMITTEE ON PARTICIPATION OF INDIGENOUS INHABITANTS IN THE WORK OF THE TRUSTEESHIP COUNCIL

EL SALVADOR	UNITED KINGDOM
SYRIA	UNITED STATES

VISITING MISSION TO TRUST TERRITORIES IN THE PACIFIC, 1953

Enrique de Marchena (Dominican Republic) (Chairman), Leon Pignon (France), Najmuddine Rifai (Syria), W. A. C. Mathieson (United Kingdom).

¹ States members of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration.

² Italy, though not a Member of the United Nations, as the Administering Authority of the Trust Territory of Somaliland under Italian administration, participated without vote in the Council's discussions concerning that Territory and concerning general questions affecting the operation of the International Trusteeship System.

APPENDIX V. PRINCIPAL MEMBERS OF THE UNITED NATIONS SECRETARIAT

(As of 31 December 1953)¹

Secretary-General: Dag Hammarskjöld.

EXECUTIVE OFFICE OF THE SECRETARY-GENERAL

Executive Assistant to the Secretary-General: Andrew W. Cordier.

Director of Co-ordination for Specialized Agencies and Economic and Social Matters: W. Martin Hill.

Director, Special Unit: Alfred G. Katzin.

Acting Director of the Library: Edouard Reitman.

DEPARTMENT OF POLITICAL AND SECURITY COUNCIL AFFAIRS

Assistant Secretary-General: Ilya S. Tchernychev.

Principal Director: Dragoslav Protitch.²

Director of General Political Division: Alfonso Garcia Robles.

DEPARTMENT OF ECONOMIC AFFAIRSAssistant Secretary-General: Guillaume Georges-Picot.³

Principal Director: Roy Blough.

Deputy Director-Acting Director of Division of Economic Stability and Development: Harold Caustin.

Director of Fiscal Division: Henry S. Bloch.

Director of Division of Transport and Communications: Branko Lukac.

Director of Statistical Office: William R. Leonard.

Secretary of the Economic and Social Council: Mehdi Vakil.

Economic Commission for Europe

Executive Secretary: Gunnar Myrdal.

Deputy Executive Secretary: M. Burinsky.

Director, Transport Division: P. Chargeraud-Hartmann.

Director, Research & Planning Division: Hal B. Lary.

Director, Industry Division: H. W. A. Waring.

Economic Commission for Asia and the Far East

Executive Secretary: P. S. Lokanathan.

Deputy Executive Secretary: C. Hart Schaaf.

Chief, Bureau of Flood Control Sr Water Resources Development: Yi-Shen.

Economic Commission for Latin America

Executive Secretary: Raul Prebisch.

Assistant Director: Louis N. Swenson.

Director, Mexico Office: Victor Urquidi.

TECHNICAL ASSISTANCE ADMINISTRATION

Director-General: Hugh L. Keenleyside.

Deputy Director-General: Gustavo Martínez Cabañas.

Director of Programme Division: Arthur Goldschmidt.

Director of Administrative Division: George W. Cadbury.

Director of Public Administration Division: H. J. Van Mook.

DEPARTMENT OF SOCIAL AFFAIRSAssistant Secretary-General: Guillaume Georges-Picot.⁴

Acting Principal Director: John P. Humphrey.

Acting Director of Division of Human Rights: Egon Schwelb.

Director of Division of Narcotic Drugs: Gilbert Yates.

Acting Director of Population Division: John Durand.

Director of Division of Social Welfare: Miss Julia Henderson.

DEPARTMENT OF TRUSTEESHIP AND INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

Assistant Secretary-General: Victor Chi-tsai Hoo.

Principal Director and Director of Division of Trusteeship: Ralph J. Bunche.

Director of Division of Information from Non-Self-Governing Territories: Wilfrid Benson.

DEPARTMENT OF PUBLIC INFORMATION

Assistant Secretary-General: Benjamin A. Cohen.

Principal Director: Tor Gjesdal.

Director for External Services: V. J. G. Stavridi.

Director of Management and Circulation Division: G. J. Janecek.

Director of Press and Publications Bureau: Wilder Foote.

Deputy Director of Press and Publications Bureau: Henri Fast.

Director of Radio Division: Peter Ayles.

Deputy Director of Radio Division: (vacant).

Director of Films and Visual Information Division: Jan Gunnar Lindstrom.

Acting Director of Special Services: William Agar.

United Nations Information Centres

BELGRADE—Director: Milan Hofman.

BUENOS AIRES—Director: Marco A. Gandasegui.

CAIRO—Director: Rahat Bokhari.

COPENHAGEN—Director: Viggio A. Christensen.

GENEVA—Director: Jerzy Szapiro.

¹ This contains the list of principal members of the Secretariat at the end of 1953; as the structure of the Secretariat was in process of reorganization during 1954, individual changes occurring before the Yearbook went to press have not been indicated.² Also in charge of the Administrative and General Division.³ Also the head of the Department of Social Affairs.⁴ Also the head of the Department of Economic Affairs.

KARACHI—Director: A. M. Ashraf.
 LONDON—Director: George Ivan Smith.
 MEXICO CITY—Director: Rafael A. Fusoni.
 MONROVIA—Director: R. de Roussy de Sales.
 MOSCOW—Acting Director: Leonid Pavlov.
 NEW DELHI—Director: James B. Orrick.
 PARIS—Director: Rubens Borba de Moraes.
 PRAGUE—Director: Arnost Bares.
 RIO DE JANEIRO—Director: Paul Vanorden Shaw.
 SHANGHAI—Officer-in-Charge: Mrs. Elizabeth Tong.
 SYDNEY—Director: Vernon Duckworth-Barker.
 TEHERAN—Officer-in-Charge: Miss G. Khajeh.
 WASHINGTON—Director: Paul V. Johansen.

LEGAL DEPARTMENT

Principal Director in Charge of the Legal Department (also in charge of Division of Immunities and Treaties): Constantin Stavropoulos.
 Director of General Legal Division: Oscar Schachter.
 Director of Division for the Development and Codification of International Law: Yuen-Li Liang.
 Deputy Director of Division of Immunities and Treaties: W. W. Cox.

CONFERENCE AND GENERAL SERVICES

Assistant Secretary-General: Shamaldharee Lall.
 Principal Director: David B. Vaughan.
 Director of Bureau of General Services: Byron F. Wood.
 Chief of Communications and Records Division: E. D. Brodnax.
 Director of Purchase and Transportation Division: F. A. Mapes.
 Director of Buildings Management Service: Frank M. Begley.
 Chief of United Nations Postal Administration: Reidar Tvedt.
 Director of Bureau of Documents: Georges Peissel.
 Director of Documents Control Division: Charles H. Le Bosquet.
 Director of Language Services Division: Honorio Roigt.
 Chief of Publishing Division: Daniel D. DeWalt.

ADMINISTRATIVE AND FINANCIAL SERVICES

Assistant Secretary-General: Byron Price.
 Executive Officer: Bruce R. Turner.
 Acting Co-ordinator of Construction, Headquarters Planning Office: Joseph Zuser.
 Medical Director, Health Service: Frank Calderone.
 Acting Director of United Nations Field Operations Service: Carey Seward.
 Director of Inspection Service: Frode Hansen.
 Director of Bureau of Personnel: Georges Palthey.
 Director of Bureau of Finance: Hans C. Andersen.

UNITED NATIONS OFFICE AT GENEVA

Director Representing the Secretary-General: Adrian Pelt.

UNITED NATIONS CHILDREN S FUND

Headquarters

Executive Director: Maurice Pate.
 Deputy Executive Director: Eric J. R. Heyward.
 Chief Medical Adviser: Dr. B. Borcic (WHO).
 Chief, Administrative Division: John T. Birkhead.
 Comptroller: Stanley Sroka.
 Acting Chief of Programme Division: Eric J. R. Heyward.
 Chief of Supply Division: Edmund T. Bridgwater.
 Chief Public Information Officer: Dickson Hartwell.
 Chief of Reports and Proceedings Office: John J. Char-now.
 Milk Conservation Co-ordinator: Donald B. Sabin.
 Special Assistant to Executive Director: Bernard H. Fraser.

UNICEF Regional Offices

Regional Director, Asia Region: Spurgeon Keeny.
 Regional Director, Africa, Eastern Mediterranean, and Europe: Charles Egger.
 Regional Director, Latin America: Robert Davee.

TECHNICAL ASSISTANCE BOARD

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 Senior Director: William McCaw.
 Director of Administrative Management and Field Services Division: James Keen.
 Director of Programme and Financial Management Division: (vacant).

Field Personnel

Resident Representative (Haiti): Raoul Aglion.
 Special Representative (Argentina, Paraguay and Uruguay): Miguel A. Albornoz.
 Acting Resident Representative (Indonesia): Anthony Balinski.
 Resident Representative (Bolivia): Sune L. Carlson.
 Representative (Yugoslavia): Myer Cohen.
 Liaison Officer (India): J. N. Corry.
 Resident Representative (Iran): Marcel DeBaer.
 Acting Resident Representative (Turkey): Marshall Dimock.
 Resident Representative (Colombia and Ecuador): Raymond P. Etchats.
 Acting Resident Representative (Israel): H. M. Howson.
 Resident Representative (Brazil): Henri Laurentie.
 Resident Representative (Pakistan): Sir Alexander MacFarquhar.
 Liaison Officer in Beirut (Jordan, Lebanon and Syria): Dudley Marsack.
 Resident Representative (Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua): José A. Mayobre.
 Liaison Officer (Australia and New Zealand): John R. Minter.
 Resident Representative (Egypt): Manuel Perez-Guerrero.
 Resident Representative (Libya): Thomas F. Power.

Acting Resident Representative (Philippines): J. P. B. Ross.

Resident Representative (Afghanistan): Harry L. Spence.

Resident Representative (Burma): A. J. Wakefield.

Resident Representative (Iraq): Gustav Ytterborn.

**UNITED NATIONS KOREAN RECONSTRUCTION
AGENCY**

Korea Headquarters

Agent-General: Lt. General John B. Coulter, U.S.A. (Retired).

Assistant Agent-General and Director, Office of Supply: John Goodison.

Executive Officer, Office of the Agent-General: Brigadier General H. E. Eastwood, U.S.A. (Retired).

Director, Office of Programs and Reports: R. S. McClure.

Acting Chief, Office of Budget and Management: Verda Welch.

Comptroller: James McLean.

Chief, Office of Personnel: E. S. Broughton.

Chief, Department of Operations: Charles Jeffers.

American Regional Office (New York)

Acting Chief of Office: John L. Thurston.

Chief, Division of Liaison: David L. Rolbein.

Chief, Division of Procurement: Brigadier General S. R. Hinds, U.S.A. (Retired).

Washington Sub-Office

Chief: Brigadier General Andrew C. Tychsen, U.S.A. (Retired).

Tokyo Liaison and Procurement Office

Chief of Office: Richard Quill.

European Regional Office (Geneva)

Chief of Office: Sir Arthur Rucker.

Part Two: The Specialized Agencies

A. The International Labour Organisation (ILO)¹

1. Introduction

The International Labour Organisation was established on 11 April 1919 as an autonomous institution associated with the League of Nations. Its original Constitution was adopted as part XIII of the Treaty of Versailles and formed part of other treaties of peace.

The preamble of the ILO Constitution stated that peace could be established only if based upon social justice and that it was necessary to improve labour conditions, for example: by the regulation of the hours of work and of the labour supply; the prevention of unemployment; the provision of an adequate living wage; the protection of the worker against sickness, disease and injury arising out of his employment; the protection of children, young persons and women; provision for old age and injury; protection of the interests of workers when employed outside their own country; recognition of the principles of equal pay for equal work and freedom of association; and the organization of vocational and technical education and other measures.

Throughout the years between its establishment and the outbreak of the Second World War, ILO, with headquarters in Geneva, played a leading role in promoting the improvement of labour conditions throughout the world.

In 1940, in order to ensure that the International Labour Office should be able to continue to function freely, a working centre was established at Montreal. The transfer back to Geneva of the services temporarily located in Canada was completed in 1948.

During the war years, ILO devoted its energies to assisting the cause of the United Nations. Regular sessions of the General Conference were resumed in 1944, after a five-year interval, with the 26th session, held in Philadelphia. At this session, ILO considered its post-war status, policy and programme, and adopted the Declaration of Philadelphia, which redefined the aims and purposes of ILO.²

It reaffirmed the fundamental principles on which ILO is based, and affirmed that "all human

beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity", and that the central aim of national and international policy must be to attain conditions making this possible. It recognized ILO's obligation to promote programmes to achieve full employment, the raising of standards of living, the recognition of the right of collective bargaining, the extension of social security, etc.

An Agreement bringing ILO into relationship with the United Nations, approved by the 29th session of the General Conference on 2 October 1946, came into force on 14 December 1946 upon its approval by the General Assembly of the United Nations.³

ILO gradually brought its activities back to their pre-war level; it again began working towards the improvement of the working conditions of seafarers, agricultural and industrial workers, salaried employees and professional workers and towards the improvement of conditions in Non-Self-Governing Territories. ILO also found it necessary to extend its activities to meet regional needs. It began to hold regional conferences to deal with the special problems of the American continent, and especially of Latin America, as early as 1936 and in 1947 began to develop its regional activities in Asia and the Far East and in the Near and Middle East.

ILO recognized the need for new machinery to deal with the specific labour and social problems of individual industries of great international importance. It decided in 1945 to set up industrial committees for the world's leading industries. The

¹ For further information see previous volumes of the Yearbook, reports of ILO to the United Nations, reports of the Director-General to the General Conference, and proceedings of the General Conference.

² For texts of the Constitution of ILO and the Declaration of Philadelphia, see Y.U.N., 1946-47, pp. 670-79. A fuller summary of the purposes and functions of ILO is given in Y.U.N., 1951, pp. 861-62.

³ For text of the Agreement see Y.U.N., 1946-47, pp. 679-83.

committees bring together representatives of governments, management and labour to discuss the specific problems of these industries.

Since 1948 considerably greater emphasis has been placed on the operational activities of ILO, especially in the field of migration and in the development of manpower resources through vocational training and the organization of employment services.

ILO has carried on many of these activities from its early days, but their importance has been greatly increased by the Expanded Programme of technical assistance for economic development and other special programmes.

2. Organization⁴

The organs of ILO are the General Conference of representatives of the Members, the Governing Body and the International Labour Office, which is controlled by the Governing Body.

The General Conference meets at least once a year. It is composed of four representatives of each Member State, of whom two are government delegates and the other two are delegates representing, respectively, the employers and the workers of each Member. The non-government delegates are appointed in agreement with the organizations which are most representative of employers and workers.

New Members are admitted into ILO, if they are Members of the United Nations, by communicating to the Director-General of ILO their formal acceptance of the obligations of the ILO Constitution. Other States, to become Members of ILO, require, in addition, a two-thirds vote of the delegates to the Conference, including two thirds of the votes cast by the government delegates.

Each delegate has one vote in the Conference. Except as otherwise provided by the ILO Constitution, the Conference makes decisions by a simple majority of the votes cast. Its decisions mainly take the form of Conventions and Recommendations, which require a two-thirds majority of the Conference for adoption. Under the ILO Constitution, a Member is required to bring a Convention adopted by the Conference to the attention of its competent national authority for ratification. If a country ratifies a Convention it assumes an obligation to apply the provisions of that Convention to all the territories under its administration, including Non-Self-Governing Territories; it also assumes an obligation to report annually on the measures it has taken to bring

its legislation into line with these provisions. Supervisory machinery available within ILO provides not only for measures to promote the ratification of Conventions, but also for a complaint procedure in the event of violations of a Convention. With regard to Recommendations, Members of ILO are under the obligation to consider them with a view to giving effect to their provisions by legislation or other action. Member States are further required to report periodically on the position of their law and practice in relation to unratified Conventions and Recommendations. Collectively, the Conventions and Recommendations form an International Labour Code,⁵ which embodies international standards of policy.

The Governing Body is composed of 32 members—sixteen representing governments, eight the employers and eight the workers. Eight of the sixteen government representatives are appointed by the eight Member States of chief industrial importance, and eight are appointed by Member States chosen by the other government delegates to the Conference in an election held every three years. The employer and worker members are elected, respectively, by the employer and worker delegates to the Conference. The Governing Body's responsibilities include the selection of items for the agenda of the Conference, the appointment of the Director-General of the International Labour Office, the general supervision of the Office and of the various committees and commissions of ILO, and the consideration of proposals for ILO's budget.

The International Labour Office provides the secretariat of the Conference and of the Governing Body, prepares documents on the items of the agenda of the Conference and of the Governing Body, and collects and distributes information on all subjects within ILO's competence. It assists governments in the drafting of legislation and regulations, provides technical assistance to governments in fields within ILO's competence, conducts such special investigations as may be ordered by the Conference or by the Governing Body, and provides machinery to assist in ensuring the effective application of Conventions. It issues a variety of periodical and other publications dealing with problems of industry and employment.

A number of commissions and committees exists to further the work of ILO in specific fields,

⁴ For a somewhat fuller statement of the organization of ILO, see Y.U.N., 1952, pp. 820-21. A list of ILO's branch offices is annexed to this chapter.

⁵ International Labour Office. The International Labour Code 1951 (Geneva, 1952) 2v.

as well as industrial committees for the following eight industries: coal mines; textiles; building, civil engineering and public works; metal trades; iron and steel production; inland transport; petroleum production and refining; and chemicals.

3. Activities during 1953

The activities pursued by ILO during 1953 may be grouped under three main headings:

(1) The compilation and analysis of information on social questions and the widespread distribution of the results of its research as an aid to the solution of social problems.

(2) The development of labour and social standards and measures to promote their acceptance.

(3) Operational action giving countries direct assistance in improving the living standards of their peoples.

Activities in these three areas were interrelated. The collection of information and the product of research provided a basis for the setting of standards and for operational work. At the same time, the experience acquired in operational activity had an increasing effect on the direction given to research and "legislative" programmes.

The subjects dealt with during the year covered a wide field of social policy and ranged from efforts to increase productivity to the problem of land reform. Activities covered unemployment and under-employment, the safeguarding of trade union rights, manpower questions, wages, social security, industrial relations, welfare facilities and social services, occupational safety and health, and co-operation and handicrafts.

In carrying out its programmes, ILO relied on three main instruments: (1) its permanent secretariat, (2) such "legislative" or social policy-making bodies as the General Conference, regional conferences and industrial and expert committees, and (3) the staff of experts and the activities which are made possible under ILO's share of the Expanded Programme of technical assistance.

The programmes were financed by ILO's ordinary budget of \$6,223,368 and by more than \$2,000,000 allotted under the Expanded Programme of technical assistance.

a. OPERATIONAL ACTIVITIES

The 1953 technical assistance programme of ILO was in part an extension of the work carried out in the previous year. A number of continuing projects were supplemented by new undertakings which in many cases were initiated as a result of field work performed in 1952.

During 1953, ILO had 213 experts in the field. Of this number, 125 were assigned during the year, and 110 were still on assignment at the end of the year. Fellowships awarded during the year under the Expanded Programme totalled 136, and 171 worker-trainees were sent abroad for training in industrial establishments. In addition, nine fellowships and nine internships for study of ILO were awarded under the regular budget.

The greatest attention was paid to developing a pattern of activity by which ILO could make the maximum contribution toward the economic and social development of the under-developed countries. ILO field offices in Asia, Latin America and the Middle East were fully engaged in programme planning and in supervising and guiding the work of experts in the field.

The projects actually implemented in 1953 contributed to economic development in three different ways.

Certain projects helped in the task of development planning by assisting governments in carrying out manpower surveys, and surveys of labour conditions and of handicraft problems.

Other projects had a direct impact on production either by assisting in new development or by helping to raise the productive efficiency of the existing economy. In the first group fell a large number of projects designed to fill existing or foreseen gaps in technical and handicraft skills, involving the establishment of new training centres and the strengthening of existing ones. Projects in the second group were aimed at a more immediate increase in production, and included projects concerning work study and methods, Training Within Industry (T.W.I.) and other forms of supervisory training, and organization and rationalization of cottage industries and handicrafts. Projects for improving industrial relations and preventing accidents and occupational diseases also came within this group, as did those for better organization of the employment market and those concerning producers' and marketing co-operatives. Projects for the training of maintenance men were intended to help in increasing efficiency and in prolonging the life of expensive equipment.

Projects in the third category contributed indirectly to economic development. They helped to create the labour and social conditions which are essential prerequisites to economic progress. Such projects included missions to advise on the improvement of working conditions in industry and agriculture and on the promotion of industrial hygiene and welfare. Some of the co-operative and handicrafts projects also came within this category.

Another significant group of projects concerned social security which the governments of under-developed countries have considered an essential part of their social policy. Certain projects were designed to improve labour administration, e.g., the training of specialized personnel (inspectors, conciliation officers, welfare officers, employment exchange managers and the staff of social security institutions) and the improvement of co-ordination between different departments dealing with labour and related matters.

Forty-seven per cent of the funds allotted under the Expanded Programme was devoted to vocational training projects, and 17 per cent went into projects in the field of co-operatives and handicrafts. Other major areas of technical assistance activity were productivity, social security, employment services and labour inspection, safety and health.

An important feature of 1953 operations was the attention devoted to the practical training of nationals of under-developed countries.

The ILO-sponsored Technical and Clerical Training Centre in Libya, which supplies skilled personnel for the country's administrative services and development projects, was further strengthened by the provision of additional equipment and the inauguration of new courses. A training centre planned by ILO, in collaboration with the United Nations Relief and Works Agency for Palestine Refugees, started functioning with ILO expert assistance toward the end of the year at Lakandia, Jordan. Two regional training courses were organized for Latin America with the help of the Brazilian National Industrial Apprenticeship Service (SENAI). The first was concerned with the training of instructors from fourteen countries in various trades; the second was attended by directors and administrators of vocational schools and training programmes from fifteen countries.

ILO experts in the Training Within Industry (T.W.I.) method of supervisory training trained some 4,100 supervisors and future trainers in India, Israel, Italy and Pakistan.

The worker-trainee programme of ILO, which has been in operation since 1952 for Yugoslavia, was extended to Bolivia, Ecuador and Israel. Training of a similar kind was arranged for personnel from a power station in Turkey. By the end of the year, more than 350 workers and foremen had been trained under the worker-trainee programme.

In India and Israel, productivity teams carried out work studies and demonstrations of improved organization and methods. Following the work of

the experts, a National Productivity Institute was established in Israel. Assistance in the setting up of a similar centre was requested by India.

Handicrafts projects in Ceylon, Haiti and Mexico were responsible for the training of a large number of local handicraftsmen in improved methods and organization. In Ceylon, the training was conducted at 25 village centres with the help of 26 demonstrators provided by the Government. Co-operative leaders and officials were trained in a series of courses conducted by a team of experts in Burma. Two regional courses for co-operative organizers from Asia were conducted, one at Lahore and the other in Denmark, where the participants were enabled to study the application of co-operative techniques in Europe.

In Peru, an ILO expert helped to organize a pilot employment service and to train personnel to run and develop it. In Pakistan, an ILO expert in labour administration conducted a five-month training course for the benefit of labour officers from the central and provincial administrations and from government undertakings.

A comprehensive project for raising the standard of living of the Indians of the Andean High Plateau reached the active stage with the establishment of a regional field office at Lima and the appointment of some of the experts required. The field office finalized details for the implementation of pilot schemes in Bolivia, Ecuador and Peru. The project is being implemented by ILO in co-operation with the United Nations, the Food and Agriculture Organization of the United Nations (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the World Health Organization (WHO).

The year 1953 was a year of consolidation of ILO's work under the Expanded Programme. The pace at which operations grew in 1952 could not be wholly maintained mainly on account of financial difficulties. But—and partly for this very reason—increased attention was paid to qualitative analysis of results in an effort to maximize the effectiveness of the assistance provided. In programme planning and implementation, the self-liquidating character of technical assistance was re-emphasized and to this end the training of local personnel remained a key feature of most ILO projects.

b. STANDARDS OF SOCIAL POLICY

The ILO's "legislative" organ, the General Conference, held its 36th session at Geneva from 4 to 25 June. It adopted two new international instruments—both of them Recommendations—in the

field of social policy. One of these established sixteen as the minimum age for employment in underground coal mining. The other laid down a series of measures to protect the health of workers in their places of employment.

In addition, the session adopted a series of "observations and conclusions" regarding the organization and working of national labour departments. It also approved, for consideration at the 1954 Conference, a list of conclusions designed to provide the basis for a Recommendation on holidays with pay.

The two Recommendations adopted by the session raised to 97 the total of such instruments approved since ILO's establishment.

Among its other actions, the Conference examined, and adopted a report on, the manner in which Member countries were observing their obligations in regard to the 103 Conventions and 95 Recommendations adopted at previous sessions. This report said there was "evidence of continuing concrete progress" in the implementation of ILO standards.

A large number of governments continued to deposit instruments of ratification of the Conventions at ILO headquarters. During the year, 67 such ratifications were registered, bringing the total of ratifications by 31 December to 1,413.

In addition to the General Conference, the year's programme of meetings included an Asian Regional Conference, held at Tokyo, and an Asian Maritime Conference, which took place at Nuwara Eliya, Ceylon. Three Industrial Committees—those for textiles, the construction industry, and coal mining—also held meetings, and there were sessions of the Committee on Work on Plantations, the Permanent Agriculture Committee, and the Committee of Experts on Social Policy in Non-Metropolitan Territories. The calendar also included meetings of a Committee of Statistical Experts, a meeting of a group of experts on systems of payment by results in the building industry, and a session of the Asian Advisory Committee.

The questions considered by the Asian Regional Conference were wages, workers' housing, and the protection and vocational preparation of young workers. Resolutions recommending action by governments were adopted on each of these questions. In addition, the Conference called for "a speedy and substantial increase" in the flow of foreign capital to Asian countries to make possible an improvement in living standards.

The Asian Maritime Conference, attended by representatives of twelve countries, embodied its

conclusions in five resolutions, four of which were approved unanimously. One of these suggested action by Asian governments to improve welfare facilities in ports. Another urged governments to keep under review the progress of their maritime law and practice, using ILO's Conventions and Recommendations as a guide. A third urged the fostering and recognition of representative organizations of shipowners and seafarers. In a fourth resolution, governments were urged to consult representatives of shipowners and seafarers with a view, where necessary, to setting up adequate machinery for the recruitment of seafarers. A further resolution suggested the form that this machinery might take.

Recommendations covering a wide variety of subjects were made by the Industrial Committees and the Committee on Work on Plantations.

The Textiles Committee considered the problem of the effect of international competition on the workers in the industry, and declared that it was essential that this competition should not lead to a worsening of conditions of employment or a lowering of living standards, "and in particular that it should not lead to an abandonment of social policies considered as basic". The meeting also approved recommendations designed to improve the conditions of women workers in the industry and adopted a memorandum on the subject of the guaranteed wage.

A memorandum on the guaranteed wage was also approved by the Building, Civil Engineering and Public Works Committee. This Committee also discussed factors affecting productivity in the construction industry and adopted a number of resolutions suggesting action to increase productivity.

The Permanent Agriculture Committee considered three questions: (1) vocational training in agriculture, (2) the employment of children and young persons in agriculture, and (3) the contribution of ILO to international action in respect of land reform. The Committee agreed that it was highly desirable that ILO take full part, along with FAO, in the current concerted programme of international action on agrarian reform.

The meeting of the Plantations Committee was held at Havana and was the Committee's second session. The questions considered were health and social services and the regulation of plantation wages. Recommendations for action by governments, workers' or employers' organizations, or by ILO were embodied in a large number of resolutions.

The Committee of Experts on Social Policy in Non-Metropolitan Territories, which met in Lisbon, adopted recommendations on technical and vocational training and on workers' housing. The Committee also made preliminary suggestions as to how problems of low labour productivity might be tackled in dependent areas.

The Governing Body, which functions as ILO's executive council, held three sessions during the year to review the progress of the organization's programme and to plan future activities: its 121st from 3 to 6 March; its 122nd from 29 to 30 March and 19 and 26 June; and its 123rd from 24 to 27 November.

At its mid-year meeting it considered the report made in June by the United Nations-ILO Ad hoc Committee on Forced Labour.⁶ As that meeting was held very shortly after the report was presented, the Governing Body was not able to study and discuss it thoroughly at that session. It was nevertheless agreed:

(1) To support the recommendation contained in the report that an appeal be addressed to all the governments which in one form or another maintain or might maintain a system of forced labour of a political type to the effect that they re-examine their laws and administrative practices in the light of present conditions and the increasing desire of the peoples of the world "to reaffirm faith in fundamental human rights [and] in the dignity and worth of the human person".

(2) To place on record the intention of ILO to give sympathetic consideration to the recommendations made in the report and to invite its Director-General to put before the Governing Body at its autumn session appropriate proposals relating to these recommendations.

In response to this request, the Director-General laid a number of proposals before the Governing Body when it met again in November, and these were approved. They were:

(1) To appeal to governments which have not yet ratified the four ILO Conventions which deal with forced labour or indigenous workers, urging them to give prompt consideration to ratification.

(2) To invite Metropolitan governments to consider applying the four Conventions without modification to all their non-Metropolitan territories.

(3) To consider, as soon as possible, the desirability of revising the 1930 Forced Labour Convention to make it provide for the complete suppression in all its forms of forced or compulsory labour.

(4) To affirm ILO's willingness to intensify its efforts toward the abolition of forced labour practices of an economic character.

c. FREEDOM OF ASSOCIATION

At each of its three meetings, the Governing Body was called upon to consider reports dealing

with complaints alleging the violation of trade union rights. These reports were submitted by the Governing Body's standing Committee on Freedom of Association, which was established to make a preliminary examination of the allegations that are submitted to ILO with a view to their reference to the Fact-Finding and Conciliation Commission on Freedom of Association which was set up in 1951. The Commission operates on behalf of the United Nations as well as ILO.

The reports dealt with a large number of complaints. The Committee recommended that the majority of these be dismissed as not calling for further examination, but in several cases the Committee made suggestions to the governments concerned.

d. INFORMATION AND RESEARCH

A major share of ILO's information gathering and research resources was devoted to the preparation of reports for various conferences and meetings of other kinds. In many cases these reports constituted studies in themselves.

The Director-General presented three reports during the year. One, entitled *World Labour Report 1953*, was presented to the General Conference and served as the basis for a general debate. It singled out the problem of productivity for special attention and also surveyed economic and social developments and ILO's activities. Similar reports were presented to the Asian Regional Conference and to the Asian Maritime Conference.

Other reports prepared for the General Conference dealt with the organization and working of national labour departments, holidays with pay, the protection of the health of workers in their places of employment, and the minimum age of admission to work underground in coal mines.

Four reports were issued in preparation for the 37th session of the General Conference in 1954. These concerned the vocational rehabilitation of the disabled, migrant workers in under-developed countries, penal sanctions for breaches of contract of employment, and holidays with pay.

Annual volumes published during 1953 were the Seventh Report of the ILO to the United Nations and the Year Book of Labour Statistics, 1953.

Studies published included the first of a two-volume work on Safety in Coal Mines and a 700-page study entitled *Indigenous Populations*. The report of the United Nations-ILO Ad hoc Com-

⁶ See pp. 403-404.

mittee on Forced Labour was published by ILO on behalf of both organizations.

Information covering a wide range of social and labour problems continued to be made available in ILO's regular periodicals—the monthly International Labour Review, published in English, French and Spanish editions; the semi-monthly Industry and Labour, and its Statistical and Migration Supplements; the bi-monthly Legislative Series; the quarterly Occupational Safety and Health; and the Official Bulletin, published irregularly.

4. Budget

The 36th session of the General Conference in 1953 approved a budget totalling \$6,311,170 to cover expenses of ILO during 1954. The main details of the expenditures covered by this budget follow (in U.S. dollars):

PART I—Ordinary Budget:	
Section I (Ordinary expenditure):	
Chapter I—Sessions of the Conference and the Governing Body and other conferences	\$ 274,712
Chapter II—General services of the International Labour Office	5,409,736
Chapter III—Profit and loss on exchange	—
Chapter IV—Permanent equipment, etc ..	95,000
Section II (Capital expenditure):	
Chapter V—Capital expenditure.....	100
Section III (Unforeseen expenditure):	
Chapter VI—Unforeseen expenditure ..	—
Total	\$5,779,548
Deduct:	
Miscellaneous income	87,000
NET TOTAL OF PART I.....	\$5,692,548
PART II—I.L.O. Staff Pensions Fund and U.N. Joint Staff Pension Fund.....	
	567,655
PART III—Working Capital Fund:	
(1) Fourth annuity	250,000
(2) Restoration of deficit	—
(3) Refund of withdrawal	20,703
PART IV—Building Fund—Fourth annuity.	
	25,981
TOTAL GROSS EXPENDITURE BUDGET	\$6,556,887
Deduct:	
Working Capital Fund:	
Distribution of one-fifth of original Fund	245,717
TOTAL NET EXPENDITURE BUDGET..	\$6,311,170

The contributions due from Member States for 1954 are as follows (in U.S. dollars):

Member	Percent- age	Gross contribution
Afghanistan	0.12	\$ 7,868.26
Albania	0.12	7,868.26
Argentina	2.18	142,940.14
Australia	2.35	154,086.85
Austria	0.35	22,949.11
Belgium	1.72	112,778.46
Bolivia	0.12	7,868.26
Brazil	2.22	145,562.89
Bulgaria	0.28	18,359.28
Burma	0.19	12,458.09
Canada	3.98	260,964.10
Ceylon	0.15	9,835.33
Chile	0.50	32,784.44
China	3.04	199,329.37
Colombia	0.45	29,506.00
Costa Rica	0.12	7,868.26
Cuba	0.38	24,916.17
Czechoslovakia	1.16	76,059.89
Denmark	0.97	63,601.80
Dominican Republic	0.12	7,868.26
Ecuador	0.12	7,868.26
Egypt	0.86	56,389.23
El Salvador	0.12	7,868.26
Ethiopia	0.12	7,868.26
Finland	0.30	19,670.66
France	7.49	491,110.84
Germany, Fed. Rep. of.....	4.87	319,320.40
Greece	0.22	14,425.15
Guatemala	0.12	7,868.26
Haiti	0.12	7,868.26
Hungary	0.53	34,751.50
Iceland	0.12	7,868.26
India	4.13	270,799.43
Indonesia	0.43	28,194.62
Iran	0.54	35,407.19
Iraq	0.20	13,113.78
Ireland	0.50	32,784.44
Israel	0.12	7,868.26
Italy	3.01	197,362.30
Japan	2.19	143,595.83
Lebanon	0.12	7,868.26
Liberia	0.12	7,868.26
Libya	0.12	7,868.26
Luxembourg	0.12	7,868.26
Mexico	0.81	53,110.79
Netherlands	1.37	89,829.35
New Zealand	0.62	40,652.70
Norway	0.64	41,964.08
Pakistan	0.89	58,356.30
Panama	0.12	7,868.26
Peru	0.25	16,392.22
Philippines	0.37	24,260.48
Poland	1.24	81,305.40
Portugal	0.67	43,931.14
Sweden	2.17	142,284.45
Switzerland	1.81	118,679.66
Syria	0.14	9,179.64

Member	Percent- age	Gross contribution	Member	Percent age	Gross contribution
Thailand	0.29	19,014.97	Uruguay	0.23	15,080.84
Turkey	1.05	68,847.31	Venezuela	0.35	22,949.11
Union of South Africa.....	1.28	83,928.15	Vietnam	0.26	17,047.91
United Kingdom	12.79	838,625.85	Yugoslavia	0.54	35,407.19
United States	25.—	1,639,221.75	TOTAL	100.00	\$6,556,887.00

ANNEX I. MEMBERS, OFFICERS AND HEADQUARTERS

(As of 31 December 1953)

A. MEMBERS OF ILO

Afghanistan	Colombia	Greece	Liberia	Switzerland
Albania	Costa Rica	Guatemala	Libya	Syria
Argentina	Cuba	Haiti	Luxembourg	Thailand
Australia	Czechoslovakia	Hungary	Mexico	Turkey
Austria	Denmark	Iceland	Netherlands	Union of
Belgium	Dominican Republic	India	New Zealand	South Africa
Bolivia	Ecuador	Indonesia	Norway	United Kingdom
Brazil	Egypt	Iran	Pakistan	United States
Bulgaria	El Salvador	Iraq	Panama	Uruguay
Burma	Ethiopia	Ireland	Peru	Venezuela
Canada	Finland	Israel	Philippines	Vietnam
Ceylon	France	Italy	Poland	Yugoslavia
Chile	Germany,	Japan	Portugal	
China	Fed. Rep. of	Lebanon	Sweden	

B. MEMBERSHIP OF THE GOVERNING BODY

Regular Members

1. GOVERNMENT GROUP

Belgium⁷Brazil: L. de Rego Monteiro
(Substitute: C. de Souza e Silva)

Canada: A. H. Brown

Chile: F. Garcia Oldini
(Substitute: H. Diaz-Casanueva)**China:** M. L. Tuan

Finland: Raf. Rinne

France: Paul Ramadier
(Substitute: H. Hauck)India⁷Iran⁷Italy: M. Cingolani
(Substitute: R. Ago)

Mexico: E. Calderón-Puig

Pakistan: A. M. Malik

Portugal⁷

United Kingdom: Sir Guildhaume Myrddin-Evans

United States:⁷
(Substitute: A. L. Zempel)

Venezuela: V. Montoya

2. EMPLOYERS' GROUP

P. Campanella (Italian)

W. Gemmill (South African)

J. B. Pons (Uruguayan)

C. E. Shaw (United States)

Sit Richard Snedden (United Kingdom)

N. H. Tata (Indian)

P. Waline (French)

F. Yllanes Ramos (Mexican)

3. WORKERS' GROUP

Aftab Ali (Pakistani)

G. P. Delaney (United States)

L. Jouhaux (French)

A. E. Monk (Australian)

A. Roberts (United Kingdom)

A. Sölvén (Swedish)

(Two vacancies)

Deputy Members

1. GOVERNMENT GROUP

Australia: R. H. Harry

Burma: Khint Maung
(Substitute: Maung Maung Toe)Colombia: L. González Barros
(Substitute: J. A. Gómez
Jaramillo)Greece: A. Bacalbassis
(Substitute: P. Pavlakis)

Norway: K. J. Oksnes

Philippines⁷

Switzerland: M. Kaufmann

Uruguay: J. Noqueira

⁷ No regular representative had been appointed by the end of 1953.

2. EMPLOYERS' GROUP

H. Taylor (Canadian)
 G. A. Allana (Pakistani)
 G. Bergstrom (Swedish)
 A. G. Fennema (Netherlands)
 A. Calheiros Lopes (Portuguese)
 M. Alam (Turkish)
 C. Kuntschen (Swiss)
 M. Ghayour (Iranian)

Address: International Labour Office
 205 Boulevard St. Germain
 Paris 7, France

Cable Address: INTERLAB PARIS

Address: International Labour Office
 Villa Aldobrandini
 Via Panispera 28
 Rome, Italy

Cable Address: INTERLAB ROME

3. WORKERS' GROUP

J. Böhm (Austrian)
 A. Cofiño (Cuban)
 C. Jodoïn (Canadian)
 J. Mori (Swiss)
 G. Pastore (Italian)
 S. de Azevedo Pequeno (Brazilian)
 M. Sumarno (Indonesian)
 A. Vermeulen (Netherlands)

Address: International Labour Office
 1 Mandi House
 New Delhi, India

Cable Address: INTERLAB NEW DELHI

Address: International Labour Office
 1262 New Hampshire Avenue, N.W.
 Washington 6, D. C.

Cable Address: INTERLAB WASHINGTON

Address: International Labour Office
 95 Rideau Street
 Ottawa, Canada

Cable Address: INTERLAB OTTAWA

Address: International Labour Office
 Zweigamt
 Bonn, Federal German Republic

Cable Address: INTERLAB BONN

C. OFFICERS OF THE GOVERNING BODY

Chairman: A. M. Malik
 Vice-Chairmen: Pierre Waline
 Léon Jouhaux

D. OFFICIALS OF THE INTERNATIONAL LABOUR OFFICE

Director-General:
 David A. Morse (United States)

Deputy Director-General:
 Jef Rens (Belgium)

Assistant Directors-General:
 Raghunath Rao (India)
 C. W. Jenks (United Kingdom)
 Luis Alvarado (Peru)
 Jean Morellet (France)
 William Yalden-Thomson (Canada)

Treasurer:
 Frederick H. Wheeler (Australia)

E. HEADQUARTERS, LIAISON, BRANCH AND FIELD OFFICES

1. HEADQUARTERS

Address: International Labour Office
 Geneva, Switzerland

Cable Address: INTERLAB GENEVE

2. LIAISON OFFICE WITH THE UNITED NATIONS

Address: International Labour Office
 345 East 46th Street
 New York 17, N. Y.

Cable Address: INTERLABOR NEWYORK

3. BRANCH OFFICES

Address: International Labour Office
 38 Parliament Street
 London, S.W. 1, England

Cable Address: INTERLAB LONDON

4. FIELD OFFICES

ASIA:

Provisional Address: International Labour Office
P. O. Box 4
 Bangalore, Mysore State, India

Cable Address: INTERLAB BANGALORE

LATIN AMERICA:

Address: International Labour Office
 Rua Sao Clemente 265
 Rio de Janeiro, Brazil

Postal Address: Caixa Postal 13
 Botofogo, Rio de Janeiro
 Brazil

Cable Address: ILOAFO RIODEJANEIRO

NEAR and MIDDLE EAST:

Provisional Address: International Labour Office
 Istanbul Universitesi
 İktisat Fakultesi
 İçtimaiyat Enstitüsü
 Istanbul, Turkey

Cable Address: INTERLAB ISTANBUL

Correspondents or agents for the sale of publications are maintained in Argentina, Australia, Austria, Belgium-Luxembourg, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Czechoslovakia, Ecuador, Egypt, Finland, Greece, Guatemala, Haiti, Indonesia, Iran, Ireland, Israel, Japan, Lebanon, Mexico, the Netherlands, Norway, Pakistan, Peru, the Philippines, Portugal, Sweden, Syria, Turkey, the Union of South Africa, Uruguay, Venezuela and Yugoslavia. The correspondents' offices serve as information centres, and they distribute and sell publications.

ANNEX II. INTERNATIONAL LABOUR CONVENTIONS

The following additional ratifications of International Labour Conventions were deposited during 1953.

No.	Title	Additional and Total Ratifications	No.	Title	Additional and Total Ratifications
FIRST SESSION, 1919			TWENTY-EIGHTH SESSION, 1946		
4.	Concerning Employment of Women during the Night—Effective 13 June 1921	1 36	68.	Concerning food and catering for crews on board ship ⁸	1 7
5.	Fixing the Minimum Age for Admission of Children to Industrial Employment—Effective 13 June 1921	2 33	70.	Concerning Social Security for Seafarers ⁸	1 2
6.	Concerning the Night Work of Young Persons Employed in Industry—Effective 13 June 1921	1 35	74.	Concerning the certification of able seamen—Effective 14 July 1951	1 7
THIRD SESSION, 1921			TWENTY-NINTH SESSION, 1946		
10.	Concerning the Age for Admission of Children to Employment in Agriculture—Effective 31 August 1923	1 23	77.	Concerning medical examination for fitness for employment in industry of children and young persons—Effective 29 December 1950	1 7
13.	Concerning the use of white lead in painting—Effective 31 August 1923	1 29	78.	Concerning medical examination of children and young persons for fitness for employment in non-industrial occupations—Effective 29 December 1950	1 6
14.	Concerning the application of the weekly rest in industrial undertakings—Effective 19 June 1923	1 40	79.	Concerning the restriction of night work of children and young persons in non-industrial occupations—Effective 29 December 1950	2 6
TWELFTH SESSION, 1929			80.	Partial revision of the Conventions adopted by the General Conference of the International Labour Organisation at its first twenty-eight sessions for the purpose of making provision for the future discharge of certain chancery functions entrusted by the said Conventions to the Secretary-General of the League of Nations and introducing therein certain further amendments consequential upon the dissolution of the League of Nations and the amendment of the Constitution of the International Labour Organisation—Effective 28 May 1947	2 41
27.	Concerning the Marking of the Weight on Heavy Packages Transported by Vessels—Effective 9 March 1932	1 40	THIRTIETH SESSION, 1947		
FOURTEENTH SESSION, 1930			81.	Concerning labour inspection in industry and commerce—Effective 7 April 1950	3 19
29.	Concerning forced or compulsory labour—Effective 1 May 1932	2 28	87.	Concerning freedom of association and protection of the right to organize—Effective 4 July 1950	1 15
30.	Concerning the regulation of hours of work in commerce and offices—Effective 29 August 1933	1 14	THIRTY-FIRST SESSION, 1948		
NINETEENTH SESSION, 1935			88.	Concerning the organisation of the employment service—Effective 10 August 1950	4 20
45.	Concerning the employment of women on underground work in mines of all kinds—Effective 30 May 1937	2 36	89.	Concerning night work of women employed in industry (revised)—Effective 27 February 1951	3 16
TWENTIETH SESSION, 1936			90.	Concerning the night work of young persons employed in industry (revised)—Effective 12 June 1951	2 8
52.	Concerning annual holidays with pay—Effective 22 September 1939	3 15	THIRTY-SECOND SESSION, 1949		
TWENTY-SECOND SESSION, 1936			THIRTY-THIRD SESSION, 1950		
58.	Fixing the minimum age for the admission of children to employment at sea (revised)—Effective 11 April 1939	1 14	THIRTY-FOURTH SESSION, 1951		
TWENTY-FIFTH SESSION, 1939			THIRTY-FIFTH SESSION, 1952		
67.	Concerning the Regulation of Hours of Work and Rest Periods in Road Transport ¹	1 1	THIRTY-SIXTH SESSION, 1953		

⁸ Not in force by the end of 1953.

No.	Title	Additional and Total Ratifications	No.	Title	Additional and Total Ratifications
THIRTY-SECOND SESSION, 1949			THIRTY-FOURTH SESSION, 1951		
91.	Concerning vacation holidays with pay for seafarers (revised) ⁸	1 7	99.	Concerning minimum wage fixing machinery in agriculture ⁸ —Effective 23 August 1953	3 5
92.	Concerning crew accommodation on board ship (revised) ⁸ —Effective 29 January 1953	1 9	100.	Concerning equal remuneration for men and women workers for work of equal value ⁸ —Effective 23 May 1953	4 7
93.	Concerning wages, hours of work on board ship and manning (revised) ⁸	1 2	THIRTY-FIFTH SESSION, 1952		
94.	Concerning labour clauses in public contracts—Effective 20 September 1952	2 11	101.	Concerning holidays with pay in agriculture ⁸ —Effective 24 July 1954	3 3
95.	Concerning the protection of wages—Effective 24 September 1952	1 9	102.	Concerning minimum standards of social security ⁸	1 1
96.	Concerning the charging employment agencies (revised)—Effective 18 July 1951	4 10	The third convention adopted at this session had received no ratification by the end of the year. It is:		
97.	Concerning migration for employment (revised)—Effective 22 January 1952	2 8	103.	Concerning maternity protection (Revised)	
98.	Concerning the application of the principles of the right to organize and to bargain collectively—Effective 18 July 1951	4 15	⁸ Not in force by the end of 1953.		

B. The Food and Agriculture Organization of the United Nations (FAO)¹

1. Introduction

The Food and Agriculture Organization of the United Nations was the first of the permanent United Nations organizations to be launched after the war. At the United Nations Conference on Food and agriculture, in May 1943, at Hot Springs, Virginia, 44 nations agreed to work together to Danish hunger and establish a stable world agriculture. At the recommendation of the Conference, the United Nations Interim Commission on Food and Agriculture was set up in July 1943 to plan a permanent organization concerned with food and agriculture, and forestry and fisheries as well. The Commission prepared a Constitution² for FAO and submitted it to governments.

FAO officially came into being with the signing of its Constitution on 16 October 1945, at the first session of its Conference, at Quebec. On 14 December 1946, FAO was formally brought into relationship with the United Nations as a specialized agency, with the approval of an Agreement³ between the two organizations by the United Nations General Assembly.

The preamble to the Constitution of FAO states that the aim of the nations accepting the Constitution is to promote the common welfare by furthering separate and collective action for the purposes of:

"raising levels of nutrition and standards of living of the peoples under their respective jurisdictions,

"securing improvements in the efficiency of the production and distribution of all food and agricultural products,

"bettering the condition of rural populations,

"and thus contributing toward an expanding world economy."

In so far as its detailed functions are concerned, FAO is first charged, in article 1 of its Constitution,⁴ with the collection, analysis, interpretation and dissemination of information relating to nutrition, food and agriculture. FAO further pro-

¹ For further information, see previous volumes of the Yearbook, FAO reports to the United Nations, reports of the Director-General to the Conference, reports of the Conference, and FAO Catalogue of Publications.

² For text, see Y.U.N., 1946-47, pp. 693-98.

³ For text, see Y.U.N., 1946-47, pp. 698-702.

⁴ The text of this article is given in Y.U.N., 1951, p. 874.

motes and recommends national and international action which it considers necessary to attain: the increase of production in agriculture, fisheries and forestry; the improvement of education and administration in those fields; the improvement of processing, marketing and distribution of the products of agriculture, fisheries and forestry; the conservation of natural resources; the adoption of policies for the provision of adequate agricultural credit and of international policies with respect to agricultural commodity arrangements.

Finally, on request, FAO furnishes technical assistance to Members to help them bring new land under cultivation, improve the yields of lands already cultivated, reduce the costs of production, improve the efficiency of international distribution, raise levels of consumption, and better the living conditions in rural areas.

2. Organization

The governing bodies of FAO are the Conference and the Council. The staff is headed by a Director-General.

The Conference, composed of one representative from each Member nation, is the policy-making body of FAO, in which each nation has one vote. At its annual session in 1949, the Conference decided that in the future it would normally meet once every two years. The Conference reviews FAO's work, determines its policy and approves the budget; it reviews the food and agriculture situation and the programmes and plans of Member Governments, and recommends national and international action. Decisions of the Conference are taken by a simple majority vote, except in instances such as the admission of new Members, when a two-thirds majority of all Members of the organization is required.

Between sessions of the Conference, the Council of FAO, comprising representatives of 24 Member nations and an independent chairman elected by the Conference, exercises powers delegated to it. Normally meeting twice a year, the Council keeps the world food and agriculture situation under constant review and makes recommendations to Member Governments, international commodity authorities and other international agencies.

The Director-General of FAO, elected by the Conference, has full power and authority to direct the work of the organization, guided by the general recommendations of the Conference and the Council.

FAO has, in addition, panels of experts and certain advisory committees.⁵ National FAO

Committees, established in 51 Member countries, serve as contacts between FAO and governmental and non-governmental agencies.

3. Activities during 1953

The Conference held its seventh session in Rome from 23 November to 11 December, raising the organization's budget from \$5¼ million in 1953 to \$6 million annually in 1954-55. Libya, Iran and Yemen joined FAO, bringing the organization's membership to 71. The Council was increased from 18 to 24 members. The Conference elected Dr. Philip Vincent Cardon (United States) to a four-year term as Director-General beginning February 1954 to succeed Norris E. Dodd (United States) who has served since 1948.

The Conference noted that world food production had returned to the pre-war per capita level, now related to a considerably larger population. But the major production increases contributing to this return had taken place in areas where nutritional standards were already good. In ill-fed areas nutritional levels were still below even the unsatisfactory pre-war levels. The Conference also noted the reappearance of surpluses of certain commodities within some major producing countries and set up a working party to meet in Washington in February 1954 to consider problems of surplus disposals. Governments were urged to plan for selective production of the foods and other agricultural products most needed in areas where nutritional levels must be raised.

To continue FAO's co-ordination of control measures in countries affected by the continuing grave threat from the desert locust in the Near East, the Conference voted \$150,000 to match contributions by governments in the region.

The Conference approved a constitution for a European Foot-and-Mouth Disease Commission; at the end of the year it appeared likely that enough countries would soon join the Commission to bring it into early operation.

The Council of FAO held its seventeenth session from 15 to 24 June, and its eighteenth and nineteenth sessions immediately before and immediately after the Conference, from 18 to 20 November and on 12 December respectively.

During the year, FAO continued to co-operate with other United Nations specialized agencies and subsidiary organs, for example, on a number of training centres and seminars, such as those

⁵ See Y.U.N., 1952, p. 831. A list of FAO's regional offices is annexed to this chapter.

dealing with dairy hygiene and milk production in which FAO worked closely with the United Nations Children's Fund (UNICEF) and with local international organizations such as the Inter-American Institute of Agricultural Sciences (IIAS) and Servicio Co-operativo Inter-Americano de Producción de Alimentos (SCIPA). A number of technical assistance projects in this field were operated jointly by FAO and UNICEF, FAO advising on the production of good clean milk in sufficient quantity to run milk processing plants and UNICEF equipping the plants.

FAO co-operated closely with the World Health Organization (WHO) on nutrition work in the field, the Nutrition Committee in South and East Asia meeting for the first time in 1953 as a joint committee of the two agencies. Similarly, field work on protein malnutrition and work on nutritional surveys was generally carried on jointly.

Problems in land tenure and settlement also led to co-operation with other agencies, more especially with the International Labour Organisation (ILO) and the International Bank for Reconstruction and Development, and there was close collaboration on a number of economic studies with the United Nations regional economic commissions for Asia and the Far East and for Latin America (ECAFE and ECLA).

FAO also co-operated on economic studies with the Organization for European Economic Co-operation (OEEC) and on technical assistance programmes with the Foreign Operations Administration (FOA) of the United States and the British Commonwealth Colombo Plan. For example, it worked with FOA and with the Desert Locust Control Organization in combating the current desert locust plague and with the Colombo Plan on the mechanization of agriculture and fisheries in Pakistan and Ceylon.

During the year the organization also continued its collaboration with the United Nations in the social field, for example, on a survey of social services in Burma and surveys of children's needs and services in El Salvador and Syria. It participated in meetings on the training of auxiliary community workers in Colombia and Lebanon and in a conference on international definition and measurements of standards of living in New York.

a. ACTIVITIES UNDER THE EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE

FAO's share of the funds in the Special Account under the Expanded Programme in 1953 was \$6.2 million. During the year, the number of experts in

the field under this Programme rose from 313 to 334 in July, when financial restrictions began to operate, reducing the number to 224 at the end of the year. At the end of 1953, experts were working in 44 countries as well as in seven regional programmes. Their work is described below under the appropriate headings.

The FAO Conference proposed that particular attention should be given to the continuation and extension of projects designed to benefit groups of countries, such as training centres for participants from groups of countries with similar problems, and projects for control of diseases and pests which recognize no national boundaries.

In a series of resolutions dealing with the Programme's financial limitations, the Conference regretted the necessity for the temporary curtailment of FAO's programme at a time of increasing requests for assistance, noted the willingness of certain recipient governments to meet a greater proportion of the costs of assistance and recommended that, as far as possible, the allocation of funds to FAO should be made on the basis of an expanding programme.

b. AGRICULTURE

The third meeting of the Working Party on Fertilizers of the FAO International Rice Commission and the fourth meeting of the Working Party on Rice Breeding of the same Commission were held concurrently during 1953. The latter Working Party discussed the results obtained so far and plans for the continuation of the co-operative rice hybridization project and national rice breeding programmes in the Far East. The Working Party on Fertilizers particularly recommended the collection and compilation of experimental data on fertilizer application, to permit the construction of response curves relating additional paddy produced to the amounts of nutrients applied. It also made recommendations for a co-operative soil analysis programme, the provision of a second training centre on soil fertility, problems of paddy and the desirability of promoting soil fertility programmes through a regional soils specialist devoted to paddy problems.

FAO also gave a considerable amount of technical assistance, particularly to countries in the Near East, on soil classification and improvement, and published technical studies entitled *Soil Surveys for Land Development* (FAO Agricultural Study No. 20) and *Land Classification for Agricultural Development* (FAO Development Paper No. 18). Technical assistance was also given in water utilization, in which approximately 40 FAO

experts served in various countries, particularly in the Near and Far East, on such projects as irrigation schemes and tube-well development programmes. Publications on water development included Community Organization for Irrigation in the United States (FAO Development Paper No. 19), Some Aspects of Surface Water Development in Arid Regions (FAO Development Paper No. 21) and Water Laws in Italy (FAO Development Paper No. 22).

In co-operation with the Italian Government, FAO established an International Small Implements Centre, at which the most useful types of several hundred samples of small agricultural tools and implements donated by manufacturers and institutions in various countries were selected and tested for introduction to other countries. In particular, technical assistance experts helped introduce improved small tools into Afghanistan and Ethiopia. A publication entitled Small Farm Implements was issued (FAO Development Paper No. 32).

FAO collaborated with the United Nations in the preparation of reports on land reform⁶ and on co-operatives. It also organized and conducted, in co-operation with ECLA, the Inter-American Institute of Agricultural Sciences and the International Bank, a Land Problems Seminar in Brazil which was attended by 122 people from fifteen countries. This Seminar discussed land tenure and land use problems in Latin America. Publications issued in connexion with problems concerning land reform were Communal Land Tenure (Agricultural Study No. 17), Cadastral Surveys and Records of Rights in Land (Agricultural Study No. 18), Inter-relations between Agrarian Reform and Agricultural Development (Agricultural Study No. 26) and Agricultural Development and Rural Reform in Denmark (Agricultural Study No. 22).

FAO continued its activities on its three major plant breeding projects: the hybrid maize programme in Europe, the rice breeding and hybridization scheme in the Far East (see above), and the development of wheat and barley breeding programmes in the Near East. In the latter region, the Wheat and Barley Committee, at its third meeting, worked out the plans for the establishment of over 80 co-operative wheat and barley nurseries in the region for the identification of rust and bunt-resistant stocks. The exchange of seeds for this project was arranged by the seed distribution service of FAO. A rust survey was initiated to study the incidence and development of rust epidemics and to determine the races concerned on the basis of which a breeding programme will be established.

Three supplements were issued to the World Catalogues of Genetic Stocks of wheat and of rice, and the List of Plant Breeders in Canada and the United States of America was followed by a World List of Plant Breeders covering all other countries from which information has been received.

To spread knowledge of the use of legumes and their importance to agriculture, FAO published Legumes in Agriculture (Agriculture Study No. 21), which covers especially sub-tropical and tropical areas. The publication of a monthly FAO Plant Protection Bulletin, started in September 1952, was continued as one of the aspects of the work of FAO in connexion with the International Plant Protection Convention.

Co-ordination of international and national efforts in the Near East to combat the desert locust plague was continued, and its importance was especially emphasized by the seventh session of the FAO Conference by appropriating funds to match up to a certain limit contributions of interested governments towards co-ordinated action.

Technical assistance was provided to Austria and Yugoslavia where the fall webworm, accidentally introduced from North America, threatens to develop into a major pest for other countries in Europe.

A technical meeting on the control of the olive fly was held in Italy, at which representatives from Mediterranean countries recommended a programme of experiments so as to arrive at the best control method. In this programme FAO acts in a co-ordinating and liaison capacity.

Animal disease problems continued to receive emphasis. Technical advisory assistance on animal disease control, including field control activities and the manufacture of biologics, was given by FAO experts to 20 countries. A training centre on the manufacture of rinderpest and other virus vaccines was held in India; 32 trainees participated. Work continued on the preparation of a constitution for the proposed European Foot-and-Mouth Disease Commission, the establishment of which was approved by the seventh session of the FAO Conference. A serious outbreak of foot-and-mouth disease in Syria led to the calling of an emergency meeting of representatives of eight countries at which plans for co-ordinated action were agreed upon. An Animal Health Meeting was held in Cyprus and recommended the establishment, under the auspices of FAO, of an Animal Health Commission for the Near East.

⁶ See also Co-ordinated Action for Increased Food Production, pp. 344-46.

FAO co-operated with UNICEF in the improvement and expansion of dairy production and processing facilities, particularly in the Near East and in Central and Latin American countries. Surveys were carried out in those regions to advise various Member Governments on their plans for milk conservation projects. A training centre was held in Costa Rica and a seminar on the latest developments in milk quality control was held in Rome. In co-operation with the International Dairy Federation, a meeting on cheese-making was held in France at which recent technical developments in this branch of the dairy industry were discussed.

FAO co-operated with the Inter-American Institute of Agricultural Sciences in a Range Management Training Centre, which was held on haciendas in Argentina for two months and was attended by over 30 participants from Argentina, Brazil, Chile, Paraguay and Uruguay.

Technical assistance in dairy production was given to ten countries; in range management to eight countries and in breeding and other phases of animal production to nine countries.

Zebu Cattle of India and Pakistan (Agricultural Study No. 19) was issued as part of a world-wide survey of the adaptability and productivity of breeds and types of cattle. Milk Pasteurization (Agricultural Study No. 28) was issued in co-operation with WHO.

To assist Member Governments in strengthening their extension services, an agricultural extension development centre was organized and conducted in Beirut in which representatives of ten Near East countries participated. Recommendations were made for regional co-operation in the training of personnel and the preparation of extension material. Eighteen junior extension workers of different Latin American countries received training at an Andean agricultural extension centre. An in-service training centre for young extension workers in Europe and nearby countries was held in the Netherlands in co-operation with the Netherlands Government and the United States Mutual Security Administration (MSA). Technical assistance was given by extension specialists in seven countries.

Work continued on the compilation of information on agricultural research institutions and projects in European countries. An index of animal husbandry research institutions and projects was completed and distributed to the governments involved.

Preliminary work was done to organize a technical meeting on co-operatives for Asia and the Far East, to be held in Ceylon in February 1954.

A panel of experts on supervised agricultural credit, jointly sponsored by FAO, the Institute of Inter-American Affairs and the American International Association, was convened in the Latin American region.

A number of countries received technical assistance from FAO experts in the development of small rural industries, such as the flaying and curing of hides and skins and the processing of dates. In addition, a number of papers on processing, as guides for the rural leaders concerned with small industries, were issued under the titles: Equipment for the Ginning of Cotton (FAO Development Paper No. 25), Equipment for the Processing of Rice (FAO Development Paper No. 27), and Equipment for the Processing of Long Vegetable Fibers (FAO Development Paper No. 26).

c. ECONOMICS

During 1953, FAO's field work in economics and statistics under the Expanded Programme included the operation of three training centres, while sixteen experts in conducting economic surveys in marketing and agricultural statistics completed assignments in the field. A sampling demonstration centre was held in Bangkok for South East Asia from September 1952 to March 1953; another statistical centre was undertaken in Nigeria for African territories south of the Sahara from July to September 1953; and a national training centre on the grading and inspection of rice and the economics of rice storage operations was held in Thailand from February to April 1953.

FAO continued to issue its series of Agricultural Statistical Yearbooks, covering trade and production of agricultural commodities, and in *The State of Food and Agriculture 1953* reviewed the whole field against the background of the general world economic situation. This was for the first time divided into two parts, the second dealing with longer-term prospects to encourage governments to examine national agricultural programmes against this world background. Publication of the FAO Monthly Bulletin of Agricultural Economics and Statistics was also continued.

The shift from technical to economic preoccupations in the formulation of national food and agricultural policies, stimulated by the appearance of surpluses, especially in North America but also in other regions, was reflected in the discussions at the seventh session of the FAO Conference and at regional meetings in the Near and Far East. With a view to developing a more selective approach to the problem of expanding

production and consumption, the Conference recommended that periodic regional consultations be held to review national policies and programmes along these lines and to further their co-ordination. Such meetings will be convened in 1954 in Latin America and the Near and Far East.

The programme of work on the improvement of agricultural statistics was intensified, with special emphasis on the role of sampling. A manual on Methods of Collecting Agricultural Statistics in Different Countries was completed for Europe; a book on Theory of Sample Surveys and its Applications was completed and published, giving a systematic account of sampling survey techniques in different fields such as crop acreage, crop yields and livestock numbers; and studies were started on the role of sampling in improving special sectors of agricultural statistics.

As part of the improvement of agricultural statistics the work on censuses was further intensified. A total of 95 countries and territories had, by the end of 1953, taken agricultural censuses within the framework of the 1950 World Census of Agriculture. The publication of these results has been planned in three volumes, the first dealing with concepts and methodology, the second with country results and the third with international comparison. In the meantime, results for 57 countries were published in a condensed form in the *FAO Monthly Bulletin of Agricultural Economics and Statistics*.

The Committee on Commodity Problems held two meetings in 1953. It reviewed developments in connexion with a number of commodities and paid particular attention to dollar trading in agricultural products. It continued to look for ways of stimulating consumption of milk and milk solids and to keep commodity trade under review, as well as to study the broader problems affecting agricultural commodities, such as obstacles to trade, national price policies and international stabilization techniques. At the request of the Conference in November 1953, the Committee set up a special working party of eight countries to study the most suitable means of disposing of agricultural surpluses and the principles which should be observed in such disposal. The working party was to meet in Washington in February 1954.

d. FISHERIES

As part of its work on fisheries, FAO continued to issue the quarterly *FAO Fisheries Bulletin*, the bi-monthly *World Fisheries Abstracts*, and the biennial *Yearbook of Fisheries Statistics*, which contains data on such matters as fishing craft,

catches and landings, production of processed commodities, and external trade statistics, and a number of other studies.

It also continued to provide a secretariat for both the General Fisheries Council for the Mediterranean and the Indo-Pacific Fisheries Council, which are concerned with organizing consultation and co-operation between member nations in their regions on fisheries resources, techniques and organization.

Three of the working groups of the FAO Interim Committee on Fish Handling and Processing held meetings during the year: the Group on Fisheries Products for Tropical Consumption met in Hull, England, in May; the Group on Pre-packaged Fishery Products, in Göteborg, Sweden, in November; and the Group on Chilling of Fish, in Rome in September. A special group met in Rome to discuss the feasibility of forming a Working Group on Freshness Tests for Fish.

An International Training Centre for Fishery Biology was held in Turkey in September and October. The objective of the Centre was to give training in practical fisheries biology and oceanography and in the investigation and development of marine resources.

The first International Fishing Boat Congress was organized and held in two sessions; the Paris, France, meeting in October having 200 participants from 24 countries, and the Miami, United States, meeting in November having 114 participants from seventeen countries. The same papers—68 in all—were presented at both meetings and covered the fields of boat types, hull shapes, sea behaviour, stability, safety at sea, engines, propellers, deck gear, economics, research vessels and factory ships. Each of the sessions appointed a committee to further international collaboration on fish boat design.

The second plenary session of the General Fisheries Council for the Mediterranean was held in Rome in October 1953, when 52 papers were presented. A precise programme of work was decided upon and special rapporteurs appointed for each of the main subjects included in the programme in order to channelize the papers and discussions for the next meeting which is planned to take place in Monaco in October 1954.

Many countries continued to require technical assistance in developing their marine fisheries and in organizing fish farming. Under the FAO programme, considerable progress has been made in fish pond development in, for example, Haiti, Thailand and the Dominican Republic, where the experimental techniques of FAO experts have been

applied commercially. Thus, in Haiti some 30 per cent of the commercial catch of fish from inland waters now consists of a species introduced by FAO since 1951. The development of sea fisheries in several parts of the world was being aided by increasing mechanization of small fishing craft, making it possible for fishing to be carried out over a wider area with less dependence on the weather. Increasing interest was also being shown by governments in improved fishing methods, introducing with FAO assistance types of gear which have proved effective in other countries. Some fifteen countries were being assisted in the development of their fresh and salt water fisheries by the end of 1953, and results of such projects were being seen in Liberia, where fishing enterprises were established to follow up the work of the FAO expert, in Ceylon, where the Government was importing considerable numbers of engines to install in local craft, and in Saudi Arabia, where a company was formed to apply commercially the findings of the FAO exploratory team.

e. FORESTRY

Technical assistance missions were active during 1953 helping to elaborate forest policies, drafting legislation and organizing administrative and technical services in nearly a dozen countries—in particular in Brazil, Mexico and Chile.

An important publication was the study of European Timber Trends and Prospects, which examined European timber production, consumption and trade since the beginning of the century to provide a guide to government officials and the timber industry for future policy. This study, prepared jointly with the Economic Commission for Europe (ECE), was discussed by a special working party of experts from fourteen countries, including the Soviet Union, at Geneva in June. Their findings were considered by a joint meeting of the Timber Committee of ECE and the FAO European Forestry Commission at Rome, in October, when a considerable degree of agreement was reached on Europe's future timber policies.

Improved sawing and machining practices, and basic principles of structural grading of timber were discussed at a meeting of members of the Technical Panel on Wood Technology at Geneva in September. There was a substantial interchange of information among members of the Technical Panel on Wood Chemistry, at Stockholm in July, on chemical utilization, especially wood saccharification. The report of the meeting was published.

A revised catalogue of tractors manufactured throughout the world was prepared and the com-

pilation of catalogues of other forestry equipment was continued. As a regular service, descriptions of new equipment developed for forest industries were published in the FAO quarterly *Unasylva*. FAO's Committee on Logging Techniques and Training of Forest Workers, which met in Finland in February, carried out further research aimed at increasing forest productivity, and participated in the preparation of studies on forest tractor specifications and use of tractors in forestry operations, to be published later.

Compilation of a World Forest Planting Manual was continued and special consultants prepared sections dealing with seed collection, storage and exchange; major sources of forest seed and plants for exchange; seed characteristics of important tree species; and nursery and planting practices in tropical areas. A consultant was also engaged to prepare a monograph on the introduction and use of the genus *eucalyptus*.

An important part of FAO's programme is to help increase world production of pulp and paper, a task confided to the organization by the United Nations Economic and Social Council. Technical assistance missions visited 24 countries to make preliminary surveys of the possibility of increasing pulp and paper output from unconventional materials or in countries at present without paper manufacturing industries. FAO participated with ECLA in an economic survey of Latin America. A survey of world-wide pulp and paper possibilities was prepared for consideration by the FAO Conference and the Economic and Social Council. In March a published report, *Raw Materials for More Paper*, summarized the conclusions of consultations by experts on recent technical advances in the manufacture of pulp and paper and the feasibility and cost of making pulp and paper from a number of unconventional materials, such as tropical woods, bagasse and other agricultural residues.

Processing of tropical hardwoods into chipboards was investigated in Burma. Boards made on an experimental scale from these timbers have been used to build test houses in Rangoon.

Specialized training courses arranged by FAO included a six-month Mechanical Logging Training Course in the Philippines which ended in March.

In Chile, besides helping in the establishment of a new forestry school, an FAO forestry mission was assisting the Government to implement forest programmes and policy drawn up by FAO and endorsed by the International Bank for Reconstruction and Development.

Research in Forestry and Forest Products, a compilation of research at leading institutions throughout the world was published; it will serve as a basis for the co-ordination of research programmes, revealing duplication of effort that can be avoided and gaps that need to be filled.

Measures against pests and diseases in two important species of trees were discussed by meetings of the International Poplar Commission in Germany, in May, and of the Chestnut Commission in Spain and Portugal, in June.

A Directory of Forest Schools, published during the year, provides a provisional guide to the courses of study of most of the world's important schools.

Elements of Forest Fire Control, also published in 1953, summarizes the experience and knowledge of countries with advanced forest fire control services with the aim of assisting countries less developed in this field to plan and organize similar services.

f. NUTRITION

FAO's nutrition programme in 1953 was essentially a further development of work already undertaken. As before, there was close collaboration with WHO and UNICEF.

Two regional nutrition conferences were held in Indonesia and Caracas, at which problems of nutrition in the Far East and Latin America, respectively, were considered. A conference on protein malnutrition was convened in Jamaica in November, jointly with WHO and the Josiah Macy Jr. Foundation. Special attention was given to measures for improving the nutrition of the vulnerable groups, particularly children, and a publication entitled *School Feeding: Its Contribution to Child Nutrition* was issued. A school-feeding seminar was organized in Costa Rica in August, in collaboration with UNICEF, the Government of Costa Rica, and the Institute of Nutrition for Central America and Panama (INCAP). This was attended by representatives from countries in Central America who are directly concerned with organizing school lunch programmes, its purpose being to iron out difficulties and to lay plans for future developments. A survey of the incidence of protein malnutrition in Brazil was made, jointly with WHO. This showed that syndromes due to protein malnutrition are prevalent in this part of the world and indicated measures for prevention. In the field of food technology, priority was given to methods of processing cheap protein-rich foods in order to make

these available and suitable for child feeding. A project for the manufacture of soyabean milk was initiated in Indonesia by FAO and UNICEF.

In Chile, assistance was given in improved baking and milling of flour and in India the Government of Uttar Pradesh was assisted in the establishment of fruit preservation centres to deal with the seasonal surplus.

Home economics continued to play an important part in the development programme of the Middle East, and assistance in this field was extended to the Caribbean, where a three-month training course in home economics for workers from the area was arranged from October to December. A Home Economics Information Exchange, which will help countries to obtain suitable materials on home economics and its teaching, was initiated.

g. PUBLICATIONS⁷

Probably the most important FAO general publication of 1953 was the *Second World Food Survey*, which brought the first survey of 1946 up to date and set nutritional targets for Member Governments to reach by 1960.

In addition to the various publications mentioned above under subject headings, FAO issued a manual of *Cereal Breeding Procedures* in the *Agricultural Development Paper Series* and, in the forestry studies, *Grazing and Forest Economy*, as well as a monograph on *Eucalypts for Planting*, which began a series on various tree species.

It continued its regular statistical services, including its yearbooks of food and agricultural statistics, of forestry and fisheries, bringing the previous yearbooks up to date. It also continued to issue its quarterly and monthly publications (referred to above). In addition, the newly established legislative branch, with its quarterly *Food and Agricultural Legislation*, offered a developing service of legislative information to governments.

4. Budget

The seventh session of the Conference adopted a budget of \$US6,000,000 (\$5,925,500 to be contributed by Member Governments and \$74,500 to come from miscellaneous income) to meet the expenses of FAO during 1954, as follows:

⁷ All FAO publications appear in English, French and Spanish and are available from sales agents, many of which are the same as those of the United Nations. Sample copies of all periodicals are available on request. A 1954 catalogue is available, and a regular service of bulletins of new publications is available from sales agents or direct from FAO in Rome.

The Food and Agriculture Organization

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Conference and Council	\$ 220,127 ⁸
Office of the Director-General	315,710
Administrative services	425,221
General operating expenses	532,408
Informational and educational services ..	483,568 ⁹
TOTAL	<u>\$1,977,034</u>
Technical Divisions	
Agriculture	\$1,026,497
Economics	1,091,599
Fisheries	464,645
Forestry	464,908
Nutrition	299,514
TOTAL	<u>\$3,347,163</u>
Regional Offices	
Asia and the Far East	\$ 107,295
Latin America	85,750
Near East	49,595
North America	148,552
TOTAL	<u>\$ 391,192</u>
Miscellaneous expenditure	\$ 91,900
Contingencies	42,711
Desert locust control	150,000
TOTAL	<u>\$ 284,611</u>
GRAND TOTAL	<u><u>\$6,000,000</u></u>

Member	Percentage	Amount
Finland	0.56	\$ 33,182.80
France	7.51	445,005.05
Germany, Fed. Rep. of ...	5.67	335,975.85
Greece	0.38	22,516.90
Guatemala	0.10	5,925.50
Haiti	0.05	2,962.75
Honduras	0.05	2,962.75
Iceland	0.05	2,962.75
India	4.56	270,202.80
Indonesia	0.83	49,181.65
Iran	0.34	20,146.70
Iraq	0.12	7,110.60
Ireland	0.27	15,998.85
Israel	0.19	11,258.45
Italy	3.00	177,765.00
Japan	2.80	165,914.00
Jordan	0.05	2,962.75
Korea, Rep. of	—	—
Laos	0.05	2,962.75
Lebanon	0.05	2,962.75
Liberia	0.05	2,962.75
Libya	0.05	2,962.75
Luxembourg	0.07	4,147.85
Mexico	1.15	68,143.25
Nepal	0.08	4,740.40
Netherlands	1.26	74,661.30
New Zealand	0.58	34,367.90
Nicaragua	0.05	2,962.75
Norway	0.65	38,515.75
Pakistan	1.15	68,143.25
Panama	0.06	3,555.30
Paraguay	0.05	2,962.75
Peru	0.21	12,443.55
Philippines	0.74	43,848.70
Portugal	0.37	21,924.35
Saudi Arabia	0.09	5,332.95
Spain	1.63	96,585.65
Sweden	1.97	116,732.35
Switzerland	1.54	91,252.70
Syria	0.10	5,925.50
Thailand	0.30	17,776.50
Turkey	0.79	46,811.45
Union of South Africa	0.77	45,626.35
United Kingdom	10.52	623,362.60
United States	30.00	1,777,650.00
Uruguay	0.23	13,628.65
Venezuela	0.57	33,775.35
Vietnam	0.21	12,443.55
Yemen	0.05	2,962.75
Yugoslavia	0.60	35,553.00
Total	<u>100.00</u>	<u>\$5,925,500.00</u>

The expenses of the organization are met by contributions from Member States in proportions determined by the Conference. The scale of contributions for 1954, as determined by the seventh session of the Conference, is as follows (in U.S. dollars).

Member	Percentage	Amount
Afghanistan	0.12	\$ 7,110.60
Argentina	1.60	94,808.00
Australia	2.07	122,657.85
Austria	0.55	32,590.25
Belgium	1.77	104,881.35
Bolivia	0.08	4,740.40
Brazil	1.71	101,326.05
Burma	0.15	8,888.25
Cambodia	0.05	2,962.75
Canada	5.71	338,346.05
Ceylon	0.20	11,851.00
Chile	0.41	24,294.55
Colombia	0.65	38,515.75
Costa Rica	0.05	2,962.75
Cuba	0.50	29,627.50
Denmark	0.92	54,514.60
Dominican Republic ...	0.07	4,147.85
Ecuador	0.06	3,555.30
Egypt	0.60	35,553.00
El Salvador	0.08	4,740.40
Ethiopia	0.13	7,703.15

⁸ Including \$49,530 to be carried over for expenditure on 1955 Conference Session.

⁹ Includes Library, Legislative and Headquarters and Regional Information Services.

ANNEX. MEMBERS, OFFICERS AND HEADQUARTERS

(As of 31 December 1953)

A. MEMBERS OF FAO

Afghanistan	Denmark	Iceland	Luxembourg	Sweden
Argentina	Dominican Republic	India	Mexico	Switzerland
Australia		Indonesia	Nepal	Syria
Austria	Ecuador	Iran	Netherlands	Thailand
Belgium	Egypt	Iraq	New Zealand	Turkey
Bolivia	El Salvador	Ireland	Nicaragua	Union of South Africa
Brazil	Ethiopia	Israel	Norway	United Kingdom
Burma	Finland	Italy	Pakistan	United States
Cambodia	France	Japan	Panama	Uruguay
Canada	Germany, Fed. Rep. of	Jordan	Paraguay	Venezuela
Ceylon		Korea, Rep. of	Peru	Vietnam
Chile	Greece	Laos	Philippines	Yemen
Colombia	Guatemala	Lebanon	Portugal	Yugoslavia
Costa Rica	Haiti	Liberia	Saudi Arabia	
Cuba	Honduras	Libya	Spain	

B. MEMBERS OF THE COUNCIL OF FAO

Argentina	France	Pakistan
Australia	India	Philippines
Canada	Iraq	Spain
Chile	Italy	Switzerland
Colombia	Japan	Thailand
Cuba	Lebanon	United Kingdom
Egypt	Liberia	United States
Finland	Netherlands	Uruguay

C. OFFICERS OF THE STAFF

1. OFFICE OF THE DIRECTOR-GENERAL

Director-General of FAO:

Norris E. Dodd (United States) to February 1954.
P. V. Cardon (United States) from February 1954.

Deputy Director-General:

Sir Herbert Broadley (United Kingdom)

Secretary-General:

Marc Veillet-Lavallée (France)

Special Assistants to the Director-General:

Frank L. McDougall (Australia)
Joseph Orr (United States)

Chief, Expanded Technical Assistance Programme:

Sir Herbert Broadley (United Kingdom)

Director, Informational and Educational Services:

Duncan Wall (United States)

Director, Administrative and Financial Services:

Frank Weisl (United States)

2. REGIONAL REPRESENTATIVES

Regional Representative of the Director-General for North America:

Gove Hambidge (United States)

Regional Officer for Latin America:

W. G. Casseres (Costa Rica)

Regional Representative of the Director-General for the Near East:

M. T. Hefnawy (Egypt)

Regional Representative of the Director-General for Asia and the Far East:

W. H. Cummings (United States)

3. DIVISION DIRECTORS

Agriculture:

F. T. Wahlen (Switzerland)

Economics:

A. H. Boerma (Netherlands)

Fisheries:

D. B. Finn (Canada)

Forestry and Forest Products:

Marcel Leloup (France)

Nutrition:

W. R. Aykroyd (United Kingdom)

D. HEADQUARTERS AND REGIONAL OFFICES

FAO Headquarters:

Viale delle Terme Di Caracalla, Rome
Cable Address: FOODAGRI ROME

Regional Office for the Near East:

Box 2223
Cairo, Egypt

Regional Office for Asia and the Far East:

Maliwan Mansion
Phra Atit Road
Bangkok, Thailand

Regional Information Office:

12 Theatre Communication Building
Queensway
New Delhi, India

Regional Offices for Latin America:

Escritorio Regional de la FAO
1008 Rua Jardim Botânico
Rio de Janeiro, Brazil

Oficina Regional de la FAO
Apartado 10778
Mexico 1, D. F.

Oficina Regional de la FAO
Ramon Nieto 920
Santiago de Chile

Regional Office for North America:
1325 C Street SW
Washington 25, D.C.

PAO Geneva Office:
Palais des Nations
Geneva, Switzerland

FAO New York Office:
Room 2245—United Nations
42nd Street and First Avenue
New York, N.Y., U.S.A.

PAO New York Information Liaison Office:
Room 378—United Nations
42nd Street and First Avenue
New York, N.Y., U.S.A.

C. The United Nations Educational, Scientific and Cultural Organization (UNESCO)¹

1. Introduction

The Conference for the establishment of an Educational, Scientific and Cultural Organization of the United Nations, convened by the Government of the United Kingdom in association with the Government of France, met in London from 1 to 16 November 1945. It was attended by representatives of 44 governments and by observers from a number of international organizations. The Conference drew up the Constitution of UNESCO.² It also established a Preparatory Educational, Scientific and Cultural Commission to function until UNESCO came into being.

The Preparatory Commission, during its one year of existence, prepared a programme for submission to the first session of the General Conference of UNESCO. It also took steps to meet some of the most urgent needs of educational, scientific and cultural reconstruction in war-devastated areas.

UNESCO came into being on 4 November 1946, when the Instrument of Acceptance of 20 signatories of its Constitution had been deposited with the Government of the United Kingdom.

The first session of the General Conference was held in Paris in November 1946. The Conference approved the Agreement establishing the relationship between the United Nations and UNESCO. This Agreement came into force on 14 December 1946, with its approval by the General Assembly of the United Nations.³

The purpose of UNESCO, as stated in its Constitution is:

"to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect

for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations."

To achieve its purpose, UNESCO is:

- (1) to collaborate in advancing the mutual knowledge and understanding of peoples through all means of mass communication;
- (2) to give fresh impulse to popular education and to the spread of culture; and
- (3) to maintain, increase and diffuse knowledge.⁴

During the first three years of work, in order to carry out the purposes of its Constitution, the programme of UNESCO became stabilized in seven main areas of activity: education, natural sciences, social sciences, cultural activities, exchange of persons, mass communication and relief assistance services. In 1950, an eighth area was added: technical assistance.

Up to the end of 1950, the relief assistance services worked to help rebuild education, science and culture in devastated countries by assembling information on the nature and extent of needs and by co-ordinating the efforts of voluntary organizations working in this field. Since then, this work has been focused on supplying educational and scientific materials to specific groups in certain countries.

¹ For further information concerning the origin and early activities of UNESCO, see previous volumes of the Yearbook, reports of UNESCO to the United Nations and annual reports of the Director-General to the General Conference.

² For text of UNESCO's Constitution, see Y.U.N., 1946-47, pp. 712-17.

³ For text of Agreement, see Y.U.N., 1946-47, pp. 717-21.

⁴ A fuller statement of the purposes and functions of UNESCO is given in Y.U.N., 1951, pp. 883-84.

UNESCO is concerned primarily with education. The programme has three main objectives: the extension of education, the improvement of education, and education for living in a world community.

In its fundamental education activities, UNESCO aims at providing people who do not have the advantages of formal education with the minimum knowledge and skills that are essential for them to improve their standard of living and to take part in the social and economic development of their country. In this field, it is establishing a network of regional and national teacher-training centres throughout the world and has established an information network for the exchange of experience and ideas on techniques among national projects of this nature.

By means of studies, conferences and missions of technical workers, UNESCO seeks to promote in all countries the development of free and compulsory education for all and to improve the quality of education everywhere.

Activities designed to promote education for living in a world community aim at the healthy social and mental development of children. UNESCO tries to assist this through the improvement of educational programmes, textbooks and other teaching materials, through teaching about the United Nations and the Universal Declaration of Human Rights, and through the association of young people with its work.

UNESCO also seeks, for example by making available travel grants for study abroad and by giving information concerning opportunities for study in various countries, to widen and increase the international movement of persons for educational, scientific and cultural purposes and thus contribute to better understanding among peoples.

In the field of natural sciences, UNESCO endeavours to facilitate the work of scientists and to develop co-operation between them, as well as to promote the work of international scientific organizations. It encourages scientific research and the teaching and popularization of science. To help the dissemination of scientific information, science co-operation offices have been set up in Montevideo, for Latin America; Cairo and Istanbul for the Middle East; New Delhi, for South Asia; and Djakarta and Manila, for South East and Eastern Asia.⁵

A number of international scientific organizations have been set up by UNESCO—such as the Union of International Engineering Associations, the Co-ordinating Council for International Medical Congresses, the International Union for the

Protection of Nature—which co-operate in the implementation of the programme.

In the social sciences, UNESCO seeks to apply scientific knowledge to human relationships within and between nations. Its studies of social tensions have revealed the social and psychological factors which affect the achievement of mutual understanding and peace. To facilitate the work of social scientists, UNESCO has set up or encouraged international bodies concerned with this field. The activities of these associations are now co-ordinated by an International Social Science Council.

UNESCO aids in the struggle against racial discrimination by conducting a campaign based on modern scientific findings. A Declaration on Race drawn up by experts and a statement by physical anthropologists and geneticists have disproved the pseudo-scientific justifications of racial discrimination and theories of racial superiority. A study of factors influencing race relations has also been made in Brazil.

Through its cultural activities programmes, UNESCO seeks to promote cultural exchanges between peoples and to create favourable conditions for co-operation among artists, musicians, philosophers and men of letters. UNESCO also helps in the development of museums and libraries and in the dissemination of reproductions of great works of art and translations of the literary masterpieces of the world. It endeavours to protect creative work and its authors and to this end drew up an International Copyright Convention, which was signed by 41 countries by the end of 1953.

In its mass communication work, UNESCO's efforts are designed to increase the scope and quality of Press, film and radio services throughout the world. It studies the barriers which obstruct the free flow of ideas and initiates recommendations and international agreements to remove these barriers. Thus, two international agreements have been drafted by UNESCO to promote the free circulation of educational, scientific and cultural materials, including newspapers and books. In addition, UNESCO has developed a system of coupons which allows people in soft-currency countries to buy with their own monies books, scientific equipment and educational materials from hard-currency countries.

Among its measures to further the exchange of ideas and experience, UNESCO has

(1) set up a clearing house of educational, scientific and cultural information;

⁵ See list annexed to this chapter.

(2) established several international professional organizations;

(3) called seminars and meetings of experts to deal with technical problems and to prepare programmes of work;

(4) sent missions of specialists to Member States to study their educational and other problems;

(5) conducted pilot projects in individual Member States designed to experiment in methods for solving problems;

(6) used exhibitions to show the organization's programmes and activities; and

(7) promoted international action in the form of agreements.

2. Organization

UNESCO consists of a General Conference, an Executive Board and a Secretariat.

The General Conference, which meets at least every two years, is composed of representatives of the Member States of UNESCO. It determines the policy of the organization, lays down the main lines of the programme of work for the following two years and votes the budget.

Each Member has one vote in the Conference. Decisions of the Conference are made by a majority of the Members present and voting except in certain cases, such as the adoption of international conventions or of amendments to the Constitution, which, under the Constitution, require a two-thirds majority vote.

New Members may be admitted into UNESCO, if they are Members of the United Nations, by signing the Constitution and depositing an instrument of acceptance. Other States require, in addition, a favourable recommendation of the Executive Board and a two-thirds majority vote of the General Conference, and their applications for admission are subject to the approval of the United Nations.

The Executive Board, consisting of 20 members elected for four-year terms by and among the delegates to the General Conference, meets periodically to deal with problems arising during the year, to draft the programme and to supervise its execution by the Secretariat. The members of the Board act in a private capacity and not as representatives of their governments. They are selected for their competence in the fields of education, science or culture.

The Secretariat consists of the Director-General and the staff. The Director-General, appointed by the General Conference on the nomination of

the Executive Board, is the chief administrative officer of UNESCO.

Under article 7 of UNESCO's Constitution, each Member State is required to make arrangements for the establishment of a National Commission or Co-operating Body. These National Commissions, numbering 64 at the end of 1953, serve as a link between UNESCO and the government departments, other bodies and individuals concerned with education, science and culture in each country. Their function is to carry out within each Member State the programme of UNESCO and to contribute to the attainment of its purposes.

3. Activities during 1953

During the year, the number of Member States rose to 69 with the admission of Chile, Libya, Nepal and Spain.

UNESCO's activities, particularly in the fields of education and science, developed considerably. The following were among the major projects undertaken:

a. EDUCATION

The outstanding event of the year in the education programme was the opening of the international fundamental education centre for the Arab States at Sirs el Layyan, Egypt. Designed to train teachers in the techniques of fundamental education and produce teaching material, it is the second such centre to be set up by UNESCO as part of its world campaign against ignorance, poverty and disease, the first being at Patzcuaro, Mexico, in 1951. Fifty students from Egypt, Syria, Lebanon, Jordan, Iraq, Saudi Arabia and the Palestine Arab Refugees were the first group to join the centre, where they are trained in theoretical and practical work. A second course for some 50 more students was due to start early in 1954.

The centre is a co-operative enterprise between the Egyptian Government and UNESCO, as well as the United Nations, the World Health Organization (WHO), the Food and Agriculture Organization of the United Nations (FAO) and the International Labour Organisation (ILO). It is composed of three divisions—training, production and research, with a library and regional clearing house—which aim at training leaders for fundamental education in the Arab world, producing educational material and carrying out a research programme of rural problems in the Arab States.

At Patzcuaro, 55 new students from seven Latin American Member States were enrolled during the year. With the co-operation of the Mexican

Indian Institute, a small industries project in ceramics and weaving was established near the centre for the purpose of improving techniques of production and the quality of output while retaining the original designs and motifs of the locality. The centre also aims at showing how local industries can be organized and encouraged and put on a sound economic basis. The 63 students who were enrolled in 1952 completed their 19-months training course and returned to their home countries, where most of them have been placed in significant jobs in fundamental education.

In response to the invitation of the General Conference, more national committees for fundamental education were established in Member States; the number rose to 28 during the year. Their object is to stimulate fundamental education in their own countries, keep UNESCO informed of such activities and help supply experts whenever necessary.

The members of the Associated Projects system rose during the year to 53 in eighteen countries. The aim of this system is to encourage the international exchange of information and materials and to carry out field experiments for developing and testing new methods and materials for use in fundamental education programmes. Two short seminars on the production and use of visual aids in such programmes took place in India.

A seminar on the problems of international understanding was held in July in France. Various study groups examined the difficulties in such teaching within the workers' international movement, and considered the problems raised by the needs of under-developed countries.

A second seminar took place, also in France, in July on the teaching of citizenship in workers' education. Its object was to consider the methods and content of teaching in the workers' educational movement best adapted to foster a common conception of civic responsibilities in accordance with the principles of the United Nations and the Universal Declaration of Human Rights.

Regarding the education of women, UNESCO published a survey of educational opportunities for women in Chile, India and Yugoslavia. Similar surveys were made during the year in Japan and the Philippines, with special attention to the social conditions bearing upon the access of women to education.

In the Arab refugees camps in the Middle East,⁶ the number of children receiving formal schooling by 31 December 1953, due to the com-

bined efforts of UNESCO and the United Nations Relief and Works Agency (UNRWA) totalled some 150,000. The number of pupils in UNRWA-UNESCO primary schools was approximately 92,000 and in secondary schools 4,000, and there were some 55,000 pupils in private and government schools. Vocational training was also introduced by UNESCO and UNRWA. A large number of classrooms were built, and it is hoped that by the end of 1954 there will be no more tent schools. The pupil-teacher ratio was reduced to an average of 45 pupils in a class, and teachers' salaries were brought to the approximate level of those paid to teachers in the schools of host countries.

In view of the success of an experiment in fundamental education started in a refugee camp near Beirut, a new centre was opened at another camp in Jordan in October 1953. It was planned to spread this work to about 20 camps in the course of the 1953-54 school year.

In Korea, after a stay of six months in the country, the educational planning mission, sponsored jointly by UNESCO and the United Nations Korean Reconstruction Agency, completed its task of surveying Korea's educational needs and drawing up a long-term plan for the reconstruction of education.

An international seminar on the contribution of the teaching of modern languages toward education for living in a world community was organized by UNESCO at Nuwara Eliya, Ceylon, in August 1953, and was attended by representatives from eighteen Member States. Round table discussions were held on such topics as: the cultural aspect of modern language teaching; language teaching as an aid to understanding foreign peoples and civilizations; psychological problems of language teaching and language learning; and the training of modern language teachers. In addition, specially urgent problems confronting certain countries in Asia and certain territories in Africa were discussed. The seminar was particularly interested in: (1) experiments currently being carried out in certain Member States with a view to starting language teaching at a much earlier stage; (2) methods used to teach languages rapidly to adult immigrants; (3) the need for revision of language-teaching textbooks; and (4) new methods of language teaching, such as the simplification method and the linguistic method.

A seminar on the production and use of visual aids in fundamental education was held at Messina, Sicily. The first world seminar of its kind,

⁶ See also under Palestine Refugees, pp. 236-37.

it was designed to bring together the experiences of educators and technicians from all continents and from international organizations actively concerned with fundamental education. Twenty-eight countries and territories from all parts of the world were represented. The seminar examined films, filmstrips and other visual aids already produced under the auspices of Member States of UNESCO and in such UNESCO projects as those under way at Patzcuaro, in Haiti and at Beirut. It also studied means of improving and increasing the effectiveness of visual aids in fundamental education programmes.

UNESCO organized the second regional study and information seminar for leaders of youth movements which took place in Tokyo from 6 to 27 October. Fourteen Member States of the Asian Continent and Australasia were represented by 34 youth leaders. Practical suggestions for the action of youth organizations were made in the fields of fundamental education, housing and family life, work and recreation. The specific needs of youth organizations in the area, and new techniques for work with youth were studied.

In 1953, UNESCO provided over 100 youth groups in 65 countries with study kits containing materials on some of the problems facing the United Nations and the specialized agencies.

The UNESCO Youth Institute in Munich called a seminar on the role and organization of youth centres as well as a conference of government officials responsible for youth questions in sixteen countries. The purpose of this conference was to study the situation of youth in general and of youth organizations in particular, the contributions being made by governments to youth activities, particularly on an international level; and, finally, to determine what particular studies and inquiries with reference to youth were most urgently required.

During the year, UNESCO continued to maintain close contact with, and give financial assistance to, international organizations in the field of education whose activities were of particular importance to its programme. The UNESCO Clearing House service was extended to cover all parts of the education programme; it prepared and published reports on various educational subjects. Assistance was also provided to Member States in studying particular problems by educational experts sent by UNESCO.

b. NATURAL SCIENCES

In 1953, UNESCO continued to foster international relations between scientists, directly and

through the various professional bodies with which it co-operates.

During the year the European Organization for Nuclear Research, originally planned by UNESCO,⁷ came into being. The purpose of this body is to proceed with the construction of a modern laboratory for nuclear research and to develop co-operation between existing laboratories in theoretical studies already in progress in various countries. The research will be of a non-military character, and the laboratory will serve to train scientists in this field.

The Convention establishing the organization on a permanent basis was approved in July by representatives of Belgium, Denmark, France, the Federal Republic of Germany, Greece, Italy, the Netherlands, Norway, Sweden, Switzerland, the United Kingdom and Yugoslavia, all of which signed it by the end of the year. It will enter into force when ratified by seven states whose contributions total 75 per cent of the budget. The headquarters of the organization will be near Geneva. Two study groups, composed of specialists from participating countries, were working on the designs of the two main machines of the international laboratory: a synchro-cyclotron for 600 MeV and a proton synchrotron for 25 GeV.

UNESCO's efforts to help improve the living conditions of mankind in the world's arid and semi-arid zones, inaugurated in 1951 when the Advisory Committee on Arid Zone Research was created, were intensified in 1953. Each year the Committee holds two meetings to consider research on one of the major aspects of the arid zone problems, and the following year an international symposium on this subject is held. The subject in 1953 was energy sources.⁸ Meetings were held in May in Paris, and in November at Montpellier, France, in conjunction with an international symposium of plant ecology, organized by UNESCO, with the participation of experts from fifteen Member States. Reviews of Research on Arid Zone Hydrology was published in May, and a directory of institutions engaged in arid zone research was issued in November. UNESCO was invited to organize a symposium on wind and solar energy of the arid zones in India in the autumn of 1954.

To provide the general public with up-to-date information on progress in the sciences, a travelling exhibition of "Our Senses and the Knowledge of the World" was circulated in Eastern Asia early

⁷ See Y.U.N., 1952, p. 844.

⁸ See also under World Meteorological Organization.

in 1953 and was seen in the Philippines and Japan by some 200,000 people; an exhibition on "New Materials" was circulated in Yugoslavia, Turkey and Egypt; and, at the request of the Government of Israel, an exhibition on the arid zone was prepared by UNESCO in co-operation with FAO, WHO and ILO and shown in Jerusalem.

The Kalinga Prize for 1953 was awarded to Dr. Julian Huxley. This Prize, of 1,000 pounds sterling, was established in 1951 as a gift to UNESCO from Mr. Patnaik, an Indian industrialist. It is awarded annually by UNESCO for outstanding and continued achievement in the dissemination and interpretation of science to the general public in books, articles, radio programmes or films.

The science co-operation offices continued to facilitate the task of scientists by supplying information and materials on a variety of subjects in response to several hundred requests. In addition, these offices undertook specific activities, such as organizing or assisting in convening international training courses on scientific questions, arranging lecture tours by prominent scientists and publishing information and documentation.

c. SOCIAL SCIENCES

A new phase in UNESCO's work in the social sciences opened in 1953 with the formation of the International Social Science Council, set up to combine the resources of all the social sciences for a joint study of the main social problems of our time. In addition, UNESCO continued, through subventions and services, to assist ten non-governmental organizations which contribute to the implementation of its programme.

During the year, social science field officers—in the Middle East, South Asia and the Western Hemisphere—endeavoured, *inter alia*, to develop and set up national co-ordination and research bodies. Thus, national sections of the International Committee of Comparative Law were set up in Egypt, Lebanon and Turkey and a political science association was established in Turkey.

The UNESCO Institute for Social Sciences in Cologne was engaged in a study of social integration and social participation throughout the Federal Republic of Germany. This is based on a representative sample of the whole population between 18 and 79. The Institute also studied the pattern of integration of foreign ethnic groups in the country. In September, representatives of research institutes active in the study of the labour management problems of industry met in Dortmund to plan a multi-national project. Social

scientists from Finland, France, the Federal Republic of Germany, the Netherlands, the United Kingdom and the United States attended. An International Committee for Social Research in Industry was formed on a permanent basis and a joint project for the study of labour management relations and related problems in the steel industry was agreed upon.

A conference, arranged jointly by the United Nations and UNESCO, held at New York in April 1953, dealt with the social problems raised by the application of technical assistance programmes for the economic development of under-developed countries. It clarified some of the chief sociological and economic problems raised by the execution of these programmes.

In 1953, UNESCO also undertook a number of regional social studies. The research work, conducted under the auspices of the International African Institute, on the social effects of industrialization in Stanleyville (Belgian Congo) was completed, and several similar research undertakings were carried out in South Asia. Their object was not only to collect first-hand data on the social consequences of technological development in the countries concerned, but also to familiarize research workers in the area with the most up-to-date analytical methods.

UNESCO also arranged with three international non-governmental organizations to carry out studies of certain social aspects of land reform in various regions affected thereby, of the legal problems bound up with the implementation of such reform and of the co-operative movement in agriculture.

The educational campaign started by UNESCO in 1949 to remove what is commonly known as racial prejudice continued in 1953. The campaign involved the dissemination of scientific data on race questions and a study in various countries of the positive contributions made towards the solution of race problems. The Race Concept—Results of an Enquiry and The Catholic Church and the Race Question were issued.

Since 1951, UNESCO has been investigating the positive aspects of relations between human groups with a view to drawing constructive conclusions. Two volumes containing the initial results of the survey conducted in Brazil were issued in 1953. In addition, a survey was completed of the action taken by government departments and private associations in six countries (Brazil, French West Indies, the Federal Republic of Germany, Mexico, United States and Yugoslavia) to speed up the integration of ethnic or cultural minorities.

At the suggestion of the United Nations, and, more especially, of its Commission on the Status of Women, UNESCO, in a selected number of countries, carried out a study on the political role of women, the way in which women participate as citizens and the factors which promote or hinder their participation in public life. It was decided, in agreement with the Governments of France, the Federal Republic of Germany, Norway and Yugoslavia, to carry out more intensive research in these four countries, where women have secured equal political rights at different stages in economic and social development. Meanwhile, the over-all study, based upon information gathered from fifteen countries, reviewed such factors as the influence of age, social and educational background, rural or urban environment, family ties, professional status, etc. on the political interest and participation of both men and women. In addition, a public opinion poll on the subject was conducted in France in June 1953 by the Institut français d'Opinion publique.

A second International Statistical Congress was opened at Beirut under the auspices of UNESCO and the International Statistical Institute.

d. CULTURAL ACTIVITIES

The cultural activities of UNESCO continued to develop in 1953 in the four following spheres: international cultural co-operation; dissemination of culture; protection of writers, artists and scientists; and preservation of the cultural heritage of mankind.

In these activities, UNESCO had the co-operation of international non-governmental organizations, for example, the International Council for Philosophy and Humanistic Studies, the International Theatre Institute, the International Music Council, the International Association of Plastic Arts, the International PEN Club, the International Association of Art Critics, the International Union of Architects and the International Council of Museums.

The international studies and discussions on cultural subjects organized in 1953 and the publications issued during the year were designed to strengthen the intellectual and moral ties between countries and individuals belonging to different civilizations. A new series of UNESCO publications, entitled *Unity and Diversity of Cultures*, was started, and the first issue on the *Inter-relations of Cultures* published.

The draft International Convention for the Protection of Cultural Property in the Event of Armed Conflict⁹ was circulated by UNESCO to

its Member Governments in 1953 prior to its consideration at an intergovernmental conference due to be held in 1954. Meanwhile, the Governments of Cambodia, the Dominican Republic, Greece, Iraq, Italy, Laos, Norway and the Philippines have, by unilateral declarations, bound themselves to take precautions to spare cultural treasures in the course of military operations, and to abstain from using immovable cultural property and its surroundings for purposes likely to expose it to attack.

At the request of the Yugoslav Government, UNESCO sent an expert to that country to direct the restoration of the Church of Saint Sophia at Ochrida and its valuable mural paintings. The work was carried out with the help of a group of Italian and Yugoslav experts. In addition, an exchange of architects with specialized knowledge of historical monuments was arranged between the French and Yugoslav Governments.

UNESCO also organized, at the invitation of the Lebanese Government, a mission to report on the general conditions of the monuments of the city of Tripoli (Lebanon) and on the measures to be taken to safeguard such of these monuments as should be preserved. The mission also submitted a plan for laying out the area surrounding the Baalbeck ruins. The same mission proceeded to Syria, where it examined the condition of the monuments and archeological and historical sites of that country as well as the measures to be adopted for their preservation.

During the year, an International Study Centre for the Preservation and Restoration of Cultural Property was formed to:

- (1) assemble and disseminate information concerning the preservation and restoration of cultural property;
- (2) co-ordinate and extend research in this field;
- (3) act as consultant; and
- (4) assist in the training of research workers and technicians.

Three conferences were convened by UNESCO in 1953 in order to foster the knowledge of the arts: "Theatre and Youth", "The Role and Place of Music in the Education of Youth and Adults" and "The Professional Training of Musicians". At the last two, problems of musical education were reviewed by music teachers from all over the world. The first of these two meetings studied all aspects of music teaching and called for an international inquiry into musical education and decided that an International Society for Music Education should be created. The second considered the exchange of pupils and teachers, the foundation of

⁹ See Y.U.N., 1952, p. 845.

secondary schools for musicians and the establishment of an international competition for conservatory graduates.

Three new albums of colour reproductions were compiled, covering the Ajanta frescoes (Hyderabad, India), the tomb and temple paintings in the Valley of the Kings (Egypt) and Australian Aborigine Art. The number of UNESCO touring exhibitions of colour reproductions increased to 89 by the end of the year.

The fifth volume of Index Translationum was issued, covering over 16,000 translations published in 47 countries.

UNESCO's main activity in the field of libraries, documentation and archives is designed to make books and publications more readily available. A new problem engaging its attention was that of the specialized training of librarians, since many countries lack librarians sufficiently qualified to meet present day demands.

The Delhi Public Library, a pilot project organized by the Government of India and UNESCO, developed greatly in 1953. It served 70,000 men, women and children from all strata of life each month and lent 1,000 books a day. The Library's film showings, discussions, lectures and story hours for children drew several thousand people a month. Small collections of books were set up in literacy centres as part of the Library's programme for new literates and a mobile unit carrying 3,000 volumes took service to outlying sections of Delhi and nearby villages during the year.

A seminar, held in July and August at Ibadan, Nigeria, on the development of public library services in Africa considered the professional training of librarians, and the organization of stationary libraries and of a network of free public libraries equipped with mobile units.

Through the UNESCO Bulletin for Libraries, over 8,000 books were offered for free distribution during 1953 by libraries in 27 countries, and 10,000 were offered for exchange in 36 countries.

e. MASS COMMUNICATION

One of the major activities of the 1953 programme in this field was the organization of the seminar on the use of visual aids in fundamental education which was held at Messina, Sicily, during the summer.¹⁰

A report on the present stage of development of television in the world, covering 45 countries and territories, was published. Details are given for each country of the history, structure and financing of the television services, the technical

facilities available and the programming policy with special reference to educational programmes.

During the year, a number of additional countries decided to apply the UNESCO Agreement on the Importation of Educational, Scientific and Cultural Materials, bringing the total of participating countries to seventeen by the end of the year.

The Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an educational, scientific and cultural character had, by the end of 1953, been signed by 21 countries and ratified by nine. It will come into force when ratified by ten countries.¹¹

Two alternate drafts of an international instrument for the removal of obstacles to the movement of persons travelling for educational purposes were circulated to Member States.

The International Air Transport Association (IATA), which establishes international air transport rates, was requested by UNESCO to consider granting reductions in air freight rates for educational materials. The Association decided to reduce by 50 per cent the air freight rates for books in the European region, to take effect in April 1954.

A joint UNESCO/WHO/UNICEF reportage mission was sent to four Eastern Mediterranean countries to cover all the important activities of the three agencies in the field.

A UNESCO film "World Without End", a one-hour study of the creative work undertaken by the United Nations and the specialized agencies in the social and economic fields, was produced. The film was shot in Thailand and Mexico, two countries which illustrate effectively the co-operation of national governments and international agencies in social and economic activities. The film, which was directed by Basil Wright and Paul Rotha, was first released in English at the Edinburgh Festival in August 1953 and was then televised throughout the United Kingdom. French and Spanish versions of the film were also prepared.

UNESCO's coupons programme, introduced in 1948 as the Book Coupon Scheme with only five participating countries, was extended in 1950 to cover payment for educational films and scientific material and, by the end of 1953, was operating in over 30 Member States. During the year, \$1,600,000 worth of coupons were issued, bringing to over \$4,500,000 the amount of coupons so far put into circulation.

¹⁰ See pp. 746-47.

¹¹ The Agreement came into force on 12 August 1954.

The Gift Coupon programme, introduced in 1951, was in operation in eleven participating countries, which were actively promoting and publicizing it and collecting funds for UNESCO assistance projects. During the year, more than 160 institutions in 37 countries and territories received gift coupons.

f. EXCHANGE OF PERSONS

The activities of UNESCO in this programme were carried out along three main lines in 1953: the development of research and world-wide dissemination of information on the international exchange of persons programme; the promotion of educational exchanges; and the administration of international fellowships.

The clearing house for the collection of information on international exchange of persons programmes answered a large number of individual inquiries concerning foreign study opportunities. Several surveys, one of which concerned the number of foreign students enrolled in universities and institutions of higher learning, were published. They included: Volume V of Study Abroad, showing the distribution of some 45,000 scholarships and fellowships offered by donating countries, beneficiary countries and subjects of study; Volume V of the Vacation Study Supplement, containing information about some 500 vacation courses, study tours and work camps; a revised edition of Travel Abroad, giving information on visa and currency regulations, reductions granted to students and other persons travelling abroad on educational tours, in 150 countries and territories; and the first volume of Teaching Abroad, containing particulars of university professors and lecturers wishing to find teaching posts abroad.

The Workers' Study Tours programme, initiated by UNESCO in 1952, was repeated in 1953. Grants were made to 48 different groups covering 900 manual and non-manual workers from twelve European countries. The grants enabled these groups to study social conditions and cultural activities in another European country and brought them into direct touch with workers in their own trades and occupations.

Grants were also made to four non-governmental organizations to set up summer schools for workers in France.

Under the Youth Travel Grant Scheme, UNESCO allocated \$33,000 to cover travel costs of young people participating in international activities of an educational character. Forty-one grants were awarded to persons from 36 different countries.

UNESCO university courses, consisting of international teams of teachers, were organized in 1952-53 in the University of Dacca, Pakistan, and in the University of Caracas, Venezuela.

A scheme was started for the reciprocal exchange of secondary school teachers in the Middle East and Latin America for the academic year 1952-53 or 1953.

The fellowship programme financed by UNESCO provided for 71 fellowships, which were allocated to 46 Member States during the year, while six different schemes of UNESCO-sponsored fellowships were administered by the organization.

g. TECHNICAL ASSISTANCE

UNESCO's technical assistance activities in 1953 included an increasingly high proportion of long-term projects. The range of fields of work in which they were carried out (fundamental education, primary and secondary teaching, special educational services, technical instruction, scientific instruction, scientific research, documentation services and advisory services in the scientific fields) reflects the effort that was made to adapt this assistance to the variety of situations and needs in the different countries. By the end of the year, UNESCO had 130 experts working in 36 countries on 71 projects. Its share of the funds from the Special Account of the Expanded Programme of technical assistance totalled \$3,035,000.

In volume, fundamental education projects continued during 1953 to be the most important form of technical assistance. A certain number of missions have been in the field for several years. Their work has resulted, in some cases, in the creation of truly national fundamental education centres where local experience is placed at the disposal of the country as a whole. This was achieved in the Minneriya Centre, in Ceylon, and the Dujaila Centre, in Iraq. In Liberia, the Klay Centre also made promising progress. In Haiti, national staff was trained at the Marbial Centre and also through the fellowships awarded by the Patzcuaro Centre; as a result it was possible for the UNESCO mission in Haiti to be brought to an end in the course of the year.

In certain comprehensive experiments, assistance in fundamental education is linked with other types of assistance. For example, in the province of Chachoengsao, in Thailand, assistance in fundamental and adult education is helping to improve education at all levels. There, organization of primary and secondary schools of a practical nature was combined with teacher training.

Teacher training remained one of UNESCO's priority projects throughout the year. In countries where the number of qualified teachers is not sufficient to meet school needs, certain special forms of assistance have been rendered. In Pakistan, school broadcasts were organized and all middle schools of the Karachi region were receiving sets. In Colombia, in the Sutatenza region, the education of a whole area was made possible through the creation of a network of "radio schools".

In Libya, trained teachers and textbooks had to be sent for from other countries. With the assistance of UNESCO, an educational and production centre was set up in Tripoli. UNESCO also provided experts in child psychology, physical education, and in the production of textbooks; specialists in teaching methods and manual training; and a lecturer in geography. The activities of the mission were co-ordinated with the Libyan American Technical Assistance Service, which provided a large amount of equipment. New syllabi were prepared by the educational authorities. Sixty men teachers and 21 women teachers in the teachers' college passed the third-year examination before the 1953 summer vacation.

Teacher training is also one of the major activities of the educational organization mission sent by UNESCO to Costa Rica. This is a comprehensive project and includes rural education, primary education, vocational education, teacher training and school administration. After a survey of the general situation, two pilot projects were carried out in the fields of rural and fundamental education. Teachers were trained in the techniques of rural education.

Elsewhere, the improvement of primary and secondary education took on more classical forms, such as in Peru and Indonesia where science teachers were being trained. Technical education, at a more modest level, remains, however, the outstanding need of many countries. At the Afghan Institute of Technology and in Laos, at the Vietiane technical school, specialists were being trained for immediate practical purposes.

Another example of assistance in the field of practical science teaching is provided by the Indian Institute of Technology at Kharagpur. The teaching of theoretical science in India was adequate, but the students who were trained needed guidance in order to apply their knowledge to industrial and other practical problems. UNESCO sent experts in mechanical engineering, civil engineering and hydraulics. Equipment came from UNESCO, the United Kingdom and Australia,

through the Colombo Plan, the American Point Four Program and from the United States Technical Co-operation Administration. Undergraduate and post-graduate instruction in production technology was given during the year. The Institute achieved such satisfactory results that it is to be incorporated in the machinery set up for implementing the Five-Year Development Plan for India.

The year also saw the development of the scientific and technical documentation centres started with UNESCO's help in Mexico City, Belgrade, New Delhi and Ankara. New centres were planned in Uruguay and Egypt.

4. Budget

The seventh session of the General Conference, meeting in November-December 1952, approved a budget of \$18,712,964 to carry out the programme of activities for 1953 and 1954. The estimates for 1953 were \$9,017,849 and for 1954 \$9,695,115. The estimated distribution of funds for 1954 is as follows (in U.S. dollars):

PART I. General policy	\$ 567,985
PART II. General administration	1,344,416
PART III. Programme operations and services:	
Education	1,750,212
Natural sciences	799,689
Social sciences	542,364
Cultural activities	894,686
Mass communication	1,127,694
General resolutions	107,770
Documents and publications service ..	<u>993,409</u>
TOTAL PART III	\$8,128,225
PART IV. Common service costs	<u>696,437</u>
TOTAL PARTS I, II, III AND IV	\$8,824,662
PART V. Reserve	870,453
TOTAL APPROPRIATION	<u><u>\$9,695,115</u></u>

Contributions to the budget are made by Members of UNESCO according to the scale adopted for the administrative budget of the United Nations, with adjustments to provide for the difference in membership of the two organizations. The scale of contributions for 1953-54, as approved for 66 Member States of UNESCO by the seventh session of the General Conference, is as follows:

SCALE OF CONTRIBUTIONS (1953-1954)				Members	Percentage	Members	Percentage
Members	Percentage	Members	Percentage				
Afghanistan	0.09	Egypt	0.54	Lebanon	0.06	Spain	1.39
Argentina	1.55	El Salvador	0.06	Liberia	0.04	Sweden	1.77
Australia	1.88	France	6.17	Luxembourg	0.06	Switzerland	1.35
Austria	0.27	Germany,		Mexico	0.75	Syria	0.09
Belgium	1.47	Fed. Rep. of ..	4.52	Monaco	0.04	Thailand	0.19
Bolivia	0.06	Greece	0.20	Netherlands	1.34	Turkey	0.70
Brazil	1.55	Guatemala	0.06	New Zealand ..	0.51	Union of South	
Burma	0.14	Haiti	0.04	Nicaragua	0.04	Africa	0.89
Cambodia	0.04	Honduras	0.04	Norway	0.54	United Kingdom	11.04
Canada	3.54	Hungary	0.51	Pakistan	0.85	United States ..	33.33
Ceylon	0.14	India	3.70	Panama	0.06	Uruguay	0.19
China	6.03	Indonesia	0.64	Peru	0.19	Venezuela	0.38
Colombia	0.38	Iran	0.35	Philippines	0.42	Vietnam	0.18
Costa Rica	0.04	Iraq	0.13	Poland	1.69	Yugoslavia	0.47
Cuba	0.36	Israel	0.18	Saudi Arabia ..	0.08		
Czechoslovakia	1.13	Italy	2.36				100.00
Denmark	0.84	Japan	2.04				
Dominican		Jordan	0.04				
Republic	0.06	Korea	0.13				
Ecuador	0.04	Laos	0.04				

The contributions of Chile, Libya and Nepal, which officially joined the organization in 1953, were later assessed as follows for 1953-54: Chile, 0.35; Libya, 0.04; Nepal, 0.04.

ANNEX. MEMBERS, OFFICERS AND HEADQUARTERS
(As of 31 December 1953)

A. MEMBERS OF UNESCO

Afghanistan	Cuba	Hungary ¹²	Luxembourg	Spain
Argentina	Czechoslovakia ¹²	India	Mexico	Sweden
Australia	Denmark	Indonesia	Monaco	Switzerland
Austria	Dominican Republic	Iran	Nepal	Syria
Belgium	Ecuador	Iraq	Netherlands	Thailand
Bolivia	Egypt	Israel	New Zealand	Turkey
Brazil	El Salvador	Italy	Nicaragua	Union of
Burma	France	Japan	Norway	South Africa
Cambodia	Germany,	Jordan	Pakistan	United Kingdom
Canada	Fed. Rep. of	Korea	Panama	United States
Ceylon	Greece	Laos	Peru	Uruguay
China	Guatemala	Lebanon	Philippines	Venezuela
Chile	Haiti	Liberia	Poland ¹²	Vietnam
Colombia	Honduras	Libya	Saudi Arabia	Yugoslavia
Costa Rica				

B. MEMBERS OF THE EXECUTIVE BOARD

(As constituted by the seventh session of the General Conference)

Chairman:

General Sir Ronald Adam (United Kingdom)

Vice-Chairmen:

F. Bender (Netherlands)

S. M. Sharif (Pakistan)

Members:

Rafael Bernal Jimenez (Colombia)
Antonio Castro Leal (Mexico)
Ventura Garcia Calderón (Peru)
Toru Haguiwara (Japan)
Henri Laugier (France)
Pin Malakul (Thailand)
Mgr Jean Maroun (Lebanon)
Nathaniel Massaquoi (Liberia)
Sir Arcot Laxmanswami Mudaliar (India)
Jakob Nielsen (Denmark)
Senator Geronima Pecson (Philippines)

John Perkins (United States)

Jean Piaget (Switzerland)

G. A. Raadi (Iran)

Oscar Secco Ellauri (Uruguay)

Vittorino Veronese (Italy)

Constantine K. Zurayk (Syria)

C. PRINCIPAL OFFICERS OF THE SECRETARIAT

Director-General:

Luther H. Evans (United States)

D. HEADQUARTERS AND OTHER OFFICES

1. HEADQUARTERS

Address: UNESCO HOUSE
19, avenue Kléber
Paris 16^e, France
Cable Address: UNESCO PARIS

¹² These three Governments have notified UNESCO that they no longer consider themselves Members.

2. NEW YORK OFFICE

Address: UNESCO
c/o United Nations Headquarters
Room 2201
New York 17, N.Y.

Cable Address: UNESCORG NEWYORK

3. HAVANA REGIONAL OFFICE

Address: UNESCO Centro Regional end
Hemisferio Occidental
Calle 5a No. 306
entre C y D Vedado
Habana, Cuba

4. SCIENCE CO-OPERATION OFFICES

Centre de Co-operation Scientifique de l'UNESCO
1320 Bulevar Artigas
Montevideo, Uruguay

UNESCO Science Co-operation Office
8, Sh. El Salamlik
Garden City
Cairo, Egypt

Centre de Co-operation Scientifique de l'UNESCO
Istanbul Teknik Universitesi
Gümüş Suyu
Istanbul, Turkey

UNESCO Science Co-operation Office
United Nations Building
Padre Faura
Manila, Philippines

UNESCO Science Co-operation Office
University Buildings
Delhi, India

UNESCO Science Co-operation Office
C. G. T. van Dorp & Co.
N. V. Djalan Nusantara 22
Djakarta, Indonesia

D. The International Civil Aviation Organization (ICAO)¹

1. Introduction

At the International Civil Aviation Conference, which met in Chicago from 1 November to 7 December 1944, representatives of 52 States adopted a Convention providing for the establishment of the International Civil Aviation Organization (ICAO).² The Conference also drew up an Interim Agreement providing for a Provisional International Civil Aviation Organization (PICAO) to operate until the formal establishment of the permanent organization.

The aims and objectives of ICAO, as stated in the Convention, are:

"to develop the principles and techniques of international air navigation and to foster the planning and development of international air transport" so as, among other things, to: ensure the safe and orderly growth of international civil aviation; encourage aircraft design and operation and the development of airways, airports and air navigation facilities; ensure that the rights of contracting States are fully respected; promote safety of flight in international air navigation; and promote generally the development of all aspects of international civil aeronautics.

PICAO came into being on 6 June 1945, after 26 States had adhered to the Interim Agreement. ICAO came formally into existence on 4 April 1947, 30 days after the Convention on International Civil Aviation had been ratified by the required 26 States. The Convention superseded, as between contracting States, the provisions of two earlier agreements: the Paris Convention of

1919, establishing the International Commission for Air Navigation, and the Pan-American Convention on Commercial Aviation, drawn up in Havana in 1928.

An agreement establishing the relationship between the United Nations and ICAO came into force on 13 May 1947 with its approval by the Assembly of ICAO.³ It had previously been approved by the United Nations General Assembly on 14 December 1946.

From 15 August 1945, when the PICAO Interim Council met for the first time, until the formal establishment of ICAO, the provisional organization secured concerted action from its members to provide and maintain the facilities and services necessary for air transport across national borders. Patterns for meteorological services, traffic control, communications, radio beacons and ranges, search and rescue organizations and other facilities required for safe international flight were developed. Much of PICAO's work involved the drafting of recommendations for standards,

¹ For further information concerning the origin and early activities of PICAO and ICAO, see previous volumes of the Yearbook. See also Memorandum on ICAO, 1 May 1953; reports of the Council to the Assembly on the activities of the organization; ICAO budget estimates, and the ICAO Bulletin, July 1947 et seq.

² For text, see Y.U.N., 1946-47, pp. 728-40.

³ For the text of the Agreement see Y.U.N., 1946-47, pp. 741-45.

practices and procedures, designed to ensure the safety, regularity and efficiency of international air transport. One of the most important activities of the permanent organization in the technical field was the review of these recommendations with a view to the adoption by the ICAO Council of international standards and recommended practices to regulate civil aviation in Member States. By the end of 1952, fourteen sets of standards⁴ and recommended practices⁵ had been approved by the Council.

As required by article 38 of the Convention, contracting States notified ICAO of the differences between their national regulations or practices and the international standards contained in the annexes adopted by the Council. The differences filed were communicated to all contracting States and their implications were studied by ICAO's Air Navigation Commission.

PICAO and, later, ICAO held regional air navigation meetings to examine the air navigation requirements and specify particular procedures to be followed in each of the eight regions of the world in which a particular type of flying operation predominates.

ICAO arranged for the co-operative maintenance of other air transport, navigation and meteorological facilities required by aircraft flying over sparsely populated regions or regions of uncertain sovereignty. Accordingly, ocean weather stations have been maintained in the North Atlantic, Loran (long-range radio aid to navigation) stations at Vik, Iceland and the Faeroe Islands, weather reporting and forecasting stations, area traffic control and telecommunication networks in Iceland, and meteorological stations and communications facilities in Greenland.

The principal achievement of ICAO in the legal field up to the end of 1952 was the adoption by the Assembly of a Convention on the International Recognition of Rights in Aircraft, opened for signature on 19 June 1948, and the adoption by a plenipotentiary conference of a Convention on Damage Caused by Foreign Aircraft to Third Parties on the Surface, opened for signature on 7 October 1952.

Among other activities, ICAO began a number of long-term studies related to air transport and air navigation, as directed by various sessions of the ICAO Assembly.

2. Organization⁶

The governing bodies of ICAO are the Assembly and the Council.

The Assembly, comprising representatives of Member States, is convened by the Council and meets annually. The Assembly is responsible for the financial arrangements of the organization, including the approval of an annual budget. It examines and takes action on matters referred to it by the Council and may refer to the Council specific matters for the consideration of the latter body. The Assembly also deals with such other matters as come within the sphere of action of the organization but are not specifically assigned to the Council.

Each Member State is entitled to one vote in the Assembly. Decisions of the Assembly and the Council are made, with few exceptions, by a simple majority of the votes cast. Exceptions include adoption by the Assembly of amendments to the Convention, and the adoption by the Council of international standards and recommended practices regulating air navigation, both of which require a two-thirds majority vote.

Members may be admitted into the organization, provided they are signatories to the Convention. Members of the United Nations or Allied States or States which remained neutral during the Second World War must notify adherence or deposit an instrument of ratification of the Convention. To become Members of ICAO, former Axis States require an affirmative four-fifths vote by the ICAO Assembly, the assent of any State invaded or attacked by the State seeking admission, and approval by the General Assembly of the United Nations.

The Council, which meets in virtually continuous session, is the executive body of the organization and derives its powers and authority from the Assembly and from the Convention itself. It is composed of 21 Member States elected by the Assembly for a period of three years. In electing these

⁴ By definition of the First Assembly of ICAO, a standard is "any specification for physical characteristics, configuration, material performance, personnel or procedure, the uniform application of which is recognized as necessary for the safety or regularity of international air navigation and to which Member States will conform in accordance with the Chicago Convention; in the event of impossibility of compliance, notification to the Council is compulsory under Article 38 of the Convention".

⁵ A recommended practice, by definition of the first Assembly, is "any specification for physical characteristics, configuration, material, performance, personnel or procedure, the uniform application of which is recognized as desirable in the interest of safety, regularity or efficiency of international air navigation, and to which Member States will endeavour to conform in accordance with the Convention".

⁶ For a fuller statement of the organization of ICAO, see Y.U.N., 1952, pp. 850-51. A list of ICAO's regional offices is annexed to this chapter.

States, the Assembly must give adequate representation to:

- (1) those Member States of major importance in air transport;
- (2) those Member States not otherwise included which make the largest contribution to the provision of facilities for international civil air navigation; and
- (3) those Member States not otherwise included, the election of which will ensure that all major geographical areas of the world are represented.

The Council adopts standards for international air navigation and collects, examines and publishes information concerning air navigation. It administers the finances of the organization and carries out the directives of the Assembly. It may conduct research into all aspects of air transport and air navigation which are of international importance. The Council may act as an arbiter between two or more Members of ICAO in any dispute concerning the interpretation or application of the Convention and its annexes and, when expressly requested by all the parties concerned, as an arbitral body in any dispute arising among Members relating to international civil aviation.

Among other duties, the Council is charged with providing for the establishment of subsidiary bodies and with supervising and co-ordinating their work. Three main bodies have been established: the Air Navigation Commission, the Air Transport Committee and the Legal Committee. The Council elects its President and appoints the Secretary-General of ICAO.

3. Activities during 1953

By 31 December 1953, the membership of ICAO had increased to 61, with the addition of Honduras, Libya and Japan.

In January, the successful conclusion of an agreement between India and Pakistan concerning a dispute which had been submitted to the Council of ICAO in April of 1952 was announced. This dispute concerned the refusal of Pakistan to permit Indian aircraft engaged in commercial air services between India and Afghanistan to fly over West Pakistani territory without landing or to land there for non-traffic purposes. During 1953, working groups of the ICAO Council considered the matter and requested the States concerned to resume negotiations; the settlement involved the opening of two corridors through which Indian aircraft could fly on their way to Afghanistan and the supply by Pakistan to Afghanistan of aviation gasoline for refueling purposes.

The seventh session of the Assembly of ICAO was held in Brighton, England, from 16 June to

6 July 1953. The first full-scale session which had been held since 1950 (ICAO full-scale assemblies are held every three years), it reviewed the work which ICAO has done in the economic, technical and legal fields and laid down the pattern of work for the next three years.

a. TECHNICAL ASSISTANCE

During 1953, ICAO was faced with a lack of sufficient funds to carry out fully its projected technical assistance programme. In December 1952, the ICAO Council had approved a technical assistance budget of \$1,477,000; because of shortage of funds, this amount was reduced by the Technical Assistance Board, first to \$1,052,000 and later to \$972,800. As a result of these cuts, requirements could not be met for additional experts, equipment and fellowships in some countries that were receiving assistance; other countries, which had been urgently requesting assistance for some time, were informed that the organization could do nothing for them at present.

Requests for assistance were received during the year from fifteen countries, nine of which (Brazil, Colombia, Ecuador, Guatemala, Honduras, Libya, Panama, Paraguay and Syria) had not previously applied. Technical assistance missions continued their work in fifteen States (Afghanistan, Egypt, Ethiopia, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Mexico, Pakistan, Thailand, Turkey and Yugoslavia), completing it in two of them—Iceland and India. Missions began work in El Salvador and Syria, and an expert paid a short visit to Burma. Two fellowships and 20 scholarships were awarded to nationals of seven countries (Colombia, Costa Rica, Cuba, Ecuador, Guatemala, Honduras and Panama), these countries receiving assistance only in this form. Technical assistance agreements, supplementary agreements and annexes to existing agreements were signed with the Governments of twelve States (Afghanistan, Burma, El Salvador, Ethiopia, Iran, Lebanon, Libya, Pakistan, the Philippines, Syria, Thailand and Yugoslavia). At the beginning of the year, 68 experts were in the field; at the end, 75 were either on mission or about to leave for their duty stations. Seventeen fellowship holders were studying abroad by the beginning of 1953. In the course of the year, eighteen fellowships granted in 1952 were taken up and 25 new ones awarded, of which 22 were taken up; ten fellows were studying at the end of the year.

In 1953, as in the two previous years, technical assistance by ICAO took two forms—expert ad-

vice, and training either in the assisted country or abroad. In many countries both forms went hand in hand. Expert advice in the organization and operation of aeronautical services in States was accompanied by basic, on-the-spot training in schools set up for the purpose, some of which it was expected would be permanent, and by advanced training in other countries of personnel who would return to take up senior posts in the national administration or carry on the training begun by ICAO missions. It is hoped that this will lead not only to an improvement in aeronautical services while a mission is in the country, but also to their efficient and economical operation by nationals of that country after the mission has left.

In the first phase of the technical assistance programme of ICAO, much planning was required before the assistance could be fully geared to the development of a country's aviation. Plans had to be made for the recruitment of suitably qualified pupils in appropriate numbers, for the provision of accommodation and for the acquisition and installation of training equipment. To determine the proper number of pupils it was necessary to have a master plan of the development of the country's aeronautical services. In some countries, where relatively large missions were early in the field, this first phase was almost over by the end of 1953 and these countries were embarked on well-established training programmes, although the need for advice on special problems continued and the installation of equipment would have to be carried on for some time under the guidance of experts. In others, missions recently sent out were beginning the process described above. In still others, where no large programme had been undertaken, assistance in 1953 consisted of fellowships and of expert advice, ranging from a regional survey of air transport to advice on the improvement of an airport.

Fellowships awarded during the year covered a wide variety of subjects—administration and regulation of civil aviation, legal and economic aspects of civil aviation, facilitation of air transport, communications, aeronautical meteorology, air traffic services, aircraft maintenance, advanced flying training, flight testing of airline pilots, flight navigation, flight operation, airport construction and maintenance, and airport management.

A new development in 1953 was the granting of scholarships to nationals of certain Latin American States for training in air traffic control, aeronautical meteorology, aircraft maintenance, radio maintenance, radio operation and airline

operations at the training centre in Mexico City. In this way, basic training was being made available to several States whose individual requirements were not large enough to justify the establishment of training centres in their own territory.

In countries where training has been the main activity, for example, Ethiopia, Indonesia, Iran and Mexico, schools were established and functioning by the end of the year. In Indonesia and Iran, nationals had begun to play a part in the instruction. In Mexico, nationals have formed a large part of the instructional staff from the beginning. Action by governments on the advice of ICAO missions had resulted by the end of 1953 in the setting up of a meteorological network in Ethiopia, the reorganization of meteorological services in Iraq, the installation of a great deal of equipment for communication facilities and radio aids in Indonesia, the establishment of a civil aviation authority in Afghanistan, and the improvement of air traffic services in many countries. At the Assembly in June, representatives of many States stressed the contribution that civil aviation could make to the development of under-developed countries and expressed great concern at the prospect of a curtailment of the programme.

b. AIR NAVIGATION QUESTIONS

An important feature of the year's work in air navigation was the consideration by the Assembly of the orientation and methods of work followed by the organization in recent years, both in the development of standards, recommended practices and procedures, and in the regional planning of air navigation facilities and services. It was recognized that much work remained to be done on the former, particularly in airworthiness, but it was believed that the pace could be more deliberate and that the proposed agenda for Divisions and air navigation conferences should be very critically examined to ensure that the convening of the meeting was justified by the existence of a sufficient number of specific problems, international in character and mature enough for discussion with a view to solution. At the same time, it was agreed that the primary emphasis should be placed on implementation and that the training resources of the organization should be used to their fullest extent to assist and encourage States in this work.

The programme of technical meetings in 1953 comprised three sessions of the Air Navigation Commission, of a total duration of 24 weeks, one air navigation conference, two full-scale regional air navigation meetings and two special meetings of limited scope.

The fifteenth series of the international standards and recommended practices (annexes to the Convention on International Civil Aviation) was approved by the ICAO Council during 1953, setting a pattern for aeronautical information services. This Annex was to come into effect on 1 April 1954. Amendments to five of the other annexes were also adopted by the Council during the year, involving such subjects as: Annex 2 (Rules of the Air) concerning the cruising level to be maintained under instrument flights rules by an aircraft experiencing a communications failure; Annex 6 (Operation of Aircraft) providing that each life jacket or floatation device must be equipped with a means of electric illumination to facilitate the location of survivors by search and rescue parties; Annex 10 (Aeronautical Telecommunications) providing for the relaying of messages to an aircraft when the latter is not within the range of the ground station and changing the specifications of certain instrument landing system installations; and Annex 14 (Aerodromes) introducing an integrated system of visual aids for approach and landing including a standard approach landing system.

The first Air Navigation Conference, which met in Montreal from 24 February to 24 March, had as its main task the determination of operational requirements and the development of standard procedures on a variety of subjects impinging on more than one technical field. These subjects included:

- (1) the measurement of visibility and height of cloud base on and in the vicinity of aerodromes;
- (2) the reporting of position, operational and meteorological data by aircraft in flight with particular reference to the use of radiotelephony;
- (3) the use of meteorological broadcasts and other meteorological transmissions to aircraft in flight;
- (4) the co-ordination of instrument approach-to-land facilities and procedures; and
- (5) the use of radar as an air traffic control aid.

The Second South East Asia and Limited South Pacific Regional Air Navigation Meeting was held in Melbourne, Australia, from 13 January to 9 February. The Meeting substantially revised the regional plans that had been prepared at the first meetings (for South East Asia in November 1948 and for the South Pacific in February 1947) and recommended a detailed plan for the implementation of the frequencies assigned to the Aeronautical Mobile Service by the ITU Extraordinary Administrative Radio Conference. Other important recommendations concerned the adoption of standard-pressure altimeter setting procedures in the southern part of the Pacific Ocean,

a new aerodrome facilities plan, a final plan for the Aeronautical Fixed Telecommunications Network, to be implemented by 1 January 1954 in the South Pacific and by 1 January 1956 in South East Asia, an increase in the number and coverage of non-directional radio beacons, a plan for VHF (very high frequency) omni-directional radio ranges in the South East Asia Region, and a revised plan for meteorological reporting stations and forecasting offices. The Meeting noted the existence in some areas of deficiencies in the provision of meteorological reports. To meet the problem posed by the high cost of establishing and maintaining stations in remote places in the Pacific Region, the provision of automatic weather stations and stations for the remote detection of thunderstorm areas ("SFERICS" stations) and the collection of more weather information from merchant ships were recommended. Only minor modifications were proposed in the existing boundaries of flight information regions, but new regions were recommended for Biak, Taipei and Cocos Island. Air traffic advisory services were proposed for a number of routes. The need for close liaison between civil and military authorities to ensure the safety of civil air navigation formed the basis of several other recommendations.

The Second African Indian Ocean Regional Air Navigation Meeting was held in Santa Cruz de Tenerife, Canary Islands, from 17 November to 12 December. Here again, the regional plan prepared at the first meeting for the region (in March—April 1949) was substantially revised. In recognition of the extensive programme of aerodrome development carried out since that meeting, the revised aerodrome plan called for only a limited amount of major construction. The revised air traffic services plan reflected a general tendency to have flight information regions conform to national boundaries and included a new region (Canaries) embracing the Spanish Sahara and the Canary Islands, with its centre at Gando. In the revised search and rescue plan, also, the boundaries of the Search and Rescue (SAR) areas were generally drawn to coincide with national boundaries, as it was considered that the efficiency of search and rescue operations, particularly by ground units, would suffer if the boundaries differed.

At its fourth and final meeting in Paris, from 6 May to 19 June, the Standing Committee on Performance of Aeroplanes prepared a report on the whole of its work. The report contained proposals for new international standards for the performance of aeroplanes, with a detailed explanation of how they were developed. It was

hoped that an air navigation conference or a divisional type meeting in 1954 or 1955 would find it possible to endorse the work of the Committee with relatively few changes and make firm proposals for amendments to Annexes 6 (Operation of Aircraft) and 8 (Airworthiness of Aircraft).

Recognizing the administrative burden imposed on contracting States by the frequent amendment of international standards, recommended practices and procedures, the ICAO Assembly directed that amendments should be limited to those significant to the safety, regularity or efficiency of international air navigation and that a programme for their application should be established so that national aeronautical regulations would not require amending more frequently than once a year. Although the resolution referred primarily to amendments to annex material of a regulatory nature, the Council, whenever practicable, has established the same date of applicability for all amendments to international standards, recommended practices and procedures made since its adoption.⁷

The rather unsatisfactory situation in regard to the reporting of differences between national regulations and practices and ICAO Standards, and the consequent lack of positive evidence as to the degree of implementation of the Standards, prompted another Assembly resolution. In this resolution, the Council was directed: (1) to evolve a more effective and simplified programme for determining and notifying reportable differences; (2) to give more emphasis to the monitoring of differences with the object of encouraging the elimination of those that are important for the safety of air navigation or inconsistent with the objectives of the international standards; and (3) in fixing dates for the application of international standards, recommended practices and procedures, to allow sufficient time to enable States to complete their arrangements for implementation. The last directive was taken into account in establishing the dates of applicability of the amendments to annexes and PANS (Procedures for Air Navigation Services) made by the Council during its twentieth session. At the end of the year, means of giving effect to the other two were under study by the Air Navigation Commission.

The programme for the isolation and elimination of serious deficiencies in air navigation facilities and services continued to receive emphasis. The third review of deficiencies in the nine ICAO air navigation regions, with the object of deciding which were the most serious and should be the

subject of consultation with the State or States concerned, was completed by the Air Navigation Commission during 1953, and the fourth was begun. The periodic reports submitted by the Secretary-General of ICAO on the progress made in eliminating these deficiencies have revealed that approximately half of the deficiencies listed as serious have been, or were well on the way to being, rectified. Special attention was being directed to those remaining and it was expected that only a few of them would require Council action.

c. AIR TRANSPORT QUESTIONS

The seventh session of the Assembly of ICAO afforded an opportunity for a review of the work done on air transport questions since the last full-scale Assembly in 1950. The Assembly noted with approval the criteria approved by the Council for the selection of subjects for study in the economic field, criteria which emphasized practical problems and the likelihood of producing results of practical use or substantial value to contracting States within a reasonable period. It decided that during the next three years the work of ICAO in the economic field should be concentrated primarily on commercial rights in international air transport and charges for airports and air navigation facilities, with first priority being given to the latter.

One new project was undertaken during the year. On 19 March, the Committee of Ministers of the Council of Europe adopted a resolution inviting ICAO to convene a conference of European States to consider methods of improving commercial and technical co-operation among the airlines of participating States and the possibility of securing closer co-operation by the exchange of commercial rights among these States. With the approval of the Committee of Ministers, the ICAO Council established a Preparatory Committee of nine Western European States to examine the problems that might be considered by such a conference and to elaborate the broad agenda proposed by the Council of Europe. This Committee met in Paris during the first two weeks of November and drew up a detailed

⁷ Amendment 2 to Annex 2, Amendment 38 to Annex 3, and the amendments to the MET Specifications, PANS-RAC, PANS-HAL, Radiotelephony Procedures and Communication Codes and Abbreviations, mentioned earlier, were all made applicable on 1 September 1954. Amendment 135 to Annex 6 was made applicable on 1 November 1954 because it involved re-equipment. Amendment 14 to Annex 10 was made applicable on 1 May 1954 because it represented a relaxation of existing standards.

agenda for the conference, including items on the exchange of commercial rights, facilitation and technical problems. After considering the Committee's report, the ICAO Council decided to convene the conference in Strasbourg on 21 April 1954 and to propose for its approval the agenda recommended by the Preparatory Committee.

In March, the Council reached the conclusion that there was no immediate prospect of progress towards a universal multilateral agreement and that the possible partial solutions that had been suggested had not reached a sufficiently advanced stage to justify action by ICAO. The Assembly endorsed the Council's conclusion on the prospects of achieving a universal multilateral agreement, and requested the Council to keep under review the possibilities of partial solutions and to study any that seemed likely to produce results of practical value.

In the documentation presented to the Assembly, the Council examined the prospects of and methods for further international agreement on the granting of operating rights and privileges to international non-scheduled air transport. It concluded that there was a need for international action to standardize and liberalize governmental regulations relating to international non-scheduled air services if this type of operation was to make its full contribution to civil aviation, and invited an exchange of views at the Assembly on whether a sufficient basis of agreement existed to justify calling a conference on the subject in 1954. The Assembly believed that there was still considerable disagreement among contracting States and that there was little prospect that a meeting in 1954 would be able to make much progress, particularly in view of the difficulties that many States seemed to have with the definition of a "scheduled international air service" adopted by the Council in 1952.⁸ The Council was therefore directed to seek the views of contracting States on the usefulness of the definition and, in addition, information on the difficulties they had experienced in the operation of international non-scheduled services and their suggestions as to the practical steps that might be taken to eliminate or reduce these difficulties.

The second edition of Annex 9 (International Standards and Recommended Practices—Facilitation), incorporating Amendment No. 1, came into force on 1 July 1953. By the end of the year, differences had been notified by eighteen States, but most of them were of a minor charac-

ter and did not vitiate any of the fundamental concepts on which the Annex is based.

As a result of recommendations made by the second session of the Statistics Division in 1952, revised air transport reporting forms were prepared and issued for use in 1953. Care was taken to ensure comparability between the forms, and the seven new forms were more integrated than the eleven forms they replaced. While eliminating some data not at present considered essential to have filed on a recurrent basis, they provided for the reporting of statistics on two items not previously required—aircraft accidents, and total traffic carried on scheduled services by all airlines registered in each contracting State. The filing of origin-destination statistics was discontinued in 1953, as recommended by the Statistics Division.

The continued efforts of the ICAO secretariat to achieve satisfactory statistical reporting by contracting States, in fulfilment of their obligations under Article 67 of the Convention, have resulted in further improvement in the filing of air transport reporting forms. In 1953, statistics were filed on behalf of sixteen airlines for which no data had previously been submitted, and reports on some others were more complete than hitherto. Basic traffic data reported (e.g. passenger-kilometres performed) now represent 80-85 per cent of the estimated total for international and domestic scheduled operations by all contracting States.

During the year, eight digests of statistics were published on Financial Data 1951 and 1952, Fleet and Personnel 1951 and 1952, Taxes and Subsidies 1951 and 1952, Scheduled Airline Operations to June 1953 and Traffic Flow Statistics for March 1952.

d. JOINT SUPPORT QUESTIONS

In this field, ICAO's work was concerned mainly with the administration of the three North Atlantic joint financing arrangements, the most important development being the failure of the third North Atlantic Ocean Stations Conference to achieve its objective and the consequent decision to convene a fourth conference in February 1954. Two proposals for the international financing of two other facilities—an air traffic co-ordination centre in the Eastern Mediterranean and an upper air station at Tegucigalpa, Honduras—were considered, but did not produce any concrete results.

The third ICAO Conference on North Atlantic Ocean Stations met in Brighton, England, from

⁸ See Y.U.N., 1952, p. 854.

8 to 15 July, with representatives in attendance from all signatories to the 1949 Agreement with the exception of Portugal, which had indicated its intention to withdraw from the Agreement, and from Israel and Venezuela. It soon became apparent that, for various reasons, sufficient commitments, either in kind or in cash, to maintain the existing network of ten stations served by 25 vessels could not be obtained from the participants, and the agenda, being limited to administrative and financial questions, did not permit consideration of a reduced network. The Conference was therefore unable to extend or revise the 1949 Agreement, and recommended that another conference be convened at the earliest practicable date, preferably before the end of 1953, to review the whole problem. It also proposed that, in preparation for this conference, all States concerned should be asked to re-examine their positions, particularly in regard to the technical aspects of the network, and to communicate their views to ICAO by 15 October.

In general, the replies received favoured the maintenance of the existing network from the technical point of view, but recognized that other considerations might make some reduction in the number of stations necessary. In the light of this consensus on the part of other participants, the United States, which in October had notified ICAO of its intention to withdraw from the programme when the present Agreement expired (1 June 1954) because the services provided by the ocean stations were no longer required by United States civil aviation, announced in December that it would expect to co-operate in the maintenance of a modified programme if the fourth conference decided that this was the best means of satisfying all the interests involved.

In July, two protocols were signed, modifying the Agreement between the Government of Iceland and the Council of ICAO on air navigation services in Iceland. The first was to permit more rapid amortization of the capital expenditure for the construction of a new transmitter building at Rjupnahaed, since the International Bank for Reconstruction and Development required its loan to Iceland for this purpose to be amortized in a much shorter period than would be possible under the original terms of the financing agreement. The second was to incorporate in the Agreement the arrangement for the financing of the Loran Station at Vik, the Provisional Arrangement concluded in 1947 having been revised in 1952 to bring it into line with that covering the

air traffic control, communications and meteorological services in Iceland.

e. LEGAL QUESTIONS

During the year two States—Australia (20 October) and the United Kingdom (22 April)—signed the Convention on Damage Caused by Foreign Aircraft to Third Parties on the Surface, bringing the number of signatories to 20.⁹ The Convention will remain open for signature until it comes into force, i.e., 90 days after the deposit of the fifth instrument of ratification. No State had ratified it by the end of 1953.

On 10 February the Council accepted the two responsibilities placed upon ICAO by the Convention—the responsibility of the Council, on the request of a State, to act as an arbitral tribunal in any dispute over the adequacy of evidence of the financial responsibility of an insurer, and the responsibility of the Secretary-General to communicate with the contracting States on behalf of the organization as depositary of the Convention.

The number of signatories of the Convention on the International Recognition of Rights in Aircraft remained unchanged at 27.¹⁰ Instruments of ratification (without reservation) were deposited by Brazil (3 July) and Pakistan (19 June) and, in accordance with the Convention, took effect on the 90th day after deposit (1 October and 17 September, respectively).

The revision of the Warsaw Convention, on which a rapporteur and sub-committee of the Legal Committee had been working for some years, was the principal subject on the agenda of the Legal Committee's ninth session. At that meeting, in view of the extensive acceptance of the Convention, the Committee abandoned the idea of a complete redraft and decided instead to draw up a draft protocol containing only such amendments as it deemed necessary to overcome difficulties of a practical or legal nature encountered in the application of certain provisions and to bring the

⁹ Argentina, Australia, Belgium, Brazil, Denmark, Dominican Republic, Egypt, France, Israel, Italy, Liberia, Luxembourg, Mexico, Netherlands, Philippines, Portugal, Spain, Switzerland, Thailand, and United Kingdom.

¹⁰ Argentina, Australia, Belgium, Brazil, Chile, China, Colombia, Cuba, Denmark, Dominican Republic, France, Greece, Iceland, Iran, Ireland, Italy, Mexico, Netherlands, Norway, Pakistan, Peru, Portugal, Sweden, Switzerland, United Kingdom, United States and Venezuela.

Instruments of ratification have been deposited by the United States (6 September 1949) without reservation, and by Mexico (5 April 1950) and Chile (20 November 1951) with reservations concerning the priority to be granted to fiscal claims and other claims arising out of work contracts or salaries and wages of crew.

Convention into line with economic and political developments during the last quarter of a century. It prepared a draft that it considered suitable for presentation to States as a final draft, and transmitted it, with a covering report, to the Council. Early in November, the Council directed that the draft Protocol and the report should be circulated to all Members of ICAO and non-members, parties to the Warsaw Convention, with a request that comments be submitted within four months. In the light of the comments received, the Council is to decide whether a conference should be convened to consider the Protocol with a view to its approval.

The main amendments embodied in the draft Protocol relate to the limits of liability in respect of death or injury to passengers. The Air Transport Committee, after a detailed study, had recommended that they be raised by 50 per cent i.e. from 125,000 to 187,500 Poincaré francs, and that in the event that it should be decided to retain the limit of liability for death unchanged at 125,000 Poincaré francs, the limit of liability for non-fatal injury should be established at a somewhat higher figure. In the Legal Committee, several proposals for higher increases were made, the highest being 200 per cent, but the Committee finally decided, by majority vote, to propose a limit of 200,000 Poincaré francs, which represented an increase of 60 per cent. No change was proposed in the limits of liability in respect of baggage and cargo, a position according with the views expressed by the Air Transport Committee. For the provision of the Convention making liability unlimited in the case of wilful misconduct ("dol") of the carrier—a provision that has given rise to much difficulty—the Protocol proposed a substitute text making liability unlimited if it is proved that the damage resulted from a deliberate act or omission of the carrier, his servants or agents, done with intent to cause damage, provided that, in the case of a deliberate act or omission of a servant or agent, it is also proved that the individual was acting in the course of his employment.

f. PUBLICATIONS

ICAO publishes complete documentation on its work.¹¹

Public Information material on ICAO available in English, French, and Spanish include: Memorandum on ICAO, a complete summary of the aims, history, and work of the organization and the ICAO Bulletin, a precise account of the activities of the organization with the addition of

information of general interest to Contracting States and the aeronautical world.

4. Budget

A budget of \$3,259,384 (Canadian) for the calendar year 1953 was approved by the sixth Assembly of ICAO, held in Montreal in June 1952. The seventh Assembly of ICAO approved a budget of \$3,200,000 (Canadian) for the calendar year 1954 as follows:

PART I	Meetings	\$ 67,000
PART II	Secretariat	2,646,150
PART III	General services	446,850
PART IV	Equipment	36,000
PART V	Other budgetary provisions ..	4,000
		<u>3,200,000</u>
	Less: Casual revenue	469,690
	TOTAL	<u>\$2,730,310</u>

In apportioning the expenses of ICAO among Member States, the Assembly takes into consideration their relative capacity to pay, relative interest in international civil aviation and the war damage suffered. It follows the principle that in no case should contributions fall below a minimum or exceed a maximum percentage of the total budget. The sixth Assembly, with the agreement of the States concerned, fixed the scale of contributions for the 1953 budget in units as follows:

Member	Units
Austria ¹²	—
Bolivia, Dominican Republic, El Salvador, Guatemala, Haiti, Honduras, Iceland, Jordan, Republic of Korea, Lebanon, Liberia, Libya, Luxembourg, Nicaragua, Paraguay, Syria ..	2
Afghanistan, Burma, Iraq	3
Ceylon, Ethiopia, Thailand	4
Israel, Peru	5
Finland	6
Greece	1
Chile, Iran	8
Indonesia, Portugal	9
Ireland	10
Cuba, Egypt	11
Philippines	12
New Zealand, Turkey	13
Colombia, Norway, Pakistan	14

¹¹ A list of this documentation is contained in the catalogue "Salable Publications" which is available free of charge from ICAO headquarters or from offices in the field.

¹² Austria was assessed for a token contribution of \$1,000.00 for 1954.

Member	Units	Member	Units
Venezuela	16	India	56
Denmark	18	Canada	81
Union of South Africa	19	France	95
Czechoslovakia	20	United Kingdom	147
Switzerland	26	United States	445
Spain	27		
Japan	28		
Belgium, Mexico	30		
Sweden	31		
Argentina, Poland	32		
Brazil, Netherlands	39		
Italy	42		
Australia	51		

Between sessions of the Assembly, the Council on the recommendation of its Finance Committee, fixes the amount of contribution of any new Member brought into the organization during that period, and the Council may increase the budget of the organization to the extent of that contribution.

ANNEX. MEMBERS, OFFICERS AND HEADQUARTERS

(As of 31 December 1953)

A. MEMBERS OF ICAO

Afghanistan	Czechoslovakia	India	Luxembourg	Sweden
Argentina	Denmark	Indonesia	Mexico	Switzerland
Australia	Dominican Republic	Iran	Netherlands	Syria
Austria	Egypt	Iraq	New Zealand	Thailand
Belgium	El Salvador	Ireland	Nicaragua	Turkey
Bolivia	Ethiopia	Israel	Norway	Union of
Brazil	Finland	Italy	Pakistan	South Africa
Burma	France	Japan	Paraguay	United Kingdom
Canada	Greece	Jordan	Peru	United States
Ceylon	Guatemala	Korea, Rep. of	Philippines	Venezuela
Chile	Haiti	Lebanon	Poland	
Colombia	Honduras	Liberia	Portugal	
Cuba	Iceland	Libya	Spain	

B. MEMBERS OF THE COUNCIL

Argentina	Brig. Gen. Oscar Pablo Delfino
Australia	J. W. Stone
Belgium	Lt. Colonel J. Verhaegen
Brazil	Major Paulo Cunha Mello
Canada	Brigadier C. S. Booth
Egypt	Air Commodore Abdel Hamid Soliman
France	H. Bouché
India	D. Chakraverti
Ireland	W. Algar
Italy	Dr. S. Cacopardo
Lebanon	Edward Dabbas
Mexico	E. M. Loaeza
Netherlands	Dr. F. H. Copes van Hasselt
Norway	B. Grinde
Philippines	His Excellency Emilio Abello
Portugal	Joaquim De Brito Subtil
Spain	Col. Manuel Martinez Merino
Union of South Africa	W. D. van Zyl
United Kingdom	J. E. Keel
United States	Harold A. Jones
Venezuela	L. M. Chafardet-Urbina

C. OFFICERS OF THE SECRETARIAT

President of the Council:	Dr. Edward Warner
Secretary-General of ICAO:	Carl Ljungberg
Assistant Secretary-General for Air Navigation:	Air Vice-Marshal A. Ferrier
Assistant Secretary-General for Air Transport:	E. M. Weld
Director, Legal Bureau:	P. K. Roy
Director, Administration and Services Bureau:	R. Gilbert
Director, Technical Assistance:	E. R. Marlin

D. HEADQUARTERS¹³

Address: International Civil Aviation Organization
International Aviation Building
Montreal, Canada
Cable Address: ICAOREP MONTREAL

¹³ Also serves as the North American regional office.

E. REGIONAL OFFICES

Address: ICAO Representative
 European-African Office
 60 bis Avenue d'Iena
 Paris 16^e, France
 Cable Address: ICAOREP PARIS

Address: ICAO Representative
 South American Office
 Apartado 680
 Lima, Peru
 Cable Address: ICAOREP LIMA

Address: ICAO Representative
 Middle East Office
 Wadie Saad Building
 Sharia Saleh el Dine
 Zamelek
 Cairo, Egypt
 Cable Address: ICAOREP CAIRO

Address: ICAO Representative
 Far East and Pacific Office
 2 Queens Road
 Melbourne, Australia
 Cable Address: ICAOREP MELBOURNE

E. The International Bank for Reconstruction and Development (Bank)¹

1. Introduction

The Articles of Agreement establishing the International Bank for Reconstruction and Development (Bank) were drawn up at the United Nations Monetary and Financial Conference, held at Bretton Woods, New Hampshire, in July 1944. The Bank came into existence on 27 December 1945 when its Articles of Agreement were signed by 28 governments in Washington, D. C.²

At the inaugural meeting of the Bank's Board of Governors, held at Savannah, Georgia, in March 1946, the first Executive Directors were elected. The Bank officially began operations in Washington on 25 June 1946. The Agreement³ establishing the relationship between the Bank and the United Nations became effective on 15 November 1947, when it was approved by the General Assembly of the United Nations.

The Bank was established for the following purposes:⁴

(1) to assist in the reconstruction and development of its Member countries by facilitating the investment of capital for productive purposes, and thereby to promote the long-range growth of international trade and the improvement of standards of living;

(2) to promote private foreign investment by guarantees of and participation in loans and investments made by private investors; and

(3) to make loans for productive purposes out of its own resources or funds borrowed by it when private capital is not available on reasonable terms.

The Bank's first loans were made in 1947 and helped finance the post-war reconstruction of France, the Netherlands, Denmark and Luxembourg. These loans were made before the European Recovery Programme was in operation

and they assisted in the earlier phase of reconstruction in these countries. Since 1948, the Bank's financial and technical resources have been devoted primarily to the economic development of its Member countries. Loans have been made for: the development of electric power; transportation—railroads, roads, ports; communications; irrigation and flood control; grain storage; agriculture and forestry; industry; and in support of broad programmes of development covering an entire country or region.

By the end of 1952, the Bank had made 74 loans, totalling \$1,524,266,464, for reconstruction and development in 28 countries and territories. These loans were made in Australia, Belgium, Belgian Congo, Brazil, Chile, Colombia, Denmark, El Salvador, Ethiopia, Finland, France, Iceland, India, Iraq, Italy, Luxembourg, Mexico, the Netherlands, Nicaragua, Paraguay, Pakistan, Peru, the Union of South Africa, Southern Rhodesia, Thailand, Turkey, Uruguay and Yugoslavia.

A loan is made by the Bank only after a thorough investigation of all factors bearing on it. These factors include: the economic and financial condition of the country concerned, with emphasis on foreign exchange earnings from which

¹ For further information, in particular on the Bank's activities prior to 1953, see previous volumes of the Yearbook, annual reports of the Bank to the Board of Governors and supplementary reports to the United Nations.

² For text of Articles of Agreement, see Y.U.N., 1946-47, pp. 754-66.

³ For text of Agreement, see Y.U.N., 1947-48, pp. 872-74.

⁴ For a fuller statement of the Bank's purposes, see Y.U.N., 1951, pp. 904-905.

service on the loan will be made; the technical feasibility of the project or projects to be financed; the ability of the borrower to complete, operate and manage the project, and to raise the local capital to meet local costs; and the urgency and value of the project in relation to the economic needs of the country where the project is located. Proceeds of Bank loans are disbursed when the borrower presents evidence, such as invoices and bills-of-lading, that the funds will be used in accordance with the loan agreement. The Bank also receives periodic reports from its borrowers and sends members of its staff to visit loan projects from time to time to see whether satisfactory progress is being made.

As a normal part of its lending operations, the Bank assists its Members in the preparation and execution of loan projects. In addition, at the request of Member countries, the Bank furnishes a wide variety of technical aid and assistance unrelated to immediate financial operations. The purpose of this assistance is to help Member countries in assessing their own resources, in working out long-range programmes for raising productivity and standards of living, in setting up priorities for projects within these programmes, and in dealing with development problems in particular fields.

The principal way in which the Bank has assisted Member countries in planning their development is through the general survey mission—a group of experts specially organized to make a first-hand study of a country's resources and to formulate recommendations designed to serve as the basis of a long-term development programme. By the end of 1952, the Bank had sent general survey missions to Colombia, Guatemala, Turkey, Cuba, Iraq, Ceylon, Surinam and Jamaica. The reports of these general survey missions had been completed by the end of 1952 and presented to the Governments concerned.

In size and composition, these missions vary according to the needs of the individual country. Usually, they include advisers on public finance and general economics, industry, power transportation, and agriculture. Members of the mission have been recruited internationally: some have been drawn from the Bank's staff; the Food and Agriculture Organization of the United Nations (FAO) has provided agricultural experts; specialists have been nominated by the World Health Organization (WHO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO); and other specialists have come from public and private organizations in various parts of the world.

A similar type of assistance is the special survey mission organized to make a first-hand study of a particular sector of a country's economy and to make recommendations for its development. The Bank and FAO jointly sponsored special agricultural missions sent to Chile and Uruguay in 1951 to study and to make recommendations for the agricultural development of these countries.

In addition to the general and special survey missions, the Bank has rendered assistance by providing staff members and nominating experts to advise on programming development and in working out specific development problems in agriculture, transportation, irrigation and flood control, telecommunications, fishing, textile production, power, fiscal policy, marketing, coal production and banking.

2. Organization

The administrative organization of the Bank consists of a Board of Governors, Executive Directors, a President and a staff.

The Articles of Agreement of the Bank stipulate that all powers of the Bank be vested in the Board of Governors, consisting of one governor and one alternate appointed by each Member country. A new Member may be admitted to the Bank by approval of the Board of Governors, provided that it accepts the conditions laid down by the Board and that it first becomes a Member of the International Monetary Fund.

The Board of Governors meet annually to review the Bank's operations and to adopt such rules and regulations as may be necessary or appropriate to the conduct of the Bank's business.

The Board of Governors has delegated most of its powers to the Executive Directors, who are responsible for the conduct of the general operations of the Bank. There are sixteen Executive Directors, each of whom is entitled to appoint an alternate. Normally the Executive Directors meet once a month at the Bank's headquarters in Washington. Five of the Executive Directors are appointed by the five Members having the largest number of shares of stock (United States, United Kingdom, China, France and India), and eleven are elected by the Governors of the remaining Members. Each appointed Executive Director has the same total number of votes as the countries that appointed him, and each elected Executive Director has the same total number of votes as the countries that elected him. The votes of each Executive Director must be cast as a unit.

Decisions of the Bank are made by a majority vote, except where otherwise provided by the Articles of Agreement.

The President of the Bank is selected by the Executive Directors and is the chief executive officer of the Bank. He is *ex officio* Chairman of the Executive Directors. Subject to their general direction, he is responsible for the conduct of the ordinary business of the Bank and for the organization of its staff. A loan is made after the amount, terms and conditions of the loan have been recommended by the President to the Executive Directors and his recommendations have been approved by them.

3. Activities during 1953

The Board of Governors of the Bank held its eighth annual meeting in Washington, D. C., from 9 to 12 September 1953. Membership increased during the year to 55, with the admission of Haiti on 8 September.

a. LENDING OPERATIONS

During 1953, the Bank made 22 loans, totalling \$256,900,000 in thirteen countries, bringing to \$1,781,158,464 the total lent by the Bank at the end of the year. A brief description of the loans made in 1953 is given below.

Four loans totalling \$32,800,000 were made in Brazil. A \$3 million loan was made on 30 April to the Government to help finance a highway construction and maintenance programme essential to the continued development of the important agricultural and industrial State of Rio de Janeiro. On 17 July, a loan of \$7.3 million was made to the Centrais Eletricas de Minas Gerais and one of its operating subsidiaries, Companhia de Eletricidade do Alto Rio Grande, and was guaranteed by the Government. It was for financing a new electric power plant in the State of Minas Gerais to increase the State's power supply for manufacturing and mining industries. Two other loans were made on 18 December. The first of \$12.5 million to the Government was to help finance imports of passenger train units to maintain the suburban service of the Central do Brasil Railroad in Rio de Janeiro. The second of \$10 million, guaranteed by the Government, was made to the Usinas Eletricas do Parana-panema S.A. (USINAS), a corporation owned almost entirely by the State of Sao Paulo, to help finance the import of equipment for construction of a hydro-electric plant and distribution facilities in the States of Sao Paulo and Parana.

On 10 September, \$20 million was lent in Chile. The loan, guaranteed by the Chilean Government, was to help finance the construction of a chemical pulp mill and a newsprint paper mill. The joint borrowers were the Cia. Manufacturera de Papeles y Cartones S.A., a privately owned corporation, and the Corporación de Fomento de la Production (Fomento), an agency of the Chilean Government. It is expected that the new plants will eliminate the need to import paper pulp and newsprint and will also produce a surplus of these products for export.

A loan of \$14,350,000 was made to Colombia on 10 September to help the Government continue a programme started in 1951 to improve the national highway system and to aid a road maintenance programme being undertaken for the first time in Colombia.

Two loans in European currencies were made to Iceland on 4 September. One, in various European currencies equivalent to \$1,350,000, was for financing imported equipment and materials to continue an agricultural development programme started in 1951. The second, of £90,000 (\$252,000), was for financing construction of a building to house radio transmitter equipment operated by the Icelandic Post and Telegraph Administration for the safety and convenience of civilian aircraft flying over the North Atlantic.

A \$19,500,000 loan was made on 23 January to India for the further development of the Damodar River Valley. This loan was to help finance projects for flood control, expansion of electric power capacity and construction of canals for irrigation and transportation, which are key projects in a general plan for the development of the Damodar Valley.

In Italy, a \$10 million loan was made to the Cassa per il Mezzogiorno, a government agency, which is carrying out Italy's plan for the economic and social development of the south. It was to help pay for dollar imports needed because of greater economic activity and employment resulting from the Cassa's development programme.

The Bank made three loans totalling \$40,200,000 in Japan on 15 October. The loans, the first made in Japan by the Bank, were made to the Japan Development Bank, a government agency established in 1951 to supply long-term credit for industrial development and economic reconstruction. The Development Bank will re-lend the proceeds of the loans to three private companies: \$21,500,000 to the Kansai Electric Power Company, Inc.; \$11,200,000 to the Kyushu Electric Power Company, Inc.; and \$7,500,000

to the Chubu Electric Power Company, Inc. The loans were to finance the construction of three thermal electric power stations in central and south Japan to increase supplies of power for industrial plants manufacturing metals, machinery, textiles, chemicals and of coal mines and shipyards.

Two loans, totalling \$3,950,000, were made to Nicaragua on 4 September: a \$3,500,000 loan to help continue a highway construction programme to develop an adequate road system and a \$450,000 loan to finance a 3,000 kilowatt generating unit to increase the supply of electric power for the Managua area.

The Bank made its first two loans in Panama on 25 September, totalling \$1,490,000. They were made to the Instituto de Fomento Económico (IFE), an autonomous government agency, and were guaranteed by the Panamanian Government. A \$1,200,000 loan was for the purchase of tractors, ploughs, harvesters and combines for agricultural machinery pools to be operated by the IFE; these will serve medium-sized farms which are not large enough to justify the purchase of expensive machinery and where agricultural output is low because of lack of equipment. The loan also provides for funds to import agricultural machinery and equipment to be sold to farmers who will retain credits from the IFE and for funds to purchase hand tools for small farms. Another loan of \$290,000 was for the import of materials and services needed by IFE to build a 4,000-ton grain storage plant in Panama City. This will provide the first modern plant for drying and storing corn and beans in Panama and, it is expected, will eliminate losses, which have been as high as 30 per cent of the annual production of these crops.

Two loans, totalling \$60 million, were made in the Union of South Africa on 28 August. One, of \$30 million to the Union Government, was for financing the import of equipment needed to enlarge the transport capacity and to extend the services of South African railways. The other loan, also of \$30 million, was made to the Electricity Supply Commission (ESCOM), an autonomous State corporation, to help finance imports needed to increase the power-generating capacity of the Commission by 80 per cent during the period from 1952-1958.

On 10 September, the Bank made a \$9 million loan to the Industrial Development Bank of Turkey, a privately owned institution which helps finance the establishment or expansion of private industrial enterprises. The Industrial Development Bank relends funds from the International

Bank's loan for projects requiring imports of equipment from abroad.

On 11 March, a loan of \$14 million, guaranteed by the United Kingdom, was made to Northern Rhodesia to help finance a three-year development programme, undertaken by the Rhodesia Railways, including the purchase of new equipment and the construction of a new rail connexion to the sea to accommodate the growing international trade of both Northern and Southern Rhodesia.

On 11 February, a Bank loan in ten European currencies, equivalent to \$30 million, was made to Yugoslavia to help finance the completion of key projects in seven sectors of the Yugoslav economy: electric power generation and distribution; coal mining; extraction and processing of non-ferrous metals; iron and steel production; other manufacturing industries; forestry and transportation. The loan will be disbursed in the following currencies: Austrian schillings, Belgian francs, British pounds sterling, French francs, German marks, Italian lire, Netherlands guilders, Norwegian kroner, Swedish kronor, and Swiss francs.

b. TECHNICAL ASSISTANCE

During 1953, the report of a general survey mission to British Guiana was completed and presented to the Governor of the Territory. A general survey mission visited Nigeria from September to December, at the request of the Governments of Nigeria and the United Kingdom; at the end of the year the mission was preparing its report. Requests were received and preparations undertaken for a survey mission to go to Singapore and the Federation of Malaya, and another to Syria early in 1954.

A special report, prepared by a combined working party of Mexican and International Bank economists, entitled *The Economic Development of Mexico*, was published in May.

The Bank continued to provide advice and assistance to Member countries in various ways. The post of special representative was continued in Nicaragua to assist the Government in carrying out development activities and a representative was stationed in Panama for the same purpose. As an outgrowth of an earlier Bank study and with the assistance of the Banco Nacional of Costa Rica, the Instituto de Fomento Económico was created in Panama early in 1953 by the consolidation of three existing credit institutions. Also, as a result of the earlier Bank study and a joint mission of the Bank and the

United Nations Technical Assistance Administration (TAA) to Panama, a TAA expert has been working on the reorganization of the operations of the internal revenue system.

At the request of the Government of Ecuador, the Bank sent a staff member to assist in establishing an organization for the planning and co-ordination of economic development. A specialist, recruited with the Bank's help, assisted the Government of El Salvador in a study of rates for electric power. A Bank expert visited Lebanon in August and submitted to the Government proposals for the establishment of an industrial development bank and for mobilizing local funds for its capital. In response to a joint request by the Governments of Jordan and Syria, a refinery specialist was engaged by the Bank to study the economic implications and investment requirements of an oil refinery to meet the needs of either of the two countries together or one of them alone; his report was presented to the Governments in May. During the summer, the Bank's Director of Marketing visited Pakistan and the Philippines to discuss the development of a government market for bonds.

The Bank assisted a number of Member countries in recruiting experts for assignments related to economic development. These included: Colombia, El Salvador, Ethiopia, Iraq, Nicaragua, Panama and Thailand.

In 1952, the Governments of India and Pakistan, acting on an invitation from the President of the Bank, began to study jointly possible technical measures to increase the supplies of water available from the Indus River system. Early in 1953, the engineers of the two countries, together with engineers of the Bank, visited the area concerned and met in Delhi to exchange information. They met again in Washington in September to begin the preparation of a comprehensive plan for the development of the Indus Basin. These meetings were still in progress at the end of the year.

The Bank provides training each year for a limited number of persons from Member countries who are pursuing careers related to the work of the Bank. This training is designed to enable the participants to become familiar with the organization, functions and operating methods of the Bank and to have the benefit of the Bank's experience in dealing with problems of economic development. The eight trainees in 1953 came from Ceylon, China (Taiwan), the Dominican Republic, Iraq, Nicaragua, Pakistan, the Philippines and Thailand.

In addition, the Bank arranged special training in public finance problems for ten officials from Greece, Japan, Pakistan, the Philippines, Thailand and Turkey.

c. RESOURCES OF THE BANK AND MARKETING OPERATIONS

The authorized capital of the Bank is \$10,000 million. This capital stock is divided into shares of \$100,000 each, purchasable only by Members and transferable only to the Bank. As of 31 December 1953, the total subscribed capital amounted to the equivalent of \$9,038,500,000. Of this amount, 20 per cent is paid-in capital which is divided as follows: 2 per cent in gold or United States dollars which is immediately available for lending; and 18 per cent in the currencies of the various Member countries which can be used for lending only with the consent of the particular country. The remaining 80 per cent of subscribed capital is in the nature of a guarantee and may be called only when needed to meet the Bank's own obligations for funds borrowed or on loans guaranteed by it.

To augment its supply of loanable funds, the Bank depends on the sale of its own bonds in the money markets of the world and on the sale to private investors of securities held in its loan portfolio. During the year the Bank sold three issues of its bonds: one issue in the United States amounting to \$75 million and two issues in Switzerland in the total amount of Sw. Fr. 100 million (the equivalent of approximately \$23.3 million). On 31 December 1953, the Bank's direct obligations outstanding as a result of sale of its own bonds in the United States, Canada, the United Kingdom and Switzerland totalled the equivalent of \$653.5 million.

Sales of the obligations of the Bank's borrowers continued to increase. During the year, the Bank sold the equivalent of \$18,383,130 principal amount of borrowers' obligations, of which \$8,398,443 carried the Bank's unconditional guarantee and \$9,984,687 were sold without recourse to the Bank. Obligations of 28 borrowers were sold either with or without the Bank's guarantee. Cumulative sales of the securities of borrowers from the Bank's portfolio to 31 December 1953, expressed in United States dollars, amounted to \$84,053,038.

During the year there was an encouraging broadening of the market for the Bank's obligations, with more general acceptance of the bonds by large institutional investors in the United States and individual investors in other countries.

OUTSTANDING OBLIGATIONS OF THE BANK

Date of Issue	
15 July 1947—\$150,000,000 (U.S.) 25-year 3% bonds, due 15 July 1972.	
15 Feb. 1950—\$90,000,000 (U.S.) Serial 2% bonds, due 1954-62. (The proceeds of this issue were used to redeem \$100,000,000 (U.S.) 10-year 2¼% bonds dated 15 July 1947).	
1 Mar. 1950—18,500,000 (Swiss Franc) (\$4.3 million equivalent) Serial 2½% bonds, due 1954-56.	
1 Mar. 1951—\$50,000,000 (U.S.) 25-year 3% bonds, due 1 March 1976.	
23 May 1951—£5,000,000 (Sterling) (\$14 million equivalent) 15-20 year 3½% stock, due 1966-71.	
1 Aug. 1951—50,000,000 (Swiss Franc) (\$11.6 million equivalent) 12-year 3½% bonds, due 1 August 1963.	
1 Oct. 1951—\$100,000,000 (U.S.) 30-year 3¼% bonds, due 1 October 1981.	
1 Feb. 1952—\$15,000,000 (Canadian) (\$13.6 million equivalent) 10-year 4% bonds, due 1 February 1962.	
15 May 1952—\$50,000,000 (U.S.) 23-year 3¾% bonds, due 15 May 1975.	
15 Oct. 1952—\$60,000,000 (U.S.) 19-year 3½% bonds, due 15 October 1971.	
1 Dec. 1952—50,000,000 (Swiss Franc) (\$11.6 million equivalent) 10-year 3½% bonds, due 1 December 1962.	
1 July 1953—50,000,000 (Swiss Franc) (\$11.6 million equivalent) 15-year 3½% bonds, due 1 July 1968.	
1 Oct. 1953—\$75,000,000 (U.S.) 3-year 3% bonds, due 1 October 1956.	
1 Dec. 1953—50,000,000 (Swiss Franc) (\$11.6 million equivalent) 15-year 3½% bonds, due 1 December 1968.	

SOURCE AND DISPOSITION OF FUNDS
As OF 31 DECEMBER 1953
(in U.S. dollars)

Capital Stock:	
1% paid in portion of subscription of all Members	\$ 177,275,000
18% portion of subscriptions made available by:	
Austria	\$ 250,000
Belgium	4,500,000
Canada	53,356,000
Denmark	1,450,000
France	34,550,000
Germany, Fed.	
Rep. of	3,100,000
Italy	5,538,000
Netherlands	2,000,000
Norway	620,000
South Africa	2,800,000
Sweden	3,874,000
United Kingdom	24,609,000
United States	571,500,000
Total	<u>708,147,000</u>

Total available capital subscription ..	\$ 885,422,000
Funds available from operations	87,500,000
Funds available from sale of bonds ..	653,480,000
Funds available from loans sold or agreed to be sold and principal repayments	<u>98,764,000</u>
Gross total available funds	\$1,725,166,000
Loans disbursed	<u>1,236,300,000</u>
Excess of available funds over loan disbursements	<u>\$ 488,866,000</u>

At its annual meeting in September 1950, the Board of Governors approved a measure to credit all past and current earnings of the Bank to a Supplemental Reserve against losses on loans and guarantees. It was decided that, until such time as the Executive Directors or the Board should decide otherwise, future earnings would also be credited to this account. On 31 December 1953, this reserve amounted to \$86,636,160 which, added to the Special Reserve provided for in the Bank's Articles of Agreement, brought the total reserves at that date to \$129,436,230.

4. Administrative Budget

As reflected in the Statement of Income and Expenses given below, the Bank's operations during the fiscal year ended 30 June 1953 resulted in a net income of \$18,485,411. In addition, loan commissions of \$9,551,822 were set aside in the Special Reserve, which is kept available for meeting obligations of the Bank created by its borrowings or guarantees. The total net income for the entire period of the Bank's operations up to 31 December 1953 amounted to \$86,636,160. As of 31 December 1953, the total amount credited to the Special Reserve was \$42,800,070. (All amounts are in U. S. dollar equivalents.)

STATEMENT OF INCOME AND EXPENSES
(For the fiscal year ended 30 June 1953)

INCOME	
Interest earned on investments.....	\$ 9,245,538
Income from loans:	
Interest	29,983,062
Commitment charges	3,366,376
Commissions	9,551,822
Service Charges	99,879
Other income	<u>144,352</u>
GROSS INCOME	\$ 52,391,029
Deduct—Amount equivalent to commissions appropriated to Special Reserve..	<u>9,551,822</u>
Gross Income less Reserve deduction	\$ 42,839,207

EXPENSES		ADMINISTRATIVE BUDGET	
		(For the fiscal year ending 30 June 1954)	
Administrative expenses:		Board of Governors	\$ 121,000
Personal services	\$ 3373,732	Office of Executive Directors	380,000
Expense allowance—Executive Directors and Alternates	775	STAFF	
Fees and compensation	317,772	Personal services	\$3,185,000
Representation	61,178	Staff benefits	356,000
Travel	843,360	Consultants	150,000
Supplies and material	33,636	Travel	575,000
Rents and utility services	432,430	Representation	50,000
Communication services	111,476		<u>4,316,000</u>
Furniture and equipment	26,241	OTHER ADMINISTRATIVE EXPENSES	
Motor vehicles	5,646	Fees and compensation	69,000
Books and library services.....	71,720	Supplies	41,000
Printing	67,946	Rents and maintenance	415,000
Contributions to staff benefits	344,394	Communications	107,500
Insurance	31,864	Furniture and equipment	30,500
Handling and storage of gold.....	—	Printing	40,000
Other expenses	2,100	Books and library service	68,000
Total Administrative Expenses.....	\$ 5,724,270	Insurance	16,000
Interest on bonds	16,208,117	Other	—
Bond issuance and other financial expenses	2,421,409		<u>787,000</u>
Exchange adjustments	—	CONTINGENCY	175,000
GROSS EXPENSES	\$ 24,353,796	TOTAL	\$5,779,000
Net Income—Appropriated to Supplemental Reserve Against Losses on Loans and Guarantees	\$ 18,485,411	SPECIAL SERVICES TO MEMBER COUNTRIES..	300,000
		GRAND TOTAL ..	<u>\$6,079,000</u>

ANNEX I. MEMBERS OF THE BANK, THEIR SUBSCRIPTIONS AND VOTING POWER

(As of 31 December 1953)

MEMBERS	VOTING POWER			MEMBERS	SUBSCRIPTIONS		
	Number of Votes	Percent of Total	Amount (in millions of U.S. dollars)		Number of Votes	Percent of Total	Amount (in millions of U.S. dollars)
Australia	2,250	2.16	200.0	Haiti	270	.26	2.0
Austria	750	.72	50.0	Honduras	260	.25	1.0
Belgium	2,500	2.40	225.0	Iceland	260	.25	1.0
Bolivia	320	.31	7.0	India	4,250	4.08	400.0
Brazil	1,300	1.25	105.0	Iran	586	.56	33.6
Burma	400	.38	15.0	Iraq	310	.30	6.0
Canada	3,500	3.36	325.0	Italy	2,050	1.97	180.0
Ceylon	400	.38	15.0	Japan	2,750	2.64	250.0
Chile	600	.58	35.0	Jordan	280	.27	3.0
China	6,250	6.01	600.0	Lebanon	295	.28	4.5
Colombia	600	.58	35.0	Luxembourg	350	.34	10.0
Costa Rica	270	.26	2.0	Mexico	900	.86	65.0
Cuba	600	.58	35.0	Netherlands	3,000	2.88	275.0
Czechoslovakia	1,500	1.44	125.0	Nicaragua	258	.25	.8
Denmark	930	.89	68.0	Norway	750	.72	50.0
Dominican Republic	270	.26	2.0	Pakistan	1,250	1.20	100.0
Ecuador	282	.27	3.2	Panama	252	.24	.2
Egypt	783	.75	53.3	Paraguay	264	.25	1.4
El Salvador	260	.25	1.0	Peru	425	.41	17.5
Ethiopia	280	.27	3.0	Philippines	400	.38	15.0
Finland	630	.61	38.0	Sweden	1,250	1.20	100.0
France	5,500	5.28	525.0	Syria	315	.30	6.5
Germany, Fed. Rep. of	3,550	3.41	330.0	Thailand	375	.36	12.5
Greece	500	.48	25.0	Turkey	680	.65	43.0
Guatemala	270	.26	2.0	Union of South Africa	1,250	1.20	100.0

	VOTING POWER SUBSCRIPTIONS				VOTING POWER SUBSCRIPTIONS		
	Number of Votes	Percent of Total	Amount (in millions of U.S. dollars)		Number of Votes	Percent of Total	Amount (in millions of U.S. dollars)
United Kingdom	13,250	12.72	1,300.0	Venezuela	355	.34	105
United States	32,000	30.73	3,175.0	Yugoslavia	650	.63	40.0
Uruguay	355	.34	105				
				Total	104,135	100.00	9,038.5

ANNEX II. BOARD OF GOVERNORS

(As of 31 December 1953)

Member	Governor	Alternate
Australia	Sir Percy Spender	Roland Wilson
Austria	Reinhard Kamitz	Wilhelm Teufenstein
Belgium	Albert-Edouard Janssen	Maurice Frere
Bolivia	Augusto Cuadros Sánchez	Fernando Pou Mount
Brazil	Oswaldo Aranha	Jose Soares Maciel Filho
Burma	U Tin	U San Lin
Canada	D. C. Abbott	John Deutch
Ceylon	Sir Oliver Goonetilleke	Sir Claude Corea
Chile	Arturo Maschke	Felipe Herrera
China	Chia Kan Yen	Peh-Yuan Hsu
Colombia	Martin del Conti	Arturo Bonnet
Costa Rica	Angel Coronas	Mario Fernández
Cuba	Luis Machado	Joaquin E. Meyer
Czechoslovakia	Rudolf Houdek	Bohuslav Kepka
Denmark	Svend Nielsen	Hakon Jospersen
Dominican Republic	S. Salvador Ortiz	Pedro Pablo Cabral B.
Ecuador	Luis Ernesto Borja	Ramon de Ycaza
Egypt	Mohamed Amin Fikry	A. Nazmy Abdel-Hamid
El Salvador	Catalino Herrera	Luis Escalante-Arce
Ethiopia	Jack Bennett	Ato Menassie Lemma
Finland	Artturi Lehtinen	Ralf Tomgren
France	Edgar Faure	Pierre Mendes-France
Germany, Fed. Rep. of	Ludwig Erhard	Fritz Schaeffer
Greece	Emmanuel Tsouderos	George Mantzavinos
Guatemala	Manuel Noriega Morales	Carlos Leonidas Acevedo
Haiti	Lucien Hibbert	Christian Aime
Honduras	Rafael Heliodoro Valle	Guillermo Lopez Rodezno
Iceland	Jon Arnason	Thor Thors
India	Sir Chintaman D. Deshmukh	K. G. Ambegaokar
Iran	Ali Asghar Nasser	Djaleddin Aghili
Iraq	Ibrahim Shabandar	Saleh Haidar
Italy	Donato Menichella	Giorgio Cigliana-Piazza
Japan	Sankuro Ogasawara	Hisato Ichimada
Jordan	Abdul Monem Rifai	Omar Dajany
Lebanon	Andre Tueni	Raja Himadeh
Luxembourg	Pierre Dupong	Pierre Werner
Mexico	Antonio Carrillo Flores	Jose Hernandez Delgado
Netherlands	J. van de Kieft	A. M. de Jong
Nicaragua	Guillermo Sevilla-Sacasa	J. Jesus Sánchez R.
Norway	Gunnar Jahn	Ole Colbjornsen
Pakistan	Mohamad Ali	Amjad Ali
Panama	Roberto M. Heurtematte	Julio E. Heurtematte
Paraguay	Epifanio Mendez Fleitas	Julio C. Kolberg
Peru	Fernando Berckemeyer	Carlos Gibson
Philippines	Miguel Cuaderno Sr.	Emilio Abello
Sweden	N. G. Lange	A. Lundgren
Syria	Husni A. Sawwaf	Rafik Asha
Thailand	Serm Vinichayakul	Kajit Kasemsri
Turkey	Hasan Polatkan	Munir Mostar
Union of South Africa	N. C. Havenga	M. H. de Kock
United Kingdom	Richard Austen Butler	Sir Leslie Rowan
United States	George M. Humphrey	Samuel C. Waugh
Uruguay	Nilo Berchesi	Roberto Ferber
Venezuela	José Joaquín González-Gorronzona, Jr.	Felix Miralles
Yugoslavia	Vojin Guzina	Kiro Gligorov

ANNEX III. EXECUTIVE DIRECTORS

(As of 31 **December** 1953)

Executive Director	Alternate	Appointed by ⁵
Andrew N. Overby	John S. Hooker	United States
Sir Edmund Hall-Patch	M. T. Flett	United Kingdom
Kan Lee		China
Roger Hoppenot	Maurice Perouse ⁶	France
B. K. Nehru	V. G. Pendharkar	India
		{ Mexico
		{ Cuba
		{ Peru
		{ Uruguay
		{ Venezuela
Luis Machado	Julio E. Heurtematte	{ Costa Rica
(Cuba)	(Panama.)	{ Dominican Republic
		{ Guatemala
		{ El Salvador
		{ Honduras
		{ Nicaragua
		{ Panama
Johannes Zahn	A. Tasic	{ Germany, Fed. Rep. of
(Germany)	(Yugoslavia)	{ Yugoslavia
		{ Pakistan
		{ Egypt
		{ Iran
Mohammad Shoaib	Ali Akbar Khosropur	{ Syria
(Pakistan)	(Iran)	{ Iraq
		{ Lebanon
		{ Ethiopia
		{ Jordan
		{ Italy
Cabir Seleki	Felice Pick	{ Austria
(Turkey)	(Italy)	{ Turkey
		{ Greece
		{ Japan
Takeo Yumoto	(vacant)	{ Burma
(Japan)		{ Ceylon
		{ Thailand
		{ Sweden
Erling Sveinbjornsson	Unto Varjonen	{ Denmark
(Denmark)	(Finland)	{ Norway
		{ Finland
		{ Iceland
		{ Brazil
Alfonso Fernández	Jorge Schneider	{ Chile
(Chile)	(Chile)	{ Colombia
		{ Philippines
		{ Bolivia
		{ Ecuador
		{ Paraguay
L. H. E. Bury	H. A. Fuller	{ Australia
(Australia)	(Australia)	{ Union of South Africa
Louis Rasminsky	G. Neil Perry	{ Canada
(Canada)	(Canada)	
D. Crena de Iongh	L. R. W. Soutendijk	{ Netherlands
(Netherlands)	(Netherlands)	
Thomas Basyn	Jean C. Godeaux	{ Belgium
(Belgium)	(Belgium)	{ Luxembourg

⁵ The votes of Czechoslovakia may not be cast by any Executive Director since they did not count toward the election of any Executive Director. Haiti which is not yet represented by an Executive Director, will have 270 votes when represented.

⁶ Temporary.

ANNEX IV. OFFICERS AND HEADQUARTERS
(As of 31 December 1953)

A. OFFICERS

President:

Eugene R. Black

Vice-President:

Robert L. Garner

Assistant to President:

William A. B. Iliff

Treasurer:

Henry W. Riley

Secretary:

M. M. Mendels

General Counsel:

Davidson Sommers

Director of Operations—Europe, Africa
and Australasia:

A. S. G. Hoar

Director of Operations—Western Hemisphere:

J. Burke Knapp

Director of Operations—Asia and Middle East:

François-Didier Gregh

Director of Technical Operations:

Milton C. Cross

Director of Marketing:

George L. Martin

Director, Economic Staff:

Leonard B. Rist

Director, Technical Assistance and Liaison Staff:

Richard H. Demuth

Director of Administration:

William F. Howell

Director of Public Relations:

Harold N. Graves, Jr.

B. HEADQUARTERS AND OTHER OFFICES

1. HEADQUARTERS

Address: International Bank for Reconstruction
and Development

1818 H Street, N.W.

Washington 25, D.C.

Cable Address: INTBAFRAD WASHINGTON

2. MARKETING DEPARTMENT

Address: 33 Liberty Street

New York 5, New York

3. EUROPEAN OFFICE

Address: 67 rue de Lille

Paris 7^e, FranceF. The International Monetary Fund (Fund)¹

1. Introduction

The Articles of Agreement of the International Monetary Fund were drawn up at the United Nations Monetary and Financial Conference held at Bretton Woods, New Hampshire, from 1 to 22 July 1944. The Fund came into existence on 27 December 1945 when 29 governments representing 80 per cent of the quotas accepted at Bretton Woods, signed the Articles of Agreement in Washington, D. C.²

The purpose and functions of the Fund, as stated in the Articles of Agreement are, in brief:

to promote international monetary co-operation and the expansion of international trade;

to promote exchange stability, maintain orderly exchange arrangements among Members, and avoid competitive exchange depreciation;

to assist in the establishment of a multilateral system of payments in respect of current transactions between Members and in the elimination of foreign exchange restrictions which hamper world trade.³

The inaugural meeting of the Fund's Board of Governors opened at Savannah, Georgia, on 8 March 1946 to adopt by-laws, select a headquarters site and elect a Board of Executive Directors. The Fund's Executive Board held its first meeting on 6 May 1946. The Agreement establishing the relationship between the Fund

¹ For further information, in particular on the Fund's activities prior to 1953, see previous volumes of the Yearbook; annual reports of the Executive Directors; summary proceedings of the annual meetings of the Board of Governors; schedules of par values; and quarterly financial statements.

² For text, see Y.U.N., 1946-47, pp. 772-88.

³ For a fuller statement of the purposes and functions, see Y.U.N., 1951, pp. 913-14.

and the United Nations became effective on 15 November 1947,⁴ with its approval by the United Nations General Assembly.

On 18 December 1946, the Fund announced its agreement to the establishment of par values in gold and U. S. dollars for the currencies of 32 Member countries. At the same time, the Fund indicated that these parities might require changes, but that this could be done in an orderly way through Fund procedures. It cautioned that premature revisions in response to abnormal conditions might stimulate further inflation.

In a first annual report, released in September 1947, the Fund saw inflation already undermining some par values. As post-war payments deficits persisted, the Fund in 1948 and 1949 advocated strong governmental efforts to increase exports to dollar markets, urging, in September 1949, that deficit countries should face the risks and difficulties of rate changes.

Up to this time only three countries—France, Colombia and Mexico—had proposed changes in their exchange parities. There began on 18 September 1949 a wave of devaluations that involved within a few months the currencies of 22 Fund Members and eight other countries. In a co-operative procedure, which had not existed prior to the Fund's establishment, the Members' proposals were submitted for approval to the Fund's Executive Board, which discussed them against the background of earlier studies and in the light of their relationship to one another. Some further revisions have taken place in consultation with the Fund as Members have adjusted their exchange systems to changing conditions.

In numerous instances, the Fund has sent missions to confer with individual governments, or, upon request, to extend technical co-operation.

In fulfilling its responsibilities, the Executive Board has been called upon to make decisions on the use of the Fund, and on changes in currency par values, discriminatory exchange restrictions, multiple exchange rates and other problems important to harmonious international monetary relations.

Foreign exchange transactions of the Fund are governed by the relevant provisions of the Articles of Agreement, as applied by the Executive Board.

It was agreed in April 1948 that Members receiving aid from the Economic Cooperation Administration of the United States should request a purchase of U.S. dollars only in exceptional or unforeseen circumstances. The agreement lapsed with the end of the E.C.A. programme in January 1952. At that time, the Fund's currency sales totalled the equivalent of \$814,033,000.

At the end of 1952, 22 Member countries had purchased from the Fund a total of \$896,908,000. Approximately \$851,455,000 of this represented sales of U.S. dollars, \$11,408,000 sales of Belgian francs and \$34,045,000 sales of British pounds sterling. By the end of 1952, sixteen Members had paid \$192,693,000 in gold and U.S. dollars to the Fund in repurchasing amounts of their own currencies.

2. Organization⁵

The Fund consists of a Board of Governors, Executive Directors and a Managing Director and staff.

All powers of the Fund are vested in the Board of Governors, consisting of one Governor and one alternate appointed by each Member. The Board of Governors has delegated most of its powers to the Executive Directors, retaining, as required by article XII, section 2, of the Articles of Agreement, certain specific powers.⁶

Each Member of the Fund has 250 votes plus one additional vote for each \$100,000 of its quota.⁷ Each Governor casts as a unit all votes allotted to that Member State which he represents; a quorum of the Board of Governors consists of a majority of the Governors exercising at least two thirds of the total voting power.

Decisions of the Fund are made by a simple majority of the votes cast, except as otherwise provided by the Articles of Agreement.

The Executive Directors, meeting in continuous session, are responsible for the conduct of the general operations of the Fund and exercise powers delegated to them by the Board of Governors.

The Managing Director of the Fund, who may not be a Governor or an Executive Director, is elected by the Executive Directors, and under their direction is responsible for the conduct of the ordinary business of the Fund, and for the organization, appointment and dismissal of its officers and staff. He also serves as Chairman of the Executive Directors, without the right to vote except in the case of a tie.

⁴ For text, see Y.U.N., 1947-48, pp. 885-87.

⁵ For a fuller statement on the organization of the Fund, see Y.U.N., 1952, pp. 868-69.

⁶ For the text of this article, see Y.U.N., 1946-47, pp. 779-81. A list of the reserved powers is also given in Y.U.N., 1950, p. 957.

⁷ For Members, their quotas and voting power, as of 31 December 1953, see p. 776.

3. Resources of the Fund

To carry out its operations, the Fund uses the resources subscribed by its Member Governments. The quotas of those Members which attended the Bretton Woods Conference were fixed by the Articles of Agreement, but may be revised by the Fund. The quotas of other Members are fixed by the Board of Governors at the time of approval of their membership applications. Each of the original Members must pay in gold 25 per cent of its quota or 10 per cent of its net official gold and dollar holdings, whichever is the smaller; the gold contribution of new Members is fixed by the Board of Governors. The balance is paid in the Member's own currency, normally after the establishment of the par value for that currency. Non-negotiable, non-interest-bearing demand notes may be accepted from any Member whose currency is not needed for the Fund's operations in place of that Member's currency.

Total quotas in the Fund, as of 31 December 1953, amounted to \$8,731,000,000. The Fund's assets included \$1,702,000,000 in gold and \$6,230,000,000 in various national currencies, with \$1,385,000,000 in U.S. dollars and \$225,000,000 in Canadian dollars. Most of the balance in currencies was not yet due from Members whose par values had still to be agreed upon.

4. Activities during 1953

On 8 September 1953, Haiti joined the Fund with a quota of \$2 million. This brought the membership of the Fund to 55 countries with total quotas equivalent to \$8,738.5 million. The eighth annual meeting of the Fund's Board of Governors was held in Washington from 9 to 12 September.

Transactions of the Fund increased during 1953 to a total of \$1,126,448,000 since the Fund began operations in March 1947. Purchases of pounds sterling, which amounted to \$129,640,000 in 1953, were higher than the purchases of any other currency from the Fund during the year. In all previous years, the bulk of the Fund's transactions was in U.S. dollars. At the end of the year, 24 Member countries had purchased from the Fund a total of \$918,955,000 in U.S. dollars, \$191,685,000 in British pounds sterling, \$11,408,000 in Belgian francs and \$4,400,000 in West German Deutsche Marks. By December 1953, Member countries had paid \$360,224,000 to the Fund in gold and U.S. dollars in repurchasing amounts of their own currencies.

During 1953, the Fund continued its work in the field of international consultation and co-

operation on the monetary and exchange problems of its Member countries. It conferred on questions of exchange rates, multiple currency practices and exchange restrictions and discrimination, as well as on the use of the Fund's resources. The staff collected and analysed statistical information on international trade and payments and monetary reserves. Training programmes on the work of the Fund, balance of payments techniques and general monetary and economic problems were conducted for staff members of central banks and ministries of finance.

The Fund's Articles of Agreement provide that five years after the date (1 March 1947) when the Fund began operations, and in each year thereafter, any Member still retaining any restrictions inconsistent with the Agreement should consult the Fund as to their further retention. The first series of consultations on the Members' restrictive practices started in March 1952, and a second round of consultations followed.

During 1953, the Fund concurred in the establishment of initial par values for the Austrian schilling, Burmese kyat, West German Deutsche Mark, Japanese yen and Jordanian dinar. Changes were agreed in the par values of Bolivia's boliviano, the Chilean peso and Paraguayan peso. The Fund was also consulted regarding the unification of Greece's exchange rates.

Fund transactions in 1953 consisted of sales of U.S. \$2,500,000 to Bolivia; 10,000,000 pounds sterling and U.S. \$37,500,000 to Brazil; U.S. \$12,500,000 to Chile; U.S. \$5,000,000 to Finland; 44,300,000 pounds sterling to Japan; and 2,000,000 pounds sterling, U.S. \$10,000,000 and 18,480,000 Deutsche Marks to Turkey—a total of U.S. \$294,100,000. The Fund received payments of U.S. dollars during the year in the following repurchases by Members of amounts of their own currencies held by the Fund: Australia, \$12,000,000; Brazil, \$18,750,000; Finland, \$2,000,000; Japan, \$61,600,000; the Netherlands, \$48,028,947; and Syria, \$1,036,000. The total of repurchase payments was \$143,414,947.

During December 1953, the Executive Board reviewed certain policy decisions on the use of the Fund's resources. The Board continued in effect, subject to review as circumstances might warrant, its decision of 13 February 1952 that a country's use of foreign exchange drawn from the Fund should be confined to three to five years. The Board also redefined its policy with regard to standby arrangements as follows:

"Standby arrangements will be limited to periods of not more than six months. They can be renewed by a new decision of the Executive Board. If a Member believes that the payments problem it anticipates (for

example, in connexion with positive programmes for achieving convertibility) can be adequately provided for only by a standby arrangement of more than six months, the Fund will give sympathetic consideration to a request for a longer standby arrangement in the light of the problems facing the Member and the measures being taken to deal with them. With respect to standby arrangements for periods of more than six months, the Fund and the Member might find it appropriate to reach understandings additional to those set forth in this decision."

In addition to its annual reports, of which there have been eight (1946-53), the Fund has published four annual reports on exchange restrictions (1950-53). Other publications include International financial Statistics, a monthly statistical bulletin, International Financial News Survey (distributed weekly), Staff Papers (published two or three times a year) and a Balance of Payments Yearbook.

5. Administrative Budget

The Fund's administrative budget for the fiscal year ending 30 April 1954, as approved by the Executive Board, is as follows (in U.S. dollars):

I. Board of Governors	\$ 117,000.00
II. Office of Executive Directors	
Personal services	587,700.00
Contributions to Retirement Plan and other benefits	88,300.00
Travel	65,000.00
TOTAL	\$ 741,000.00
III. Staff	
Personal services	\$2,543,800.00
Contributions to Retirement Plan and other benefits	624,200.00
Travel	320,000.00
TOTAL	\$3,488,000.00
IV. Other Administrative Expenses	
Communications	\$ 109,000.00
Office occupancy expenses	454,500.00
Books and printing	126,700.00
Supplies and equipment	59,800.00
Miscellaneous	44,500.00
TOTAL	\$ 794,500.00
TOTAL	\$5,140,500.00 ⁸

ANNEX I. MEMBERS OF THE FUND, THEIR QUOTAS AND VOTING POWER (As of 31 December 1953)

MEMBERS	QUOTAS		VOTING POWER		MEMBERS	QUOTAS		VOTING POWER	
	Amount (in millions of U.S. dollars)	Number of Votes ⁸	Per cent of Total			Amount (in millions of U.S. dollars)	Number of Votes ⁹	Per cent of Total	
Australia	\$ 200.0	2,250	2.22		Italy	180.0	2,050	2.03	
Austria	50.0	750	0.74		Japan	250.0	2,750	2.72	
Belgium	225.0	2,500	2.47		Jordan	3.0	280	0.28	
Bolivia	10.0	350	0.35		Lebanon	4.5	295	0.29	
Brazil	150.0	1,750	1.73		Luxembourg	10.0	350	0.35	
Burma	15.0	400	0.40		Mexico	90.0	1,150	1.14	
Canada	300.0	3,250	3.21		Netherlands	275.0	3,000	2.97	
Ceylon	15.0	400	0.40		Nicaragua	2.0	270	0.27	
Chile	50.0	750	0.74		Norway	50.0	750	0.74	
China	550.0	5,750	5.69		Pakistan	100.0	1,250	1.24	
Colombia	50.0	750	0.74		Panama	0.5	255	0.25	
Costa Rica	5.0	300	0.30		Paraguay	3.5	285	0.28	
Cuba	50.0	750	0.74		Peru	25.0	500	0.49	
Czechoslovakia ..	125.0	1,500	1.48		Philippines	15.0	400	0.40	
Denmark	68.0	930	0.92		Sweden	100.0	1,250	1.24	
Dominican Republic	5.0	300	0.30		Syria	6.5	315	0.31	
Ecuador	5.0	300	0.30		Thailand	12.5	375	0.37	
Egypt	60.0	850	0.84		Turkey	45.0	680	0.67	
El Salvador	2.5	275	0.27		Union of South Africa	100.0	1,250	1.24	
Ethiopia	6.0	310	0.31		United Kingdom ..	1,300.0	13,250	13.10	
Finland	38.0	630	0.62		United States	2,750.0	27,750	27.44	
France	525.0	5,500	5.44		Uruguay	15.0	400	0.40	
Germany, Fed. Rep. of	330.0	3,550	3.51		Venezuela	15.0	400	0.40	
Greece	40.0	650	0.64		Yugoslavia	60.0	850	0.84	
Guatemala	5.0	300	0.30						
Haiti	2.0	270	0.27			\$8,738.5	101,135	100.00 ¹⁰	
Honduras	2.5	275	0.27						
Iceland	1.0	260	0.26						
India	400.0	4,250	4.20						
Iran	35.0	600	0.59						
Iraq	8.0	330	0.33						

⁸ Includes \$3,000 for liquidation of prior year commitments.

⁹ Voting power varies on certain matters with use by Members of Fund resources.

¹⁰ These figures do not add to 100 per cent because of rounding.

ANNEX II. BOARD OF GOVERNORS

(As of 31 **December** 1953)

Member	Governor	Alternate
Australia	Percy Spender	L. G. Melville
Austria	Eugen Margaretha	Franz Stoeger-Marenpach
Belgium	Maurice Frere	Joseph Vanheurck
Bolivia	Franklin Antezana Paz	Alfredo Oporto Crespo
Brazil	Eugenio Gudín	Octavio Bulhoes
Burma	U Tin	U Kyaw Nyun
Canada	Douglas Charles Abbott	Graham T. Towers
Ceylon	J. R. Jayawardena	N. U. Jayawardena
Chile	Arturo Maschke	Felipe Herrera
China	Chia Kan Yen	Pao-hsu Ho
Colombia	Hernán Jaramillo Ocampo	Eduardo Arias Robledo
Costa Rica	Angel Coronas	Mario Fernández
Cuba	Joaquín Martínez Saenz	Bernardo Figueredo Antúnez
Czechoslovakia	Julius Hajek	Antonín Braidl
Denmark	Svend Nielsen	Einar Dige
Dominican Republic	Jose Ernesto García Aybar	Pedro Pablo Cabral B.
Ecuador	Guillermo Pérez-Chiriboga	Hernán Escudero-Moscoso
Egypt	Abdel Galeel El Emary	Mahmoud Saleh El Falaki
El Salvador	Catalino Herrera	Manuel Melendez-Valle
Ethiopia	Vacant	Ato Menassie Lemma
Finland	Sakari Tuomioja	Klaus Waris
France	Pierre Mendes-France	Wilfrid Baumgartner
Germany, Fed. Rep. of	Wilhelm Vocke	Hans Karl von Mangoldt-Reiboldt
Greece	Xenophon Zolotas	Charalambos Theodoropoulos
Guatemala	Manuel Noriega Morales	Carlos Leonidas Acevedo
Haiti	Christian Aime	Edmond Policard
Honduras	Marco Antonio Batres	Roberto Ramirez
Iceland	Bjorn Olafsson	Thor Thors
India	Chintaman D. Deshmukh	B. Rama Rau
Iran	Ali Asghar Nasser	Ebrahim Kashani
Iraq	Ibrahim Shabandar	Abdul-Ghani Al-Dalli
Italy	Giuseppe Pella	Ugo La Malfa
Japan	Sankurou Ogasawara	Hisato Ichimada
Jordan	Husuf Haikal	El Sayed Abdel Karim El Hamoud
Lebanon	Nasr Harfouche	Farid Solh
Luxembourg	Pierre Dupong	Hugues Le Gallais
Mexico	Antonio Carrillo Flores	Rodrigo Gomez
Netherlands	M. W. Holtrop	E. van Lennep
Nicaragua	Guillermo Sevilla-Sacasa	Leon DeBayle
Norway	Gunnar Jahn	Christian Brinch
Pakistan	Mohamad Ali	Anwar Ali
Panama	Roberto Heurtematte	Jose D. Crespo
Paraguay	Hernógenes González Maya	Augusto Urbietta Fleitas
Peru	Clemente de Althaus	Emilio G. Barreto
Philippines	Miguel Cuaderno, Sr.	Emilio Abello
Sweden	M. H. Lemne	T. L. Hammarskjöld
Syria	Izzat Trabulsi	Awad Barakat
Thailand	Prince Viwat	Kajit Kasemsri
Turkey	Hasan Polatkan	Burhan Ulutan
Union of South Africa	Nicolaas Christiaan Havenga	Daniel Hendrik Steyn
United Kingdom	Richard Austen Butler	George Bolton
United States	George M. Humphrey	Samuel C. Waugh
Uruguay	Miguel B. Rognoni	Carlos Sanguinetti
Venezuela	J. J. González Gorrondona	Felix Miralles
Yugoslavia	Nezad Popovic	Mirko Mermolya

ANNEX III. EXECUTIVE BOARD

(As of 31 December 1953)

Executive Director	Alternate	Casting Votes of ¹¹
Frank A. Southard, Jr.	John S. Hooker	United States
Edmund Hall-Patch	L. F. Crick	United Kingdom
Beue Tann	Kuo-Hwa Yu	China
Jean de Largentaye	Gabriel Ferras	France
W. R. Natu	B. R. Shenoy	India
Octavio Paranagua (Brazil)	Joaquim Cândido Gouvêa Filho (Brazil)	{ Bolivia Brazil Chile Dominican Republic Ecuador Panama Paraguay Peru Uruguay
Ahmed Zaki Saad (Egypt)	Albert Mansour (Egypt)	{ Egypt Ethiopia Iran Iraq Jordan Lebanon Pakistan Philippines Syria
Enrique Delgado (Nicaragua)	Alejandro Baca-Muñoz (Nicaragua)	{ Colombia Costa Rica Cuba El Salvador Guatemala Honduras Mexico Nicaragua Venezuela
Otmar Emminger (Federal Republic of Germany)	Otto Donner (Fed. Rep. of Germany)	{ Fed. Rep. of Germany Yugoslavia
Carlo Gragnani (Italy)	Costa P. Caranicas (Greece)	{ Austria Greece Italy Turkey
Takeo Yumoto (Japan)	W. Tennekoon (Ceylon)	{ Burma Ceylon Japan Thailand
Alf Kristian Eriksen (Norway)	S. T. G. Akermalm (Sweden)	{ Denmark Finland Iceland Norway Sweden
L. H. E. Bury (Australia)	H. A. Fuller (Australia)	{ Australia Union of South Africa
Louis Rasminsky (Canada)	G. Neil Perry (Canada)	Canada

¹¹ Czechoslovakia is not included, as that country did not participate in the last regular election of Executive Directors, which was held in September 1952; nor is Haiti which was not a Member at that time.

Executive Director	Alternate	Casting Votes of
D. Crena de Iongh (Netherlands)	H. M. H. A. van der Valk (Netherlands)	Netherlands
Ernest de Selliers (Belgium)	Jean C. Godeaux (Belgium)	{Belgium Luxembourg

ANNEX IV. OFFICERS AND HEADQUARTERS (As of 31 December 1953)

A. OFFICERS

Managing Director:
Ivar Rooth (Sweden)

Deputy Managing Director:
H. Merle Cochran

Director, Asian Department:
H. L. Dey

Director, European Department:
A. M. Stamp

Director, Exchange Restrictions Department:
Irving S. Friedman

General Counsel:
Andre van Campenhout

Director, Middle East Department:
Abol Hassan Ebtehaj

Director, Research Department:
E. M. Bernstein

Treasurer:
Y. C. Koo

Director, Western Hemisphere Department:
George F. Luthringer

Director, Office of Administration:
Oscar L. Altman

Acting Secretary:
Roman L. Horne

Director, European Office—Paris:
J. V. Mladek

Chief Editor:
A. G. B. Fisher

Information Officer:
Jay Reid

Internal Auditor:
George P. Antonoff

Special Representative to the United Nations:
Gordon Williams

B. HEADQUARTERS

Address: International Monetary Fund
1818 H Street, N.W.
Washington 25, D. C.

Cable Address: INTERFUND WASHINGTON

G. The World Health Organization (WHO)¹

1. Introduction

The Constitution providing for the establishment of a World Health Organization (WHO)² was adopted on 22 July 1946 by the International Health Conference, called for the purpose by the Economic and Social Council. There were 64 States, the Allied Control Authorities for Germany, Japan and Korea, respectively, and ten international organizations represented at the Conference, which met in New York from 19 June to 22 July 1946.

An Interim Commission, established by the Conference, held its first regular meeting on 23 July 1946 and for almost two years carried out

preparatory work for the permanent World Health Organization, at the same time continuing the functions of former intergovernmental health agencies and rendering assistance to individual countries (especially the war-ravaged countries of Europe and the Far East) in the solution of their most urgent health problems.

The permanent World Health Organization came officially into being on 7 April 1948 (now

¹ For further details of WHO and the Interim Commission, see previous volumes of the Yearbook, also the Official Records of the World Health Organization, containing the reports, with relevant documents, of the organization and its governing bodies.

² For text of Constitution, see Y.U.N., 1946-47, pp. 793-800.

observed annually in most Member countries as World Health Day), when 26 States Members of the United Nations had accepted its Constitution. The Interim Commission continued to function, however, until 31 August 1948, when it was dissolved in accordance with a resolution of the first World Health Assembly. WHO itself assumed the functions and assets of the Interim Commission and began operating on 1 September.

Among the decisions of the first World Health Assembly, held in Geneva from 24 June to 24 July 1948, was the approval, on 10 July, of the Agreement establishing WHO's relationship with the United Nations. This action brought the Agreement into force, since it had previously been approved by the United Nations General Assembly.³

The objective of WHO, as stated in article 1 of its Constitution, is "the attainment by all peoples of the highest possible level of health." Health is defined in the preamble to the Constitution as a "state of complete physical, mental and social well-being and not merely the absence of disease or infirmity". The functions of the organization necessary to attain this objective are enumerated in article 2 of the Constitution and include:

that WHO should act as the directing and coordinating authority on international health work;

that, on request, it should assist governments in strengthening health services and furnish them with appropriate technical assistance and also with aid in emergencies;

that it should maintain the necessary administrative and technical services; and

that it should promote the improvement of health in its various aspects, research in the field of health, and the development of health education and information.⁴

In the activities of the Interim Commission and, at first, of WHO itself, particular emphasis was placed on a group of priority subjects which included malaria, tuberculosis, venereal infections, maternal and child health, nutrition and environmental sanitation. Work begun by earlier international health agencies (for example, the League of Nations Health Organization, the Office international d'hygiène publique, and the health services of UNRRA) was continued and, in many instances, considerably expanded.

With the growth of WHO and the application of its fundamental policy of decentralization to meet the differing health needs of different areas throughout the world, there has been a gradual shift in emphasis away from the so-called "priorities" in regard to the direct assistance which WHO renders to Member countries. Its aim has

become that of providing for each country that type or those types of assistance which will help that country to take the next appropriate steps in the orderly development of its own medical and health services within the context of prevailing circumstances—cultural, social and economic.

2. Organization⁵

The main organs of WHO, as provided in its Constitution, are the World Health Assembly, the Executive Board and the Secretariat.

The World Health Assembly, in which all Members may be represented, meets annually. It determines the broad policies of the organization, fixes the annual budget, reviews the work already carried out and the details of programmes proposed for the future and instructs the Executive Board.

Among its other functions, the Assembly is empowered to adopt regulations, binding on Members except under certain clearly defined circumstances, with regard to international quarantine and sanitary measures, uniform standards and nomenclatures, and various other questions of international importance in relation to health.

Countries may be admitted to WHO, if they are Members of the United Nations, by formally accepting the Constitution. For other States to become Members, the approval of their membership applications by a simple majority vote of the Health Assembly is required. The Constitution also provides that territories or groups of territories not responsible for the conduct of their international relations may be admitted as Associate Members by the Health Assembly upon application by the appropriate authority.

The Executive Board consists of eighteen technically qualified persons designated by eighteen Member States elected by the Health Assembly. In electing them, the Assembly takes into account an equitable geographical distribution. States entitled to designate members of the Board are elected for a three-year period, and meetings of the Board take place at least twice a year. Its chief function is to implement decisions and policies of the Assembly, but it may also take emergency measures within the functions and financial resources of WHO in order to deal with urgent

³ For text of Agreement between United Nations and WHO, see Y.U.N., 1947-48, pp. 919-23.

⁴ For the text of article 2 of the Constitution, see Y.U.N., 1951, pp. 920-21.

⁵ A somewhat fuller statement of the organization of WHO is given in Y.U.N., 1952, pp. 874-75.

situations requiring immediate international action.

The Secretariat is headed by the Director-General, who is appointed by the Health Assembly on the nomination of the Executive Board.

There are also a number of panels of experts who may be asked for technical advice by correspondence. From the panels, appropriate specialists are drawn for each session of various expert committees, for which the membership varies according to the agenda of the session. Expert committees on the following subjects were convened during 1953: Alcohol, Biological Standardization, Drugs Liable to Produce Addiction, Environmental Sanitation, Health Education of the Public, the International Pharmacopoeia, Malaria, Onchocerciasis, Poliomyelitis, Public-Health Administration, Rabies, Rheumatic Diseases, Vaccination against Tuberculosis, Venereal Infections and Treponematoses—Sub-Committee on Serology and Laboratory Aspects, Yellow Fever, a joint UNESCO/WHO Expert Committee on the Mentally Subnormal Child, and a Committee on International Quarantine.

The primary functions of WHO headquarters are to co-ordinate, to channel expert advice and opinion to the points where they are needed, and to carry out services (such as epidemiological intelligence or biological standardization) which can only, or most effectively, be performed on a world-wide basis.

Regional Organizations, each consisting of a Regional Committee and a Regional Office, have been established to serve the special needs of six areas throughout the world as delineated by the World Health Assembly.⁶

3. Activities during 1953

During 1953, the membership of the World Health Organization was increased to 84 (81 full Members and three Associate Members) by the addition of Nepal and Yemen as full Members.

The sixth World Health Assembly was held at Geneva from 5 to 22 May. Sessions of the Executive Board took place during January and June.

The shortage of funds for WHO's part of the Expanded Programme of technical assistance in 1953 seriously affected WHO's total programme. In December 1953, there were 121 WHO-assisted projects in operation under the Expanded Programme as compared with 167 at the end of 1952. In 1953, 34 projects were completed and nine new ones started, including those developed

with governments as part of the effort to use contributions made in certain non-convertible currencies. WHO recruited 150 experts from 32 countries for service under the Expanded Programme, as against 220 in 1952. In December 1953, altogether 239 experts from 36 countries were engaged in technical assistance projects, as against 247 in 1952. In 1953, 238 fellowships were awarded to candidates from 69 countries and territories, as compared with 369 fellowships in 1952.

A notable undertaking during the year was the survey carried out by the Regional Office for South East Asia at the request of the Government of Burma for a complete reorganization of its Central Health Directorate. The recommendations submitted to the Government were accepted without delay. In the same region, for the first time, a certificated course was organized in public-health nursing.

Generally through all regions, and most particularly in the Americas and the Eastern Mediterranean, integrated health projects (for example in El Salvador, Egypt and Peru) were beginning to have beneficial effects on the development of local health administrations. By demonstrating both the possibility and the value of co-ordination, such projects are stimulating governments to undertake better advance planning of their programmes and are also encouraging countries, in which systems of public-health administration are still at the formative stage, to build up sound and integrated health services.

At the first Asian malaria conference, held in September at Bangkok, representatives of countries of the South East Asia and Western Pacific Regions and of Pakistan considered the problem of merging into a connected whole the existing scattered control zones. The conference also helped to show how WHO could more effectively assist the countries of that part of the world in a malaria control programme covering the entire sub-continent.

The Committee on International Quarantine, which met at Geneva in the autumn, noted with satisfaction that the operative phase of the new comprehensive Sanitary Regulations had been implemented with a surprising absence of difficulties throughout the world, no single international quarantine dispute requiring reference to the Committee having occurred during the year.

WHO's efforts towards the improvement and uniformity of presentation of statistics were ad-

⁶ A list of the regional offices is annexed to this chapter.

vanced by the conference of National Committees on Vital and Health Statistics, held at London with the co-operation of the United Nations.

During the year, WHO continued to direct and assist the programmes for medical relief and health protection of the Palestine refugees in Lebanon, Syria, Jordan and the Gaza area through the United Nations Relief and Works Agency for Palestine Refugees in the Near East.⁷

a. CONTROL OF COMMUNICABLE DISEASES

(1) Malaria

At the beginning of 1953, malaria control projects were in operation in 20 countries. In the Terai area in India and in Vietnam, WHO personnel was withdrawn during the year and the work handed over to the Governments, which are now developing expanded programmes, and new projects were started in Brunei, the French Cameroons and Liberia. At the close of the year, WHO was assisting in malaria control in 21 countries.

Plans were drawn up for controlling malaria throughout the Philippines. In Lebanon, where the WHO team completed its work at the end of 1953, the Government, with technical advice and assistance in co-ordination from WHO, was extending malaria control to all affected parts of the country.

The Expert Committee on Malaria, which held its fifth session at Istanbul in September, advised that administrations should give careful consideration to discontinuing residual spraying, with proper safeguards, after several years of malaria control. The Committee strongly supported the co-ordination of malaria-control programmes between countries, pointing out that, without such co-ordination, those countries that have eradicated malaria from their own territories would remain exposed to the danger of their neighbours' malaria and would have to maintain active malaria control at least on their borders.

During the year, WHO published a monograph on malaria terminology and encouraged and assisted internationally co-ordinated research on: (1) the susceptibility of anophelines to insecticides, with a view to determining any development of resistance; and (2) the sorption of insecticides on mud walls.

(2) Tuberculosis

In 1953, assistance in starting or extending services for the control of tuberculosis was given to 24 countries, primarily in the tropical or sub-tropical zones. Some 37 projects of two main types were developed: 21 BCG vaccination proj-

ects, in which assistance was given jointly with the United Nations Children's Fund (UNICEF); and sixteen teaching and training centres, in some of which UNICEF also assisted. The main emphasis in WHO projects is on the protection of the healthy people in the community.

In BCG vaccination, WHO is using methods that can be widely applied at relatively small expense and by auxiliary personnel. In the BCG project in India, for example, over ten million children and young adults were tuberculin-tested in 1953, and over four million non-reactors to tuberculin vaccinated by about 65 teams, each consisting of one doctor and six BCG technicians. For this project the total expenditure was about US \$350,000 (three and a half cents per person tested and ten cents per person vaccinated), of which US \$50,000, or one seventh of the total, came from international assistance.

An Expert Committee on Vaccination against Tuberculosis met early in December. Recent experience and research on different vaccines and their modes of administration were reviewed. In general, the Committee approved the use of BCG vaccine and endorsed the methods and techniques used in the mass vaccination programmes assisted by UNICEF and WHO.

(3) Venereal Diseases and Treponematoses

By the end of the year, a total of over fifteen million persons had been examined and over four million had been treated with penicillin. Four programmes—the yaws-control projects in Haiti and the Philippines and those for controlling endemic syphilis in Yugoslavia and bejel in Iraq—reached the phase of consolidation; the WHO advisers were withdrawn from the bejel project in Iraq, leaving trained national personnel and a strengthened health service to develop the programme further. Progress also continued in the yaws-control projects in India, Indonesia and Thailand. New campaigns against this disease were started during the year in Bechuanaland, Laos and Liberia, and planned in Nigeria. In the last two countries it is estimated that there are a million and a half active cases of yaws.

The mass campaigns have demonstrated that, by a carefully planned and systematically carried out project, infectiousness can be completely suppressed and the incidence of treponemal disease reduced practically to the point of eradication. This is notably true of endemic syphilis in Yugoslavia and of yaws in Haiti. Further, techniques for mass treponematoses control have been developed which can be widely applied at a mini-

⁷ See also under Palestine Refugees, pp. 235, 236.

imum cost and with maximum use of lay technicians. The cost per person examined in the mass campaigns has been approximately 25 US cents, and per person treated with penicillin about US \$1.50, including personnel, drugs, transport and administration and all other expenditure by health administrations, WHO and UNICEF.

Demonstration, survey and training projects, to assist governments to develop their programmes for the control of venereal diseases, went forward during the year in ten countries. In Egypt and India, such projects were completed, the teams leaving behind them much information on the extent and nature of the venereal-disease problem, a wider appreciation of modern diagnostic and therapeutic procedures, cadres of trained national personnel and strengthened health services.

WHO has organized an international evaluation of new, long-acting diamine penicillin salts for the treatment of syphilis, yaws, bejel and pinta, which may make it possible to simplify therapy in the future.

The International Treponematoses Laboratory Center at Baltimore (United States) continued its investigations into the fundamental biology of the treponemal diseases. The pathological material available in a number of WHO-assisted field projects has permitted the Center to isolate various species and strains of treponemal organisms.

The sub-committee on serology and laboratory aspects of venereal infections and treponematoses held its third session in Copenhagen, Denmark, in the summer of 1953.

Continuing its special interest in venereal-disease control among seafarers, WHO assisted in a port demonstration project in Rotterdam, in which five national study groups completed their work on various aspects of maritime venereal-disease control. Their reports and information which they collected were used as supporting material for an international training course completed during the year, the first of several such courses planned.

Two monographs—a report on the campaign of mass treatment of endemic syphilis in Bosnia and a collection of papers read at the first international symposium on yaws control, held at Bangkok—were published during the year.

(4) Virus and Rickettsial Diseases

WHO's efforts to extend and improve its network of influenza laboratories were greatly assisted by the experience gained during the widespread influenza epidemic in the northern hemisphere in the early part of 1953. Its programme, which had begun with the establishment

of this network of centres, had, by 1953, reached a stage at which its scope could be gradually broadened to cover other virus diseases for which international co-ordination research is needed.

As recommended by the Expert Committee on Poliomyelitis, certain laboratories within the network were asked in 1953 to co-operate in work on poliomyelitis. Plans were also under way to encourage selected laboratories to co-operate, either for diagnosis or for research, on other diseases, including smallpox, diseases caused by the lymphogranuloma-psittacosis-trachoma group, diseases caused by viruses found in the stools such as the Coxsackie group, and virus hepatitis.

The Expert Committee on Poliomyelitis held its first session at Rome in September, primarily to consider current views on the essential nature of this disease and the recent advances that have been made, especially in methods of diagnosis and the possibility of prevention. The Committee outlined preventive measures which might help to limit the spread of the infection and reduce the incidence of paralysis. Passive immunization with gamma globulin for specific prevention was held to be of limited public-health value, but much was hoped from the vaccines currently being developed, though it was emphasized that they were still in the experimental stage. The tissue-culture method of cultivating poliomyelitis virus has revolutionized the study of the disease, and the Committee recommended that many more laboratories should undertake this work, as it might eventually be practicable to trace poliomyelitis virus infection in the same way as typhoid infections can now be traced.

The immunity survey undertaken by WHO in order to delineate the southern boundary of the zone in Africa in which yellow fever is endemic was completed during the year. In this survey, some 12,000 samples of human blood were collected in Angola, Bechuanaland, the Belgian Congo, Mozambique, Northern Rhodesia, Nyasaland, Southern Rhodesia, Tanganyika and the Union of South Africa, and tested for antibodies to yellow-fever virus by the Virus Research Institute for Medical Research at Johannesburg. The results of the surveys were considered by the Expert Committee on Yellow Fever, which devoted its second session at Kampala (Uganda) in September mainly to delineations required under the International Sanitary Regulations.

Campaigns against *Aedes aegypti* and other insect vectors of disease were carried out in Guatemala, Honduras, Nicaragua and Panama.

The laboratory investigation of four dried smallpox vaccines to determine the rate of loss

of potency was continued during the year. Regional committees, panel members and other experts were consulted on technical questions which might influence the conduct of a small-pox campaign such as was envisaged by the sixth World Health Assembly.

The report of the first session of the Expert Committee on Hepatitis, held in 1952, was published. An investigation into the possibility of collecting infectious material from different parts of the world was begun in the hope of finding a strain of virus that could be studied in the laboratory.

A study of typhus in northern India was made with a view to planning control measures. Projects for controlling typhus were continued in Afghanistan and Peru.

WHO consultants carried out a series of important surveys on trachoma in Iran, Morocco (French Zone), Taiwan and Yugoslavia, and a consultant sent to Taiwan also made preliminary surveys in other countries of the Western Pacific Region: Brunei, Cambodia, Hong Kong, Malaya, North Borneo, the Philippines, Sarawak, Singapore and Vietnam. Pilot control projects were started in collaboration with UNICEF. An exchange of research workers was begun between Tunisia, Morocco (French Zone), Japan, Egypt and Iran.

(5) Other Communicable Diseases

With the support of WHO and UNICEF, immunization campaigns were continued in Brazil, Chile, and Colombia, and a campaign against pertussis was started in Mauritius.

Vaccination against the enteric fevers presents a number of unsolved problems, some of which were considered during the technical discussions at the sixth World Health Assembly. A request from the Government of Yugoslavia for assistance in a field trial of typhoid vaccine provided an opportunity for starting work on these problems, and two consultants visited Yugoslavia to plan the field trial, to be carried out in co-operation with the local authorities.

WHO began its work on the control of onchocerciasis by convening the first session of an expert committee in Mexico from 23 November to 1 December. This led to an agreement on standard techniques for surveys of the disease, which would evaluate local problems and assess the results of projects for control.

During the year, WHO assisted the Governments of Burma and Ethiopia with leprosy surveys followed by pilot projects of mass treatment, on

the lines recommended by the Expert Committee on Leprosy. At the request of the Governments of Turkey and Thailand, WHO consultants also undertook surveys in those two countries and made recommendations on organization and methods of control. The Executive Board of UNICEF accepted in principle, in 1953, that UNICEF's aid should be extended to large-scale modern methods for leprosy control, to be undertaken in collaboration with WHO.

(6) Veterinary Public Health and Zoonoses

Work on several projects concerned with animal diseases communicable to man was completed and work in food hygiene was extended to include, besides meat, milk and milk products and food additives. WHO carried out several of these activities in close co-operation with the Food and Agriculture Organization of the United Nations (FAO), and maintained collaboration with the Office international des Epizooties and the permanent committees of the International Veterinary Congress and the International Congress for Microbiology.

The report of the second session of the Joint FAO/WHO Expert Committee on Brucellosis was widely circulated, and has further stimulated the activities of the FAO/WHO brucellosis centres. An additional centre was established during the year at the Indian Veterinary Research Institute, Mukteswar, bringing the total number of centres to thirteen.

WHO collaborated with FAO in the technical aspects of a field trial of various *Brucella* vaccines to determine their effectiveness on sheep and goats.

The Expert Committee on Rabies held its second session at Rome in September. At this session, the results of several WHO-assisted projects were analysed, and recommendations based on them were formulated. The results obtained in both Israel and Malaya succeeded in bringing the incidence of rabies in these countries to the lowest levels experienced in the past 25 years.

WHO completed its work on the preliminary examination of an international standard Q fever serum for veterinary and medical use. This serum was established as an international standard at the seventh session of the WHO Expert Committee on Biological Standardization. Epidemiological surveys to detect the presence of Q fever were continued in 28 countries. WHO made a small grant to the University of Cambridge to assist in work on producing cheaper antigens for diagnosis. Co-ordination of research into natural reservoirs of the micro-organism was started.

In collaboration with FAO, WHO began a study to determine the importance of extra-human sources of tuberculosis infection in various countries of the Eastern Mediterranean Region, where WHO tuberculosis teams are operating.

WHO sent consultants to Burma, Ceylon, India and Costa Rica, to advise on problems of meat hygiene.

In addition to advising on the zoonoses mentioned above, WHO supplied information to several countries on histoplasmosis, toxoplasmosis, trichinosis and tularaemia. Tularaemia was diagnosed for the first time in Yugoslavia with WHO's assistance.

b. MATERNAL AND CHILD HEALTH

The aim of WHO has been to build up national training programmes in maternal and child health for doctors, nurses, midwives and others concerned with the health of mothers and children in the community. International teams of doctors and nurses have been working with national staff in maternal and child health demonstration centres in 20 countries. Most of the work has been undertaken in collaboration with UNICEF.

In Pakistan, for example, the Government, with international aid, has established four training centres of this type. The first of these, at Lahore, was, by the end of the year, continuing its work under national supervision, the WHO team having been withdrawn after working there for two and a half years.

Projects in environmental sanitation, the control of communicable diseases, the improvement of nutrition, and health education, factors which have great influence on childhood mortality and morbidity have been combined with services for mothers and children, particularly in the health work in rural areas being undertaken in Ceylon, El Salvador, India, Taiwan and Thailand.

During 1953, a WHO consultant visited Japan and the Philippines to advise on the care of premature infants, and a meeting of experts was called jointly by the United Nations, WHO, the International Labour Organisation (ILO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) to discuss the mentally sub-normal child.

During the year, WHO, together with the United Nations and the other specialized agencies represented on the Technical Working Group on Long-Range Activities for Children, took part in an assessment of services for children in several countries.

c. ENVIRONMENTAL SANITATION

The organization's environmental sanitation work widened in scope during the year, much of the work being done in collaboration with United Nations agencies and other organizations.

Activities during 1953 included:

(1) The study of sanitation problems of rural areas and small communities.

(2) Preparations for the establishment of international standards of water quality and standard methods of water examination.

(3) Preparatory work, in collaboration with the International Civil Aviation Organization (ICAO), for a manual of sanitation practices at airports.

(4) Susceptibility of lice to insecticides—a study undertaken in close collaboration with Member Governments to develop reliable methods for the control of louse-borne diseases.

(5) The effect of storage under tropical conditions on various water-dispersible insecticides.

(6) Problems of housefly control in the countries of the Eastern Mediterranean.

(7) Participation in preparations for the symposium on insect control, held at Rome in October under the sponsorship of the Regional Office for Europe and the Istituto Superiore di Sanità.

(8) Help in planning and organizing a group-training course, at Rome, on the control of milk quality and on milk processing. This course, planned in detail by the FAO/UNICEF/WHO Inter-Agency Working Group on Milk and Milk Products, was attended by 40 milk officials and milk-plant managers from eleven countries of the European and Eastern Mediterranean Regions.

(9) The training of all kinds of national workers in sanitation. Altogether, in 1953, WHO assisted with 35 projects in which 42 sanitation specialists were working in 37 countries.

d. MENTAL HEALTH

Visiting short-term consultants helped to select the nationals to receive WHO fellowships in this field in Guatemala, Japan, Lebanon, the Sudan and Syria.

There was also an increase in regional seminars on mental-health projects. A South American seminar on alcoholism was held in Argentina; one on the mental-health problems of childhood was held in Australia for countries of the Western Pacific Region; the Lebanese Government acted as host to a WHO seminar on the development of psychiatric services for the Eastern Mediterra-

nean Region; and, in the Netherlands, there was a seminar for European countries on the mental-health aspects of public-health practice.

The following reports were published during the year: the report of the joint United Nations/WHO meeting on the mental-health aspects of adoption; Mental Hygiene in the Nursery School, the report of a meeting of experts held jointly by WHO and UNESCO; the third report of the WHO Expert Committee on Mental Health, and a monograph entitled *The African Mind in Health and Disease*.

A considerable amount of material was collected on alcoholism, in preparation for a series of national studies. Preliminary work was begun on a study of electrophysiological and psychological changes in children suffering from kwashiorkor, a condition which produces marked psychological retardation at a critical period of a child's development.

e. SOCIAL AND OCCUPATIONAL HEALTH

The second report of the Joint ILO/WHO Committee on Occupational Health was submitted to the Executive Board of WHO and the Governing Body of ILO, and was published.

Plans for assisting Egypt, Finland, Iran, Turkey and Yugoslavia to follow up industrial surveys made in 1952 had to be considerably curtailed during 1953 owing to the financial difficulties. In some cases, there could be no follow-up at all; in others, the projects could be only partially carried out. For the occupational health programme planned for Egypt, for example, it was not possible to do more than provide three fellowships.

With ILO, WHO prepared a draft report on medical criteria for the selection of migrants for ordinary and heavy work and for work requiring special physical ability. In December, the two organizations called a meeting of experts to put the report into final form, for submission to their governing bodies.

WHO continued to collaborate with the United Nations and other specialized agencies on questions of medical rehabilitation. The organization participated in the fourth session of the ad hoc Technical Working Party on the Rehabilitation of the Physically Handicapped, set up by the Administrative Committee on Co-ordination. Projects in medical rehabilitation were continued in India, Japan, Greece and Yugoslavia—the last two jointly with UNICEF, which also provided supplies and equipment for the project for the rehabilitation of physically-handicapped children started in Israel.

WHO began studies of rheumatic diseases with the assistance of the International League against Rheumatism. The Expert Committee on Rheumatic Diseases was convened for the first time at the end of August.

Several countries have asked WHO for assistance on questions of medical care and hospital administration, but the project in Turkey dealing with hospital construction and administration was the only one of its kind to be started with technical assistance funds during the year. The project for reorganizing medical store management in Ceylon continued according to plan; in Peru, the programme of assistance to medical records libraries was completed. A study on rural hospitals as community health centres was undertaken by a WHO consultant, in order to ascertain what medical services are required in rural areas, particularly in under-developed countries, and how they might be provided or improved.

f. NUTRITION

In 1953, WHO participated with FAO in two regional conferences—one at Bandung, Indonesia, attended by delegations from countries of South East Asia, and the other at Caracas, Venezuela, to which countries in both the Western Pacific and the Americas sent delegates. At both regional conferences much interest was shown in the problem of protein malnutrition.

In line with its work in collaboration with UNICEF to improve maternal and child health services (see above) WHO seeks to further the proper feeding of infants and young children. To this end, a consultant with wide experience in paediatric practice in tropical countries visited the Eastern Mediterranean, South East Asia and the Western Pacific Regions and reported on questions relating to infant feeding.

To enable assistance to be given to rural communities in making the best use of available food-stuffs, WHO has undertaken a summary of the existing literature on nutrition problems and dietary customs in different regions of the world. A consultant who had worked in Africa for a number of years compiled a manual on dietary practices and customs in Africa south of the Sahara.

At the request of the Chief Medical Officer of UNRWA an expert from WHO headquarters visited the Eastern Mediterranean Region to survey the state of nutrition of the Arab refugees. This is the third such survey which WHO had made.

g. HEALTH EDUCATION OF THE PUBLIC

The first two regional conferences on this subject to be organized by WHO, in Europe and the Americas, took place during the year.

The European conference was held at London in April, eighteen countries being represented by leaders in medical administration, nursing, health education, general education and the social sciences. Representatives of voluntary health organizations also attended.

The conference for the Americas was held at Mexico City in September. The participants, from eleven countries, represented many fields of work: public-health administration, health education of the public, nursing, environmental sanitation, cultural anthropology, general education, psychology, and teaching of agriculture.

Throughout the year, the organization again provided the services of a full-time lecturer at the University of Malaya in Singapore to assist in developing training courses in health education. Consultants were also appointed to help to start similar courses at the school of public health in Ankara, Turkey. Two Arab-speaking workers in health education were assigned to assist with the maternal and child health programmes in Libya.

WHO continued to co-operate in the fundamental education training programmes in Mexico and Ceylon and assigned an international public-health administrator and a health education specialist to the fundamental education centre for Arab States in Egypt. It also took part in the international seminar in Sicily on visual aids in fundamental education.⁸

With help from short-term consultants, it assisted some Member countries in making plans for the preparation and production of illustrative and audio-visual material and for its use in educational programmes for the general public.

b. NURSING

During the year, WHO assisted the Governments of Burma, Iran, Libya, Pakistan, Syria and Thailand to establish or extend the nursing divisions in their health administrations and to study their countries' immediate and long-term needs for nursing services.

In Burma, India, Malaya, Mexico, Thailand and Turkey, courses, lasting from three to twelve months, were organized for local nurses with the assistance of WHO nursing instructors; in Israel, a WHO nurse-teaching mission gave a six-week course to 137 selected nurses. The medical faculty of the University of Alexandria, with the assistance of WHO, developed plans for a regional

college for the preparation of teachers and administrators, to be opened in 1954.

WHO has started to train instructors in certain countries where they are not available locally—Brunei, Ceylon, Costa Rica, El Salvador, Pakistan, Paraguay, Peru, Taiwan and Thailand.

WHO teams assigned to demonstration and training centres in maternal and child health and in the control of tuberculosis and venereal diseases were also helping to train "on-the-job" local nursing personnel for auxiliary services with the centres.

Of the 144 international nurses employed in WHO field programmes during 1953, 54 were working in schools of nursing and 90 in field demonstration and training centres.

In 1953, WHO helped to organize conferences on nursing in the American, European and African Regions. In Rio de Janeiro, 272 nurses from sixteen North, Central and South American countries met to discuss two problems of major concern to them—legislation for nursing and education for nurses. Nursing education was also discussed by representatives from 21 European countries at a conference held in Switzerland in October. This group of 47 nurses from the hospital and public-health services was particularly concerned with methods of co-ordinating those two services, of strengthening team-work and of providing staff education. At the regional nursing conference at Kampala, Uganda, in September and October, the development of nursing education in the African Region was studied by representatives from 20 States and territories.

One of the most acute difficulties encountered by governments in extending and improving their schools of nursing is the lack of qualified teachers and WHO undertook various programmes in 1953 to help meet the immediate shortage. The fellowship programme was widely used to give the experienced nurse an opportunity to train for teaching and administration.

The regional nursing conference at Rio de Janeiro devoted much of its time to the study of nursing legislation. Advice on the drafting of new laws was given to countries in the Americas and in the Eastern Mediterranean Region. On the recommendation of the Expert Committee on Nursing at its second session, a survey was made of recent legislation in 22 countries.

The study of the functions of the "assistante sociale" in France and the "health visitor" in England was completed during the year.

⁸ See under The United Nations Educational, Scientific and Cultural Organization, pp. 746-47.

i. EDUCATION AND TRAINING

The First World Conference on Medical Education was held at London in August under the auspices of the World Medical Association with the support and participation of WHO. WHO staff and some members of the Expert Advisory Panel on Professional and Technical Education of Medical and Auxiliary Personnel helped to plan and organize the programme of the Conference and took part in the proceedings.

WHO continued to organize conferences and discussions for the study of regional and national problems of medical education. A European conference on postgraduate training in preventive and social medicine was held at Göteborg in July. In the South East Asia Region, during the visits of WHO's teams of medical scientists to the Universities of Madras and Bombay (India) and of Jakarta (Indonesia), informal discussions on medical education were organized.

WHO has helped to establish advanced training institutions in some countries where they were lacking or insufficient. In other countries, particularly those without facilities for training in medicine, nursing or sanitation, it has helped to prepare long-term plans to increase the nucleus of trained personnel and granted fellowships for undergraduates in medical or related subjects. During the year, 51 such fellowships were given to undergraduates of Bolivia, Ethiopia, Laos, Liberia, Libya and Saudi Arabia.

(1) **Fellowships**

The number of WHO fellowships, which rose from 199 in 1947 to 1,147 in 1952, was only 894 in 1953. This was partly due to restrictions in funds and also to the fact that those participating in conferences, seminars and similar educational meetings (where no distinction is made between teachers and trainees) are no longer reported as Fellows. The number of persons in this category was 287.

(2) **Exchange of Scientific Information**

The work of the teams of medical scientists sent to India and Indonesia in 1953 provided a practical demonstration of the principles advocated by the Expert Committee on Professional and Technical Education of Medical and Auxiliary Personnel. These teams were composed of specialists in the basic medical sciences, the clinical disciplines and the public-health specialties. The team normally concludes its work in each centre by holding a conference on medical education, mainly to discuss how the methods it has demonstrated can best be applied to local conditions.

The scientific proceedings of the teams are usually published as a volume by a government agency or professional organization (as in Indonesia); otherwise they are printed in the medical periodicals of the country (as in India). Lectures given by the team that visited Iran in 1951 were published in 1953 in Persian by the University of Teheran.

In February, a group of six professors of ophthalmology, from five countries, went to Cairo, where most of the ophthalmologists of the region were attending the Jubilee Congress of the Ophthalmological Society of Egypt. An advisory group on public-health education and training composed of three professors (in public-health administration, epidemiology and environmental sanitation, respectively) also visited Egypt for a month.

The Regional Office for the Americas started an information bureau on medical education.

j. **EPIDEMIOLOGICAL AND STATISTICAL SERVICES**

All but six of the active Member States of the organization were by the end of 1953 parties to the International Sanitary Regulations. The position of several overseas and outlying territories with regard to the Regulations remained to be defined. The first year of virtually world-wide application of the Regulations was completed on 1 October 1953.

Matters which required interpretation of the Regulations, or amendments to their text, were considered by the Committee on International Quarantine, which met at Geneva from 19 October to 4 November. The Committee considered the first report of the Director-General on the working of the Regulations and a series of observations submitted by Member States on difficulties experienced in their application, with requests for clarification or amendments. The Committee had the benefit of technical advice given by the expert committees on plague, cholera and yellow fever.

The Committee recommended that the validity of the yellow-fever vaccination certificate should be extended from six to nine years; that no certificate of vaccination against cholera should be required of children under one year; and that, in notifications of rodent plague, "sylvatic rodent plague", which involves little risk to international traffic, should be distinguished from "domestic rodent plague".

k. **BIOLOGICAL STANDARDIZATION**

A list of the few therapeutic and prophylactic substances for which international standards or

reference preparations have been established during the year—aureomycin, bacitracin, cloramphenicol and dihydrostreptomycin—does not give a complete picture of the work done in this field; arrangements were well advanced at the end of the year for the establishment of a number of other standards—those for aluminium-hydroxide adsorbed diphtheria toxoid, purified protein derivative (PPD) of avian tuberculin, thyrotrophin, growth hormone, vitamin B12, dextran sulphate and oxytetracycline.

During the year, an international standard for Q-fever serum was established and an international unit for Q-fever complement-fixing activity is to be defined in terms of a specified weight of this standard. An international unit for anti-*Brucella abortus* agglutinating activity was defined, in terms of a specified weight of the international standard for anti-*Brucella abortus* serum established in 1952.

During the year, also, international reference preparations were established for cholera sera and antigens and for cholera vaccines.

l. DRUGS LIABLE TO PRODUCE ADDICTION

The Expert Committee on Drugs Liable to Produce Addiction held its fourth session at Geneva in June. The Committee again discussed the draft of the single convention on narcotic drugs⁹, which is being prepared by the United Nations, and the advice which WHO should give on it to the Commission on Narcotic Drugs.

Co-operation was maintained with the Permanent Central Opium Board and Drug Supervisory Body of the United Nations, and WHO was represented at the eighth session of the Commission on Narcotic Drugs, held in New York in April.

Other work in this field undertaken by WHO includes compilation of information on the scientific aspects of synthetic drugs and investigations into the effect of khat and its addiction-producing character.

m. PHARMACEUTICAL SPECIFICATIONS AND NOMENCLATURE

In 1953, much work was done towards completing and publishing, in English and French, the text for Volume II of the *Pharmacopoea Internationalis*. Arrangements were made for a second impression of 1,200 copies of Volume I in French.

The Expert Committee on the International Pharmacopoeia held its twelfth session from 29 June to 4 July and considered comments on the monographs for Volume II which had been requested from members of the expert advisory panel, other experts in various countries and members of other WHO expert panels.

Volume II, with the already published Volume I and the addendum in preparation, will complete the first edition of the *Pharmacopoea Internationalis*.

The Spanish translation of Volume I, which was undertaken by the WHO Regional Office for the Americas, has been revised by a member of the expert advisory panel. The translation of Volume I into German, under the supervision of another member of the panel, was well advanced by the end of the year.

A list of 299 proposed international non-proprietary names was prepared and published in the October issue of the *Chronicle of the World Health Organization*.

n. PUBLICATIONS

Who participated in a joint CIOMS/UNESCO/WHO meeting, convened by CIOMS (Council for International Organizations of Medical Sciences) at Geneva from 31 July to 1 August, with the object of reviewing previous attempts to organize medical documentation internationally.

During the year, a loose-leaf Manual of Specifications for Insecticides, CODEPID and the first edition of the World Directory of Medical Schools were published. The Bulletin of the World Health Organization and the *Chronicle* were issued regularly. An annotated list of "Current Indexing and Abstracting Periodicals in the Medical and Biological Sciences" was issued as a supplement to *Library News*. This list, containing 179 entries, represents a first step towards making more widely known some of the information and resources available in the WHO library.

WHO was represented at the First International Congress of Medical Librarianship, held in London in July.

4. Budget

The fifth World Health Assembly approved the 1953 budget at \$9,832,754, giving an effective working budget of \$8,485,095, to be financed by casual income available for 1953, and assessments against active Members.

The sixth World Health Assembly authorized the withdrawal from the Working Capital Fund of the amount required to purchase an annuity of \$5,000 for Dr. Brock Chisholm, upon relinquishing his post as Director-General. The reimbursement of the amount to the Working Capital Fund from savings in the 1953 appropriation was also authorized by the sixth World Health Assembly.

⁹ See under Narcotic Drugs.

For 1954, a budget of \$9,838,000 was approved by the sixth World Health Assembly under the various appropriation parts and sections. The Director-General was instructed to limit the obligations to be incurred to parts I, II and III of this appropriation, giving an effective working budget of \$8,497,700. Details of the appropriation, taking into account certain transfers between sections effected with the concurrence of the Executive Board, are given below:

PART I: ORGANIZATIONAL MEETINGS	
World Health Assembly	\$ 157,300
Executive Board and its Committees	87,450
Regional Committees	50,000
TOTAL—PART I	294,750
PART II: OPERATING PROGRAMME	
Central technical services	1,529,731
Advisory services	4,322,101
Regional Offices	1,196,855
Expert Committees and Conferences ..	135,757
TOTAL—PART II	7,184,444
PART III: ADMINISTRATIVE SERVICES	
Administrative services	1,018,506
TOTAL—PART III	1,018,506
SUB-TOTAL—PARTS I, II AND III ..	8,497,700
PART IV: UNDISTRIBUTED RESERVE	
Undistributed reserve	1,340,300
TOTAL—PART IV	1,340,300
TOTAL—ALL PARTS	\$9,838,000

Assessments of contributions of Members to this budget after deduction of available amounts are shown in the following table (in U.S. dollars):

Member	US participation to 33-1/3 per cent	Contributions as adjusted
ACTIVE MEMBERS		
Afghanistan	6	\$ 4,193
Argentina	222	155,134
Australia	236	158,419
Austria	17	11,879
Belgium	162	113,206
Bolivia	10	6,988
Brazil	222	155,134
Burma	6	4,193
Cambodia	5	3,494
Canada	384	268,340
Ceylon	5	3,494
Chile	54	37,735
Costa Rica	5	3,494
Cuba	35	24,458
Denmark	95	66,386
Dominican Republic	6	4,193

Figures in this column represent the number of units after adjustment of US participation to 33-1/3 per cent

Member	US participation to 33-1/3 per cent	Contributions as adjusted
Ecuador	6	4,193
Egypt	95	66,386
El Salvador	6	4,193
Ethiopia	10	6,988
Finland	17	11,879
France	720	503,136
Germany, Fed. Rep. of	387	270,436
Greece	20	13,976
Guatemala	6	4,193
Haiti	5	3,494
Honduras	5	3,494
Iceland	5	3,469
India	390	272,533
Indonesia	40	27,952
Iran	54	37,735
Iraq	20	13,976
Ireland	43	30,048
Israel	14	9,783
Italy	252	176,098
Japan	214	149,543
Jordan	5	3,494
Korea, Rep. of	5	3,494
Laos	5	3,494
Lebanon	7	4,892
Liberia	5	3,494
Libya	5	3,494
Luxembourg	6	4,193
Mexico	76	53,109
Monaco	5	3,469
Morocco	3	2,097
Netherlands	168	117,399
New Zealand	60	37,662
Nicaragua	5	3,494
Norway	60	41,928
Pakistan	84	58,700
Panama	6	4,193
Paraguay	5	3,494
Peru	24	16,771
Philippines	35	24,458
Portugal	47	32,843
Saudi Arabia	10	6,988
Southern Rhodesia	3	2,097
Spain	132	92,242
Sweden	245	139,277
Switzerland	120	83,856
Syria	14	9,783
Thailand	32	22,362
Tunisia	3	2,097
Turkey	109	76,169
Union of South Africa	134	93,639
United Kingdom	1,378	962,948
United States	4,306	2,987,667
Uruguay	22	15,374
Venezuela	32	22,362
Vietnam	25	17,470
Yugoslavia	40	27,952
TOTAL—ACTIVE MEMBERS	11,000	\$7,622,700
SPECIAL ASSESSMENTS		
China	720	503,136
TOTAL—SPECIAL ASSESSMENTS	720	\$ 503,136

Figures in this column represent the number of units after adjustment of US participation to 33-1/3 per cent

Member	Figures in this column represent the number of units after adjustment of US participation to 33-1/3 per cent	Contributions as adjusted	Member	Figures in this column represent the number of units after adjustment of US participation to 33-1/3 per cent	Contributions as adjusted
INACTIVE MEMBERS			Romania	42	29,349
Albania	5	\$ 3,494	Ukrainian SSR	101	70,579
Bulgaria	17	11,879	USSR	761	531,788
Byelorussian SSR	26	18,169	TOTAL—INACTIVE MEMBERS	1,198	\$ 837,164
Czechoslovakia	108	75,471	GRAND TOTAL	12,918	\$8,963,000
Hungary	24	16,771			
Poland	114	79,664			

ANNEX. MEMBERS, OFFICERS AND HEADQUARTERS

(As of 31 December 1953)

A. MEMBERS OF WHO

Afghanistan	Cuba	Hungary ¹⁰	Mexico	Sweden
Albania ¹⁰	Czechoslovakia ¹⁰	Iceland	Monaco	Switzerland
Argentina	Denmark	India	Nepal	Syria
Australia	Dominican Republic	Indonesia	Netherlands	Thailand
Austria	Ecuador	Iran	New Zealand	Turkey
Belgium	Egypt	Iraq	Nicaragua	Ukrainian SSR ¹⁰
Bolivia	El Salvador	Ireland	Norway	Union of South Africa
Brazil	Ethiopia	Israel	Pakistan	USSR ¹⁰
Bulgaria ¹⁰	Finland	Italy	Panama	United Kingdom
Burma	France	Japan	Paraguay	United States
Byelorussian SSR ¹⁰	Germany, Fed. Rep. of	Jordan	Peru	Uruguay
Cambodia	Greece	Korea, Rep. of	Philippines	Venezuela
Canada	Guatemala	Laos	Poland ¹⁰	Vietnam
Ceylon	Haiti	Lebanon	Portugal	Yemen
Chile	Honduras	Liberia	Romania ¹⁰	Yugoslavia
China ¹⁰		Libya	Saudi Arabia	
Costa Rica		Luxembourg	Spain	
		Associate Members		
	Morocco	Southern Rhodesia	Tunisia	

B. EXECUTIVE BOARD

Members	Designated by
M. Mackenzie (Chairman)	United Kingdom
F. Hurtado (Vice-Chairman)	Cuba
W. A. Karunaratne (Vice-Chairman)	Ceylon
G. P. Alivisatos	Greece
O. Andersen	Denmark
S. Anwar	Indonesia
C. van den Berg	Belgium
M. J. Ferreira	Brazil
S. Hayek	Lebanon
H. Hyde	United States
H. M. Jettmar	Austria
O. J. Leroux ¹¹	Canada
M. A. Maleki	Iran
J. N. Togba	Liberia
H. B. Turbott ¹²	New Zealand
O. Vargas-Méndez	Costa Rica
P. Vollenweider	Switzerland
S. Al-Wahbi	Iraq

C. SENIOR OFFICERS OF THE SECRETARIAT

Director-General:
M. G. Candau (Brazil)

Deputy Director-General:

Pierre Dorolle
Assistant Director-General, Department of Advisory Services:
V. Sutter
Assistant Director-General, Department of Central Technical Services:
H. S. Gear
Assistant Director-General, Department of Administration and Finance:
M. P. Siegel
Director, Regional Office for Africa:
F. Daubenton

¹⁰ These countries have notified WHO that they will no longer participate actively in the work of the Organization. On 19 May 1953 the Director-General of WHO received a cable from the Republic of China announcing that it would resume active participation in the work of WHO.

¹¹ Relinquished his place on the Board on his appointment to the staff of WHO on 29 September 1953.

¹² Replaced by his alternate, F. S. Maclean.

Director, Regional Office for the Americas:

F. L. Soper

Director, Regional Office for South-East Asia:

C. Mani

Director, Regional Office for Europe:

N. Begg

Director, Regional Office for the Eastern Mediterranean:

A. T. Shousha

Director, Regional Office for the Western Pacific:

I. Fang

D. HEADQUARTERS

Address: World Health Organization
Palais des Nations
Geneva, Switzerland

Cable Address: UNISANTE GENEVA

E. OTHER OFFICES

1. NEW YORK OFFICE

Address: World Health Organization
United Nations
New York

Cable Address: UNISANTE NEWYORK

2. REGIONAL OFFICE FOR AFRICA

Address: Regional Office of the World Health
Organization for Africa
P. O. Box 6
Brazzaville, French Equatorial Africa

Cable Address: UNISANTE BRAZZAVILLE

3. REGIONAL OFFICE FOR THE AMERICAS

Address: Regional Office of the World Health
Organization for the Americas
1501 New Hampshire Avenue, N.W.
Washington 6, D. C.

Cable Address: OFSANPAN WASHINGTON

4. REGIONAL OFFICE FOR SOUTH-EAST ASIA

Address: Regional Office of the World Health
Organization for South-East Asia
Patiala House, Princes Park
New Delhi, India

Cable Address: WORLDHELTH NEW DELHI

5. REGIONAL OFFICE FOR EUROPE

Temporary
Address: Regional Office of the World Health
Organization for Europe
Palais des Nations
Geneva, Switzerland

Cable Address: UNISANTE GENEVA

6. REGIONAL OFFICE FOR THE EASTERN MEDITERRANEAN

Address: Regional Office of the World Health
Organization for the Eastern Medi-
terranean

P. O. Box 1517

Alexandria, Egypt

Cable Address: UNISANTE ALEXANDRIA

7. REGIONAL OFFICE FOR THE WESTERN PACIFIC

Address: Regional Office of the World Health
Organization for the Western Pacific
25th Street, Port Area
Post Box 2932

Manila, Philippines

Cable Address: UNISANTE MANILA

8. SINGAPORE EPIDEMIOLOGICAL INTELLIGENCE STATION

Address: Epidemiological Intelligence Station
World Health Organization
8, Oxley Rise
Singapore 9

Cable Address: EPIDNATION SINGAPORE

9. TUBERCULOSIS RESEARCH OFFICE

Address: World Health Organization Tuberculosis
Research Office
Scherfigsvej 8
Copenhagen, Denmark

Cable Address: UNIRESEARCH COPENHAGEN

H. The Universal Postal Union (UPU)¹

1. Introduction

The Postal Union was founded in 1874 by the first International Postal Congress held at Berne, before which international exchanges of mail had been regulated by numerous special agreements concluded between countries or groups of countries.

This first International Postal Treaty, which entered into force in July 1875, considerably

changed and simplified the existing state of affairs. It declared that the countries concluding the Treaty formed a single postal territory for the reciprocal exchange of mail between their post offices. This formulation of the aims of the Union remained substantially the same through

¹ For further information concerning UPU, see L'Union postale universelle: Sa fondation et son développement, 1874-1949. Mémoire; (Berne: Bureau international de l'Union, 1950); annual reports of UPU and previous issues of the Yearbook.

successive revisions of the Treaty although it was somewhat elaborated by the Stockholm Congress of 1924 and the Paris Congress of 1947. The former added that it was also the aim of the Union "to provide for the organisation and improvement of the various international postal services" and the latter that it was "to promote the development of international collaboration in this sphere". For well-defined classes of mail (such as letters, postcards and printed matter) addressed to any part of the territory of the Postal Union, the Berne Treaty provided that each country was to charge uniform rates and all apportionment of charges between sender and receiver countries was abolished. Freedom of transit was guaranteed throughout the territory of the Union.

A congress of plenipotentiaries of the participating countries was to meet periodically with a view to perfecting the machinery of the Union, introducing necessary improvements and discussing matters of common interest. Thirteen such congresses met up to the end of 1953. These congresses drew up the Acts by which the functions of the Union were determined. These Acts comprise:

(1) a main Convention laying down (a) the statute of the Union and (b) provisions governing the letter-post, which includes letters, postcards, printed matter, literature for the blind, samples, commercial papers, small packets and phonopost articles (for example, phonograph records);

(2) seven accessory agreements covering insured letters and boxes, parcel post, money orders, transfers to and from postal cheque accounts, cash-on-delivery articles, collection orders and subscriptions to newspapers and periodicals. (Special provisions annexed to the main Convention govern the optional transport of letters, etc. by air. Similarly, a supplement to the money order agreement regulates the optional exchange of travellers' orders and a supplement to the postal transfers agreement regulates the postal transfers of sums deposited in postal cheque offices.)

Accession to the main Convention is obligatory for all Members, but accession to the other agreements is optional. The performance of certain special services referred to in the Convention is also limited to arrangements between countries which have agreed to undertake them. The provisions of these Acts of the Union acquire the status of law in each country which ratifies them, and it is therefore the responsibility of each party to the Convention or to one of the agreements to ensure the application of the respective provisions. Each of these Acts is accompanied by executive regulations, which have also been adopted by the Congress but signed by representatives in the name of their respective postal administrations and not, as in the case of the

Convention and the Agreements, in their capacity as plenipotentiaries of their governments.

In addition to the congresses, several conferences or committees of representatives of Postal Administrations met, under the Union's auspices, to examine and discuss special technical questions referred to them by congresses or to prepare for congresses.

Provisions for the admission of new Members were eased by the Paris Congress of 1878, which laid down that countries would be admitted to membership at their request without prior consultation among Members being required. The name of the Union was changed from General Postal Union to Universal Postal Union.

On 1 July 1948, the Universal Postal Convention as revised by the Paris Congress in 1947 entered into force. This Congress introduced a new article into the Convention providing that the Union would be brought into relationship with the United Nations in accordance with the terms of an Agreement, the text of which was annexed to the Convention.² As a result of this Agreement, and because of circumstances arising from the Second World War, the article relating to accession to the Convention was modified. Under the new terms, the Swiss Government has been required, since 1 July 1948, to submit each new request for admission to the Members of the Union, and the country concerned is considered admitted only if its request is approved by at least two thirds of the Members constituting the Union.

The Convention was further revised by the 13th Universal Postal Congress held at Brussels from 14 May to 11 July 1952.³ The revised Convention, it was provided, would enter into force on 1 July 1953.

2. Organization

UPU is composed of the Universal Postal Congress, the Executive and Liaison Committee, and the International Bureau of the UPU. Special sessions of the Congress may be called at the request of at least two thirds of the Members of the Union. Committees of a temporary character may be established by the Congress to study particular questions.

The Universal Postal Congress meets at the latest within five years from the date of entry into force of the Acts of the preceding Congress

² For text of Agreement, see Y.U.N., 1947-48, pp. 906-908.

³ For a summary of the principal changes, see Y.U.N., 1952, pp. 889-90. For text, see Annex II.

in order to revise these Acts or to complete them, if necessary. Each Member is represented at the Congress by one or more plenipotentiary representatives, who are given the necessary powers by their governments. A Member may also be represented by the delegation of another Member, although no delegation may represent more than one country other than its own. Each Member has one vote in the Congress. Every Congress is convened, after consultation with the International Bureau, by the government of the country in which it is to meet. This government is also responsible for notifying all other Members of the Union of the decisions taken by the Congress.

The Executive and Liaison Committee is composed of twenty Member States elected by the Congress to function during the period between Congresses. At least half of the members of the Committee must be re-elected at each Congress, but no country can be elected by three successive Congresses. The Committee normally holds one session a year; it meets in principle at Berne, its functions include:

(1) the maintenance of close relations with Members of the Union, with a view to improving the international postal service;

(2) the study of technical questions affecting that service and the transmission of the results of such studies to the Members of the Union;

(3) the establishment and maintenance of working relations with the United Nations, specialized agencies and other international organizations;

(4) the control of activities of the International Bureau.

The Committee elects from among its own members its President and four Vice-Presidents, and appoints, on the recommendation of the Swiss Government, the Director and other top-ranking personnel of the International Bureau.

The International Bureau of the UPU, operating at Berne under the supervision of the Swiss Supervisory Authority, serves as the organ of liaison, information and consultation for Members of the Union. In particular, it:

(1) assembles, publishes and distributes information of all kinds which Administrations have to communicate to one another in order to carry on the various international postal services;

(2) gives opinions, at the request of the interested parties, on questions in dispute;

(3) notifies Members of requests for amendments to the Acts of the Congress and of changes adopted;

(4) makes the necessary preparations for congresses and conferences; and

(5) in general, undertakes studies, consultations and other matters as requested by Members of the Union.

The Bureau also serves Postal Administrations as a clearing house for the settlement of postal

accounts, especially those relating to transit payments and reply coupons.

3. Activities during 1953

In 1953, the total number of Members of the Union remained at 93, excluding Germany, which is temporarily prevented by the Brussels Convention of 1952 from exercising its membership under the Convention and the Agreements of the Union.

The Union continued during the year to pursue its aim of assuring the organization and improvement of the various international postal services and of promoting the development of international collaboration in this sphere.

On 9 May, the new building of UPU was officially inaugurated. More than 300 people took part in the ceremony, including representatives of the Swiss authorities, diplomatic missions of the countries of the Union accredited to Berne, the United Nations and some of the specialized agencies, other international organizations and UPU's Executive and Liaison Committee, as well as the Postal Administrations not represented on this Committee. Representatives of the Press, the radio and the cinema were also invited to this celebration which was a memorable event in the history of the organization.⁴ The building cost 1,160,000 Swiss francs.

The Executive and Liaison Committee (ELC), elected by the 1952 Brussels Congress, met at Berne from 4 to 15 May.

Following the death of its President, E. G. Pineux, Director General of the Belgian postal administration, the Committee confirmed the allocation of the presidency to Belgium in designating J. B. L. Lemmens, Mr. Pineux's successor, as the new President.

After approving the report on the work of the International Bureau, the ELC, among other things, discussed the relations with the United Nations and various specialized agencies.

The Committee examined the documentation furnished by the International Civil Aviation Organization (ICAO) on the problem of the variations of basic costs for air transport in relation to returns and asked ICAO to bring up to date the information already given to the 1952 Brussels Congress, accompanying it by an indication of the charges made by the airlines for passengers

⁴ On this occasion, the International Bureau published an illustrated souvenir brochure giving details of the construction of the building as well as a list of gifts offered by the Postal Administrations.

and goods in 1952 and subsequent years over one hundred routes to be selected by ICAO. A sub-committee was then charged with studying this information.

ICAO informed the Committee that it was pursuing the study requested by the Brussels Congress of the air transport of dangerous goods.

The ELC examined at length certain questions put by the International Air Transport Association (IATA) on the interpretation to be given to the provisions of the Brussels Convention concerning the basic rates for air transport. This problem was further the object of an exchange of views between the President of IATA and the Director of the International Bureau, in the course of which it was suggested, among other things, that a joint ad hoc IATA-UPU committee should study the question and report on it to both organizations.

The Committee also dealt with technical studies and the form to be given to them.

It decided that (1) new monographs should be prepared on: (a) the origin, structure, mechanism and development of postal cheque offices; and (b) organization of social services; (2) that articles should be prepared for publication in the review *Union Postale* on: (a) automobile post offices; and (b) use of light metal or plastic seals for closing bags for ordinary or registered mail; and (3) that inquiries be made by circular concerning: (a) purification of air in service stations not provided with air conditioning; and (b) occupational maladies of postal employees and preventive measures.

The following sub-committees were established to study particular problems:

1. The Sub-Committee on the Cinema (Australia, Denmark, Italy, Switzerland, United States)
2. Sub-Committee on the Universal Decimal Classification (Italy, Switzerland)
3. Sub-Committee on the Editorial Revision of the Brussels Convention (Airmail Correspondence) (Belgium, Denmark, Egypt, France, Poland, Switzerland)
4. Sub-Committee on the Editorial Revision of the Acts Concerning Money Articles⁵ (Belgium, Denmark, Egypt, France, Poland, Switzerland)
5. Sub-Committee on Post Office Savings Banks (Belgium, France, Italy, Japan)

All these Sub-Committees held one constituent meeting on 12 May.

With the approval of the Executive and Liaison Committee, the position of the personnel of the International Bureau was regularized; it was decided to proceed by stages with the confirmation of the eleven auxiliary officers already in the service of the Bureau for some time, and to

nominate four new officers chosen from the nationals of Chile, India, Belgium and Luxembourg. With this, the number of permanent officials of the International Bureau rose from seventeen at the end of 1952 to 32 on 1 January 1954.

Independently of its specialized activities, UPU, through the medium of its International Bureau and in accordance with the terms of article 17 of the Brussels Convention, has served as the organ of liaison, information and consultation of its Member countries. Thus, the Bureau published and sent to the Administrations a total of 321 circulars, sixteen circular letters, 93 bulletins, 14,808,700 international reply coupons and 685,740 postal identity cards.

It also edited, or re-edited, and transmitted to the Administrations records, lists, documents, etc. including the following: the documents of the Congress of Brussels 1952, in three volumes, namely, Volume I—proposals and reports, Volume II—delegations and discussions, Volume III—definitive acts; documents of the Executive and Liaison Committee 1952-1953; report of the work of the International Bureau for the year 1952; equivalents in national currencies of the prices and charges expressed in gold francs in the Convention and the Arrangements; official compilation of information of general interest concerning the execution of the Convention and its Regulations; compilation of information concerning the execution of the Arrangement concerning insured letters and boxes; compilation of information concerning the execution of the Arrangement concerning parcel post; compilation of information concerning the execution of the Arrangements concerning money articles; compilation of information concerning the execution of the Arrangement concerning subscriptions to newspapers and written periodicals; list of kilometeric distances relating to land sectors; compilation of reduced prices; abridged statistics of postal services for 1951; the monthly review *Union Postale*; and lists of heads and higher officers of the Postal Administrations.

Further, basing itself on a decision of the Congress of Brussels 1952, the International Bureau drew up specimens of the forms of the Convention and the Arrangements which were collected into a new publication called *Formulaire de l'UPU*, also distributed to the Administrations.

In addition, the International Bureau distributed 2,928 kinds of postage stamps and printed

⁵ Money Articles include: money orders, transfers to and from postal cheque accounts, cash-on-delivery articles, collection orders.

and embossed stamps, comprising 1,958 postage stamps of all kinds, 14 blocks, 909 articles of stamped stationery and 47 printed and embossed stamps, bringing to 1,068,393 the total number of stamps distributed to the Administrations during 1953.

4. Budget

Each Congress fixes the maximum figure for the ordinary annual expense of the International Bureau. These expenses, as well as extraordinary charges resulting from sessions of the Congress, conferences or committees, and the charges which arise from special work entrusted to the Bureau, are met in common by all the Members of the Union. These are divided, for this purpose, into seven classes, of which each contributes to the expenditures in the following proportion:

First class: 25 units, Second class: 20 units, Third class: 15 units, Fourth class: 10 units, Fifth class: 5 units, Sixth class: 3 units, Seventh class: 1 unit.

In case of a new accession to the Convention, the Government of the Swiss Confederation determines, in agreement with the Government of the Member concerned, the class to which it will belong from the point of view of contributing to the expenses of the Bureau.

Having regard to the fact that the Universal Postal Convention of Paris remained in effect until 30 June 1953 and that the new Brussels Convention entered into effect on 1 July 1953, the International Bureau had at its disposal, to cover the ordinary expenses of the Union for the year 1953, a credit of 950,000 gold francs (equivalent to 1,357,143 Swiss francs) corresponding to half the amount authorized annually, on the one hand, by article 18, paragraph 8, of the Paris Convention and by article 183, paragraph 1, of its Regulations and, on the other hand, by article 110, paragraph 1, of the Regulations of the Brussels Convention.

The Swiss Administration supervises the expenses of the International Bureau and advances the necessary funds. These sums must be repaid by the debtor Administrations as quickly as possible and, at the latest, before the end of the year on which the account is rendered. If this time is exceeded, the sums due are charged interest at the rate of 5 per cent per year, from the date of the expiration of the period.

As of 31 December 1953, countries were classified as follows for the apportionment of contributions:

1st class: Argentina, Australia, Brazil, Canada, China, France, Germany,⁶ India, Italy, Japan, New Zealand, Pakistan, Spain, Union of South Africa, USSR, United Kingdom, United States.

2nd class: None

3rd class: Algeria, Belgium, Czechoslovakia, Egypt, French Overseas Territories administered as such, Indonesia, Mexico, Netherlands, Poland, Romania, Sweden, Switzerland, Turkey, Ukrainian SSR, United Kingdom Overseas Colonies, Protectorates and Territories under Trusteeship, United States Possessions, Yugoslavia.

4th class: Denmark, Finland, Hungary, Ireland, Norway, Portugal, Portuguese Colonies in West Africa, Portuguese Colonies in East Africa, Asia and Oceania, Republic of Korea.

5th class: Austria, Bulgaria, Byelorussian SSR, Ceylon, Chile, Colombia, French Morocco, Greece, Iran, Peru, Spanish Morocco, Tunisia.

6th class: Afghanistan, Albania, Bolivia, Burma, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Israel, Luxembourg, Netherlands Antilles and Surinam, Nicaragua, Panama, Paraguay, Thailand, Uruguay, Venezuela, Vietnam.

7th class: Belgian Congo, Cambodia, Iceland, Iraq, Jordan, Laos, Lebanon, Liberia, Libya, Philippines, San Marino, Saudi Arabia, Spanish Colonies, Syria, Vatican City, Yemen.

Contributory shares covering the ordinary and extraordinary expenses for the year 1953 were fixed as follows:

CLASS OF CONTRIBUTION	CONTRIBUTORY SHARES	
	(gold francs)	(Swiss francs)
1st class: 25 units	33,442.50	47,775.00
2nd class: 20 units	26,754.00	38,220.00
3rd class: 15 units	20,065.50	28,665.00
4th class: 10 units	13,377.00	19,110.00
5th class: 5 units	6,688.50	9,555.00
6th class: 3 units	4,013.10	5,733.00
7th class: 1 unit	1,337.70	1,911.00

Receipts and expenditures for the year 1953 may be summarized as follows:

RECEIPTS		Swiss francs
Ordinary:		
Sale of documents and other receipts		91,267.72
Extraordinary:		
Sale of documents and other receipts		23,735.77
Contributions from Members		1,748,565.00
TOTAL RECEIPTS		1,863,568.49
EXPENDITURE		Swiss francs
Ordinary:		
Personnel		915,393.04
Premises		103,961.80
Supplies		186,894.16
Miscellaneous		163,547.74
TOTAL ORDINARY EXPENDITURE		1,369,796.74
Extraordinary:		
Special work		307,263.90
Congress and conferences		186,507.85
TOTAL EXTRAORDINARY EXPENDITURE		493,771.75
TOTAL OF ORDINARY AND EXTRAORDINARY EXPENDITURE		1,863,568.49

⁶ Germany is temporarily prevented from adhering to the Convention and the Agreements of the Union by virtue of Art. XIX of the Final Protocol of the Universal Postal Convention of Brussels 1952.

ANNEX I. MEMBERS, OFFICERS AND HEADQUARTERS
(As of 31 December 1953)

A. MEMBERS OF UPU⁷

Afghanistan	Czechoslovakia ⁸	India	Norway ⁸	Syria
Albania	Denmark ⁸	Indonesia	Pakistan	Thailand ⁸
Algeria	Dominican Republic	Iran	Panama	Tunisia
Argentina	Ecuador	Iraq	Paraguay	Turkey
Australia	Egypt	Ireland	Peru	Ukrainian SSR ⁸
Austria	El Salvador	Israel	Philippines	Union of South Africa
Belgium ⁸	Ethiopia	Italy ⁸	Poland	USSR ⁸
Belgian Congo ⁸	Finland ⁸	Japan ⁸	Portugal	United Kingdom
Bolivia	France	Jordan ¹⁰	Portuguese Colonies	United Kingdom Overseas Colonies, Protectorates and Territories under Trusteeship
Brazil	French Morocco	Korea, Rep. of	of West Africa	
Bulgaria	French Overseas Territories and Territories administered as such	Laos ⁸	Portuguese Colonies of East Africa, Asia and Oceania	
Burma	Germany ⁹	Lebanon ⁸	Romania	United States ⁸
Byelorussian SSR ⁸	Greece	Liberia	San Marino ⁸	United States Possessions
Cambodia ⁸	Guatemala	Libya ¹⁰	Saudi Arabia ¹⁰	Uruguay
Canada ⁸	Haiti	Luxembourg ⁸	Spain	Vatican City ⁸
Ceylon	Honduras	Mexico	Spanish Colonies	Venezuela
Chile	Hungary	Netherlands	Spanish Morocco	Vietnam ⁸
China ⁸	Iceland ⁸	Netherlands Antilles and Surinam	Sweden	Yemen
Colombia		New Zealand	Switzerland ⁸	Yugoslavia
Costa Rica		Nicaragua		
Cuba				

B. OFFICERS AND MEMBERS OF THE EXECUTIVE AND LIAISON COMMITTEE

1. OFFICERS

President: Belgium (J. B. L. Lemmens)

Vice-Presidents:

- | | |
|------------------|--------------|
| 1. USSR | 3. Australia |
| 2. United States | 4. Egypt |

Secretary-General:

Fritz Hess (Switzerland), Director of the International Bureau

2. MEMBERS

Australia	Japan
Belgium	Pakistan
Brazil	Poland
Chile	Switzerland
Denmark	Syria
Egypt	Union of South Africa
France	USSR
India	United States
Indonesia	Uruguay
Italy	Venezuela

C. OFFICERS OF THE INTERNATIONAL BUREAU OF UPU

Director:

Fritz Hess (Switzerland)

Vice-Director:

Fulke R. Radice (United Kingdom)

Councillors:

- F. Deprez (Switzerland)
- A. Guillaume (France)
- E. Kern (Switzerland)
- M. Parra (Chile)

First Secretaries:

- A. Vuilleumier (Switzerland)
- M. Rahi (Egypt)
- W. Schlaefli (Switzerland)

D. HEADQUARTERS

Address: Bureau international de l'Union postale universelle
Schosshaldenstrasse 46
Berne, Suisse

Postal Address: Case postale Berne 15, Suisse

Cable Address: UPU BERNE

⁷ The Official nomenclature as notified to UPU by the Members concerned, which is used to designate some Members in this list, differs in certain instances from the official nomenclature of the United Nations. UPU's official listing of its Members and Associate Members is in the French alphabetical order of their names.

⁸ These Members had deposited their instruments of ratification of the Universal Postal Convention of Brussels 1952, by 31 December 1953.

⁹ Germany is temporarily prevented from adhering to the Convention and the Agreements of the Union by virtue of Art. XIX of the Final Protocol of the Universal Postal Convention of Brussels 1952.

¹⁰ These Members had deposited their instruments of accession to the Universal Postal Convention of Brussels 1952 in 1953.

ANNEX II

UNIVERSAL POSTAL CONVENTION¹¹

Concluded between Afghanistan, the Union of South Africa, the People's Republic of Albania, Germany, the United States of America, the Whole of the Territories of the United States of America, including the Trust Territory of the Pacific Islands, the Kingdom of Saudi Arabia, the Argentine Republic, the Commonwealth of Australia, Austria, Belgium, the Colony of the Belgian Congo, the Soviet Socialist Republic of Byelorussia, Burma, Bolivia, the United States of Brazil, the People's Republic of Bulgaria, Cambodia, Canada, Ceylon, Chile, China, the Republic of Colombia, Korea, the Republic of Costa Rica, the Republic of Cuba, Denmark, the Dominican Republic, Egypt, the Republic of El Salvador, Ecuador, Spain, the Whole of the Spanish Colonies, Ethiopia, Finland, France, Algeria, the Whole of the Overseas Territories of the French Republic and the Territories administered as such, the United Kingdom of Great Britain and Northern Ireland, the Whole of the British Overseas Territories, including the Colonies, the Protectorates and the Territories under Trusteeship exercised by the Government of the United Kingdom of Great Britain and Northern Ireland, Greece, Guatemala, the Republic of Haiti, the Republic of Honduras, the Hungarian People's Republic, India, the Republic of Indonesia, Iran, Iraq, the Irish Republic, the Republic of Iceland, Israel, Italy, Japan, the Hachemite Kingdom of Jordan, Laos, Lebanon, the Republic of Liberia, Libya, Luxembourg, Morocco (except the Spanish Zone), Morocco (Spanish Zone), Mexico, Nicaragua, Norway, New Zealand, Pakistan, the Republic of Panama, Paraguay, the Netherlands, the Netherlands Antilles and Surinam, Peru, the Republic of the Philippines, Poland, Portugal, the Portuguese Territories in West Africa, the Portuguese Territories in East Africa, Asia and Oceania, the Roumanian People's Republic, the Republic of San Marino, Sweden, the Swiss Confederation, Syria, Czechoslovakia, Thailand, Tunisia, Turkey, the Soviet Socialist Republic of Ukraine, the Union of Soviet Socialist Republics, the Eastern Republic of Uruguay, the State of the City of the Vatican, the United States of Venezuela, Viet-Nam, Yemen, the Federal People's Republic of Yugoslavia.

The undersigned, Plenipotentiaries of the Governments of the above-named Countries, being assembled in Congress at Brussels, by virtue of Article 14 of the Universal Postal Convention concluded at Paris on the 5th of July 1947, have, by common consent and subject to ratification, revised the said Convention to read as follows:

PART I.—CONSTITUTIONAL AND GENERAL PROVISIONS OF THE UNIVERSAL POSTAL UNION

Section I.—Constitutional Provisions

CHAPTER I.—CONSTITUTION OF THE UNION

Article 1

CONSTITUTION AND AIM OF THE UNION

1. The Countries between which the present Convention is concluded form, under the title of Universal Postal Union, a single postal territory for the reciprocal exchange of correspondence.

2. The aim of the Union is to secure the organisation and improvement of the various postal services and to promote in this sphere the development of international collaboration.

Article 2

SEAT OF THE UNION

The seat of the Union and of its permanent organs shall be at Berne.

Article 3

NEW ADMISSIONS. PROCEDURE

1. Any sovereign Country may apply for admission as a member of the Universal Postal Union.

2. The application is addressed through the diplomatic channel to the Government of the Swiss Confederation, and by the latter to the member-Countries of the Union.

3. The Country concerned is considered to be admitted as a member if its application is approved by two-thirds at least of the member-Countries of the Union.

4. Member-Countries of the Union which have not answered within a period of four months are considered to have abstained.

5. Admission as a member is notified by the Government of the Swiss Confederation to the Governments of all the member-Countries of the Union.

Article 4

COLONIES, PROTECTORATES, &c.

The following are considered to be a single member-Country of the Union or a single postal Administration of a member-Country as the case may be within the meaning of the Convention and of the Agreements as regards, in particular, their right to vote at Congresses, Conferences and in the interval between meetings and also their contribution to the expenditure of the Union:

1. the Whole of the Territories of the United States of America, including the trust Territory of the Pacific Islands;
2. the Colony of the Belgian Congo;
3. the Whole of the Spanish Colonies;
4. Algeria;
5. the Whole of the overseas Territories of the French Republic and the Territories administered as such;
6. the Whole of the British overseas Territories, including the Colonies, the Protectorates and the Territories under trusteeship exercised by the Government of the United Kingdom of Great Britain and Northern Ireland;
7. the Netherlands Antilles and Surinam;
8. the Portuguese Territories in West Africa;
9. the Portuguese Territories in East Africa, Asia and Oceania.

¹¹ The English text reproduced here is the translation published in the United Kingdom Parliamentary Papers, 1953 (Cmd. 8998), H. M. Stationery Office, London, reprinted by permission of H. M. Stationery Office.

The French text published by the International Bureau of UPU is the official text of the Universal Postal Convention. See: Union Postale Universelle, Documents du Congrès de Bruxelles, 1952. Tome III. Berne, 1953. pp.3-52.

Article 5

APPLICATION OF THE CONVENTION TO COLONIES,
PROTECTORATES, &c.

1. Any member-Country may declare, either at the time of signature, ratification or application for admission, or later, that its acceptance of the present Convention and where appropriate of the Agreements includes all its Colonies, all its overseas Territories, Protectorates or Territories under suzerainty, mandate or trusteeship, or certain of them only. This declaration, unless made at the time of signature or ratification of the Convention, is to be addressed to the Government of the Swiss Confederation.

2. The Convention will apply only to those Colonies, overseas Territories, Protectorates or Territories under suzerainty, mandate or trusteeship in respect of which declarations have been made under § 1.

3. Any member-Country may at any time address to the Government of the Swiss Confederation a notification designed to cancel the application of the Convention to any Colony, overseas Territory, Protectorate or Territory under suzerainty, mandate or trusteeship on behalf of which that Country has made a declaration under § 1. This notification will take effect one year from the date of its receipt by the Government of the Swiss Confederation.

4. The Government of the Swiss Confederation will communicate to every member-Country a copy of each declaration or notification received under §§ 1 to 3.

5. The provisions of this Article do not apply to any Colony, overseas Territory, Protectorate or Territory under suzerainty, mandate or trusteeship which figures in the preamble to the Convention.

Article 6

JURISDICTION OF THE UNION

The following are considered as belonging to the Universal Postal Union:

- (a) post offices set up by member-Countries in territories not included in the Union;
- (b) other territories which, without being members of the Union, are included in it because from the postal point of view they are subordinate to member-Countries.

Article 7

LANGUAGES

1. The official language of the Universal Postal Union is French.

2. For the debates of Congresses, of Conferences and of their committees, the French, English, Spanish and Russian languages are admitted, by means of a system of interpretation—with or without electronic equipment—the choice of which is left to the judgment of the organisers of the meeting after consultation with the Director of the International Bureau and the member-Countries concerned. The same applies as regards meetings of the Universal Postal Union which are held in the intervals between Congresses.

3. Other languages are likewise admissible for the debates and meetings mentioned in § 2.

4. (a) The cost of installing and maintaining the system of simultaneous interpretation for French, English, Spanish and Russian is borne by the Union;

- (b) the cost of the interpretation services for the same languages is borne by the member-Countries which use English, Spanish or Russian. It is divided into three equal parts each of which is apportioned among the Countries of the group to which they belong in proportion to their contributions to the general expenses of the Union.

5. Delegations using other languages provide for simultaneous interpretation into one of the languages mentioned in § 2, either by the system therein indicated, when the necessary technical modifications can be made, or by individual interpreters.

6. The cost of using other languages, including the cost of any technical alterations, described in § 5 that may be made to the system mentioned in § 2, are apportioned among the member-Countries using those languages on the same basis as in § 4 (b).

7. Postal Administrations may come to an understanding about the language to be used for official correspondence in their relations with one another.

Article 8

EXCEPTIONAL RELATIONS

Administrations which provide a service with territories not included in the Union are bound to act as intermediaries for other Administrations. The provisions of the Convention and its Detailed Regulations apply to these exceptional relations.

Article 9

RESTRICTED UNIONS. SPECIAL AGREEMENTS

1. Member-Countries of the Union, or their postal Administrations if the legislation of the Countries permits, may establish restricted Unions and make special Agreements concerning the international postal service provided always that they do not introduce provisions less favourable to the public than those laid down in the Acts to which they are parties.

2. Restricted Unions may send observers to Congresses, Conferences and meetings of the Union and to the Executive and Liaison Committee.

Article 10

WITHDRAWAL FROM THE UNION

1. Each member-Country is free to withdraw from the Union by notice given through the diplomatic channel to the Government of the Swiss Confederation and by that Government to the Governments of the member-Countries.

2. Withdrawal from the Union becomes effective on the expiry of a period of one year from the day on which the notice is received by the Government of the Swiss Confederation.

CHAPTER II.—ORGANISATION OF THE UNION

Article 11

CONGRESS

1. Delegates of the Countries of the Union meet in Congress not later than five years after the date of the entry into force of the Acts of the preceding Congress in order to revise or complete those Acts, as required.

2. Each Country arranges for its representation at Congress by one or more plenipotentiary delegates furnished with the necessary powers by their Government. It may, if necessary, arrange for its representation by the delegation of another Country. It is understood, nevertheless, that a delegation may represent only one Country other than its own.

3. In the debates each Country is entitled to one vote only.

4. Each Congress fixes the place of assembly for the next Congress. The Countries of the Union are convened, directly or through the intermediary of a third Country, by the good offices of the Government of the Country in which the Congress is to take place, in agreement with the International Bureau. That Government is also responsible for notifying the decisions taken by the Congress to all the Governments of the Countries.

Article 12

EXTRAORDINARY CONGRESSES

1. An extraordinary Congress may be assembled at the request or with the consent of at least two-thirds of the member-Countries.

2. The place of assembly is fixed, in agreement with the International Bureau, by the member-Countries initiating the Congress.

3. The regulations laid down in Article 11, §§ 2 to 4, apply by analogy to extraordinary Congresses.

Article 13

ADMINISTRATIVE CONFERENCES

1. Conferences charged with examining purely administrative questions may be convened at the request or with the consent of at least two-thirds of the Administrations.

2. The place of assembly is fixed, in agreement with the International Bureau, by the Administrations initiating the Conference. The invitations are issued by the Administration of the Country in which the Conference is to be held.

Article 14

REGULATION OF CONGRESSES AND CONFERENCES

Each Congress and Conference draws up the rules of procedure necessary for its work. Until these rules are adopted, the provisions of the rules of procedure drawn up by the previous Congress apply in so far as they are relevant to the debates.

Article 15

EXECUTIVE AND LIAISON COMMITTEE

1. In the interval between Congresses an Executive and Liaison Committee ensures the continuity of the work of the Universal Postal Union in accordance with the provisions of the Convention and the Agreements.

2. The Committee consists of twenty members who exercise their functions during the interval between two successive Congresses.

3. The member-Countries of the Committee are appointed by Congress on the basis of an equitable geographical distribution. At least half of the membership is renewed at each Congress; no Country may be chosen by three Congresses in succession.

4. The representative of each of the member-Countries of the Committee is appointed by the postal Administration of his Country. This representative shall be a qualified official of the postal Administration.

5. The office of Committee member is unpaid. The working expenses of the Committee are borne by the Union.

6. The functions of the Committee are as follows:—

(a) to maintain the closest contact with the Countries of the Union with a view to improving the international postal service;

(b) to study technical questions and problems of every kind connected with the international postal service and to communicate the results of such studies to the postal Administrations;

(c) to make useful contact with the United Nations, its Councils and Commissions, and also with the specialised agencies and other international organisations, for research and the preparation of reports to be submitted for approval to the Countries of the Union; and to send as occasion arises representatives of the Union to take part on its behalf in meetings of all these international organisations;

(d) to formulate as may be necessary proposals to be submitted for the approval either of the member-Countries of the Union under the provisions of Articles 26 and 27 or of Congress when the proposals concern studies entrusted by Congress to the Committee or when they arise out of the Committee's own activities as defined in this Article;

(e) to examine at a Country's request any proposal which that Country forwards to the International Bureau under the provisions of Articles 26 and 27, to prepare observations on it and to charge the International Bureau with annexing these observations to the said proposal before submitting it for approval to the member-Countries of the Union;

(f) within the framework of the Convention and its Detailed Regulations—

(i) to ensure the control of the activities of the International Bureau of which it appoints, when the need arises, and on the proposal of the Government of the Swiss Confederation, the Director and other higher officials;

(ii) to approve, on the proposal of the Director of the International Bureau, the appointments of officials of the 1st and 2nd salary grades after examining the professional qualifications of the candidates sponsored by the Administrations of the Union, taking into account an equitable geographical distribution with respect to continents and language and all other relevant considerations, due regard being had to the Bureau's own internal promotion arrangements;

(iii) to approve the annual report on the Union's activities drawn up by the International Bureau and where appropriate to furnish observations upon it.

Article 16

SPECIAL COMMITTEES

Committees appointed by a Congress or Conference to study one or more specific questions are convened by the International Bureau, after agreement, where

appropriate, with the Administration of the Country in which these Committees are to meet.

Article 17

INTERNATIONAL BUREAU

A central Office operating at the headquarters of the Union, under the title of the International Bureau of the Universal Postal Union and set under the general supervision of the Swiss Postal Administration, serves postal Administrations as an organisation for liaison, information and consultation.

Article 18

EXPENDITURE OF THE UNION

1. Each Congress fixes the maximum figure for the ordinary annual expenditure of the Union, including the working expenses of the Executive and Liaison Committee. This expenditure, together with the extraordinary expenses occasioned by the meeting of a Congress, Conference or special Committee and the expenses which may result from special tasks entrusted to the International Bureau, is borne in common by all the Countries of the Union.

2. To this end, these are grouped in 7 classes each contributing to the payment of the expenditure in the following proportion:—

1st class, 25 units	5th class, 5 units
2nd class, 20 units	6th class, 3 units
3rd class, 15 units	7th class, 1 unit.
4th class, 10 units	

3. In the case of a new admission the Government of the Swiss Confederation fixes by common consent with the Government of the Country concerned the class in which the latter shall be placed for the apportionment of the expenditure.

CHAPTER III.—RELATIONSHIP OF THE UNION WITH THE UNITED NATIONS

Article 19

RELATIONSHIP WITH THE UNITED NATIONS

The Union is brought into relation with the United Nations in accordance with the terms of the Agreement signed at Paris on the 4th of July, 1947, the text of which is annexed to the present Convention.

CHAPTER IV.—ACTS OF THE UNION

Article 20

CONVENTION AND AGREEMENTS OF THE UNION

1. The Convention is the constitutive Act of the Union.

2. The letter post service is regulated by the provisions of the Convention.

3. The other services are regulated by the following Agreements:—

the Agreement concerning Insured Letters and **Boxes**;
the Agreement concerning Postal Parcels;
the Agreement concerning Postal Money Orders and Postal Travellers' Cheques;
the Agreement concerning Transfers to and from Postal Cheque Accounts and the Supplement dealing with the Negotiation through Postal

Cheque Accounts of Securities made payable at Postal Cheque Offices;
the Agreement concerning Cash on Delivery items;
the Agreement concerning the Collection of Bills;
the Agreement concerning Subscriptions to Newspapers and Periodicals.

4. These Agreements are binding only upon the member-Countries which have acceded to them.

5. Accession by member-Countries to one or more of these Agreements is notified in accordance with the provisions of Article 3, § 2.

Article 21

WITHDRAWAL FROM PARTICIPATION IN THE AGREEMENTS

Each member-Country is free to withdraw from participation in one or more of the Agreements, under the conditions laid down in Article 10.

Article 22

DETAILED REGULATIONS

The Administrations of member-Countries draw up by common consent, in the Detailed Regulations, the detailed rules and procedures necessary for the implementation of the Convention and the Agreements.

Article 23

RATIFICATION

1. The Acts adopted by a Congress are ratified as soon as possible by the signatory Countries; the ratifications are communicated to the Government of the Country where the Congress was held and by that Government to the Governments of the signatory Countries.

2. These Acts come into force simultaneously and are current for the same period.

3. As from the date fixed for the entry into force of the Acts adopted by a Congress all the Acts of the previous Congress are rescinded.

4. If one or more of the Countries do not ratify one or other of the Acts signed by them, those Acts shall be none the less valid for the Countries that have ratified them.

Article 24

NATIONAL LEGISLATION

The stipulations of the Convention and the Agreements of the Union and of their Final Protocols do not override the legislation of any Country as regards anything for which they do not expressly provide.

CHAPTER V.—PROPOSALS DESIGNED TO AMEND OR INTERPRET THE ACTS OF THE UNION

Article 25

PRESENTATION OF PROPOSALS

1. In the interval between Congresses, any Administration of a member-Country has the right to address to the other Administrations through the intermediary of the International Bureau proposals relating to the Acts of the Union to which that Country is a party.

2. To be eligible for consideration all proposals presented by an Administration in the interval between Congresses shall be supported by at least two other

Administrations. Such proposals lapse when the International Bureau does not receive, at the same time, the necessary number of declarations of support.

Article 26

EXAMINATION OF PROPOSALS

1. Every proposal is subjected to the following procedure:—

A period of two months is allowed to Administrations to examine the proposal circulated by the International Bureau and to forward their observations if any to the Bureau. Amendments are not admitted. The replies are collected by the International Bureau and communicated to Administrations with an invitation to pronounce for or against the proposal. Those that have not notified their vote within a period of two months are considered as abstaining. The periods quoted are reckoned from the date of the International Bureau circulars.

2. If the proposal relates to an Agreement, its Detailed Regulations or their Final Protocols, only the Administrations which are parties to that Agreement may take part in the procedure laid down in § 1.

Article 27

CONDITIONS OF APPROVAL

1. To become effective, a proposal shall obtain—

- (a) the unanimity of the votes if it involves amendment of the provisions of Articles 1 to 46 (Part I), Articles 47, 48, 51, 54, 67, 68, 70 to 73 and 75 to 82 (Part II) and Article 83 (Part III) of the Convention, of any of the Articles of its Final Protocol and of Articles 101, 102, 104, § § 2 to 4, 110, § 1, 114, 115, 117, 131, 166, 170, 177, 181 and 187 of its Detailed Regulations;
- (b) two-thirds of the votes if it involves an amendment of principle of provisions other than those mentioned under (a);
- (c) the majority of the votes if it is a question of—
 - (i) editorial amendments of the provisions of the Convention and its Detailed Regulations other than those mentioned under (a);
 - (ii) an interpretation of the provisions of the Convention, its Final Protocol and its Detailed Regulations, except in the case of a disagreement to be submitted to arbitration as provided for in Article 31.

2. The conditions to be fulfilled for the approval of proposals concerning the Agreements are fixed by the Agreements themselves.

Article 28

PROMULGATION OF DECISIONS

1. Amendments made to the Convention, the Agreements, the Final Protocols and the Annexes to those Acts are sanctioned by a diplomatic declaration which the Government of the Swiss Confederation is charged with preparing and conveying at the request of the International Bureau to the Governments of the member-Countries.

2. Amendments made to the Detailed Regulations and their Final Protocols are recorded and notified to Administrations by the International Bureau. The same applies to the interpretations referred to in Article 27, § 1, (c), (ii).

Article 29

IMPLEMENTATION OF DECISIONS

Any amendment which has been adopted does not take effect until at least three months after its promulgation.

Article 30

AGREEMENT WITH THE UNITED NATIONS

The procedure envisaged in Article 27, § 1, (a) applies also to proposals designed to modify the Agreement concluded between the Universal Postal Union and the United Nations to the extent that that Agreement does not lay down conditions for the amendment of the provisions contained in it.

CHAPTER VI.—ARBITRATION

Article 31

ARBITRATION

1. In the event of disagreement between two or more member-Countries as to the interpretation of the Convention and the Agreements or their Detailed Regulations or as to the responsibility imposed on a postal Administration by the application of these Acts, the question at issue is settled by arbitration.

2. To this end, each of the Administrations in the case selects a member of the Union not directly interested in the dispute. When several Administrations make common cause, they count as a single Administration for the purposes of this provision.

3. If one of the Administrations in disagreement does not act on a proposal for arbitration within a period of six months, or nine months in the case of distant Countries, the International Bureau, if requested, calls on the defaulting Administrations to appoint an arbitrator or itself appoints one *ex officio*.

4. The parties in the case may agree to appoint a single arbitrator which may be the International Bureau.

5. The decision of the arbitrators is taken on an absolute majority of the votes.

6. If the voting is equal the arbitrators select another postal Administration also disinterested in the question at issue to settle the difference. Should they fail to agree on the choice, this Administration is appointed by the International Bureau from among members of the Union not proposed by the arbitrators.

7. If the dispute concerns one of the Agreements, the arbitrators may only be appointed from among the Administrations giving effect to that Agreement.

Section II.—General Provisions

CHAPTER I.—RULES CONCERNING THE INTERNATIONAL POSTAL SERVICE

Article 32

FREEDOM OF TRANSIT

1. Freedom of transit is guaranteed throughout the entire territory of the Union.

2. Member-Countries not providing the insured letters and boxes service or not accepting responsibility for insured items carried by their sea services cannot refuse to accept such items in closed mails for transit through their territory or for conveyance by their sea

services; but their responsibility is limited to that laid down for registered items.

3. Freedom of transit for postal parcels forwarded by land and by sea is limited to the territories of the Countries taking part in this service.

4. Freedom of transit for air parcels is guaranteed throughout the entire territory of the Union. Nevertheless Administrations which are not parties to the Agreement concerning Postal Parcels cannot be required to forward air parcels by land or by sea.

5. Administrations which are parties to the Agreement concerning Postal Parcels are bound to provide transit—

- (a) for insured postal parcels despatched in dosed mails, even if these Administrations do not themselves admit such items, in which case their responsibility is limited to that laid down for uninsured parcels of the same weight;
- (b) for cash on delivery parcels, even if they do not admit such items in their own service or if the amount of the trade charge exceeds the maximum fixed for their own traffic.

Article 33

FAILURE TO GIVE FREEDOM OF TRANSIT

When a Country fails to observe the provisions of Article 32 concerning freedom of transit the Administrations of the other Countries are at liberty to discontinue their postal service with that Country. They shall give prior notice of this step to the Administrations concerned by telegram.

Article 34

TEMPORARY SUSPENSION OF SERVICES

When, owing to exceptional circumstances, an Administration finds itself obliged to suspend its services temporarily either wholly or in part, it is bound to notify the fact immediately, if need be by telegram, to the Administration or Administrations concerned.

Article 35

CHARGES

The charges and fees for the various international postal services are fixed by the Convention and the Agreements.

Article 36

FREE POSTAGE

The following are exempted from all postal charges—
Correspondence on postal service exchanged between postal Administrations, between those Administrations and the International Bureau, between the post offices of the Countries of the Union, and between those offices and postal Administrations; as well as correspondence for which free conveyance is expressly laid down by the provisions of the Convention, the Agreements and their Detailed Regulations.

Article 37

FREE POSTAGE FOR ITEMS RELATING TO PRISONERS OF WAR AND CIVILIAN INTERNEES

1. Correspondence, insured letters and boxes, postal parcels and postal money orders addressed to or sent by prisoners of war, either directly or through the Information Bureaux and the Central Prisoner of War

Information Agency prescribed in Articles 122 and 123 respectively of the Geneva Convention of the 12th of August, 1949, relative to the treatment of prisoners of war, are exempted from all postal charges. Belligerents apprehended and interned in a neutral Country are classed as prisoners of war properly so called so far as the application of the foregoing provisions is concerned.

2. The provisions of § 1 apply also to items of correspondence, insured letters and boxes, postal parcels and postal money orders originating in other Countries and addressed to or sent by civilian internees as defined by the Geneva Convention of the 12th of August, 1949, relative to the protection of civilian persons in time of war, either directly or through the Information Bureaux and the Central Information Agency prescribed in Articles 136 and 140 respectively of that Convention.

3. The National Information Bureaux and the Central Information Agencies mentioned above also enjoy exemption from postage in respect of correspondence, insured letters and boxes, postal parcels and postal money orders concerning the persons referred to in §§ 1 and 2, which they send or receive, either directly or as intermediaries, under the conditions laid down in those paragraphs.

4. Items benefiting by the freedom from postal charges provided under §§ 1 to 3 and the forms relating to them shall bear the indication "Service des prisonniers de guerre" [Prisoners of War Service] or "Service des internés" [Civilian Internees Service]. These indications may be followed by a translation in another language.

5. Parcels are admitted free of postage up to a weight of 5 kgs. The weight limit is increased to 10 kgs. in the case of parcels whose contents cannot be split up and of parcels addressed to a camp or the prisoners' representatives there ("hommes de confiance") for distribution to the prisoners.

Article 38

FREE POSTAGE FOR LITERATURE FOR THE BUND

Literature for the blind is exempted from all postal charges.

Article 39

PROHIBITION OF UNAUTHORISED CHARGES, SURCHARGES AND FEES

No postal charge, surcharge or fee of any kind may be imposed other than those prescribed in the Convention and the Agreements.

Article 40

MONETARY STANDARD

The franc adopted as the monetary unit in the provisions of the Convention and the Agreements is the gold franc of 100 centimes of a weight of 10/31 of a gramme and of a fineness of 0.900.

Article 41

SETTLEMENT OF ACCOUNTS

Settlements between Administrations of international accounts arising from postal traffic may be regarded as current transactions and made in accordance with the current international obligations of the Countries concerned, when there are agreements to this effect. In

the absence of such agreements, accounts are settled in accordance with the provisions of the Detailed Regulations.

Article 42

EQUIVALENTS

In each Country, the charges are fixed on the basis of the closest possible equivalent of the value of the franc in the currency of the Country.

Article 43

POSTAGE STAMPS

The postal Administrations of the Union issue postage stamps for the prepayment of postage. Each new issue of stamps is reported with the necessary information to all the other postal Administrations of the Union through the intermediary of the International Bureau.

Article 44

FORMS

1. Forms for the use of Administrations in their relations with one another shall be drawn up in French with or without an interlinear translation in another language, unless the Administrations concerned arrange otherwise by direct agreement.

2. Forms for the use of the public shall bear an interlinear translation in French when they are not printed in that language.

3. The texts, colours and sizes of the forms which are the subject of §§ 1 and 2 shall be as prescribed in the Detailed Regulations of the Convention and of the Agreements.

Article 45

POSTAL IDENTITY CARDS

1. Each Administration may issue, to persons who apply for them, postal identity cards valid as proof of identity for every kind of post office business in the Countries which have not notified their refusal to admit them.

2. The Administration which issues a card is authorised to levy, on this account, a charge which must not exceed 70 centimes.

3. Administrations are relieved of all responsibility when it is established that the delivery of a postal item or the payment of a money order was made on the presentation of a genuine card. Moreover, they are not responsible for consequences arising from the loss, theft or fraudulent use of a genuine card.

4. A card is valid for a period of three years from the date of issue.

CHAPTER II.—PENAL MEASURES

Article 46

UNDERTAKINGS REGARDING PENAL MEASURES

The Governments of member-Countries undertake to adopt or to propose to the legislatures of their Countries the necessary measures:

- (a) for punishing the counterfeiting of postage stamps, even if withdrawn from circulation, of international reply coupons and of postal identity cards;
- (b) for punishing the use or the putting into circulation:

- (i) of counterfeit postage stamps (even if withdrawn from circulation) or used postage stamps, as well as of counterfeit or used impressions of postal franking machines or printing presses;
- (ii) of counterfeit international reply coupons;
- (iii) of counterfeit postal identity cards;
- (c) for punishing the fraudulent use of genuine postal identity cards;
- (d) for prohibiting and suppressing the fraudulent manufacture and the putting into circulation of impressed or adhesive stamps in use in the postal service, counterfeited or imitated in such a manner that they could be mistaken for the impressed or adhesive stamps issued by the Administration of one of the member-Countries;
- (e) for preventing and, if necessary, for punishing the insertion in postal items of opium, morphine, cocaine or other narcotics as well as explosive or easily inflammable substances, where their insertion has not been expressly authorised by the Convention and the Agreements.

PART II.—PROVISIONS CONCERNING THE LETTER POST

CHAPTER I.—GENERAL PROVISIONS

Article 47

CORRESPONDENCE

The term correspondence applies to letters, single and reply-paid postcards, commercial papers, printed papers, literature for the blind, samples of merchandise, small packets and "Phonopost" items.

Article 48

CHARGES AND GENERAL CONDITIONS

1. The charges to be prepaid for the conveyance of correspondence throughout the entire extent of the Union, together with the limits of weight and size, are fixed in accordance with the table below. Except in the cases provided for in Article 49, § 3 these charges cover delivery of the correspondence to the place of address to the extent that a delivery service is organised in the Country of destination. {See p. 805.}

2. The limits of weight and size fixed in § 1 do not apply to the correspondence sent on postal service which is the subject of Article 36.

3. Each Administration has the option of conceding a reduction of 50 per cent, of the ordinary tariff for printed papers to newspapers and periodicals published in its Country, whilst reserving the right to restrict this reduction to newspapers and periodicals which fulfil the conditions required for transmission at the tariff for newspapers in its internal service. Commercial printed papers such as catalogues, prospectuses, price lists, &c., are excluded from this reduction, no matter how regularly they are issued; the same applies to advertisement slips annexed to newspapers and periodicals.

4. Administrations may likewise concede the same reduction for books and pamphlets, sheets of music and maps, provided they contain no publicity matter or advertisement other than that appearing on the cover or the fly leaves.

5. Despatching Administrations admitting the principle of the 50 per cent reduction reserve to themselves the option of fixing a minimum charge for the

Category 1	Unit of weight 2	Charge 3	Limit	
			of weight 4	of size 5
	gms.	c		
Letters:				Length, width and depth combined: 90 cms., but the greatest dimension may not exceed 60 cms. Minimum: 10 X 7 cms. In roll form: Length and twice the diameter, 100 cms., but the greatest dimension may not exceed 80 cms.
first weight step	20	20	2 kgs.	
each succeeding step . . .	20	12	2 kgs.	
Postcards:				Maximum: 15 X 10.5 cms. Minimum: as for letters.
single	—	12	—	
reply-paid	—	24	—	
Commercial papers:	50	—	2 kgs.	As for letters.
first weight step	—	8		
each succeeding step . . .	—	4		
Minimum charge	—	20		
Printed papers:	50	—	3 kgs.	
first weight step	—	8	(5 kgs. for a single volume)	
each succeeding step . . .	—	4		
Literature for the blind . . .	see Article 38		7 kgs.	
Samples of merchandise:	50	—	500 gms.	
first weight step	—	8		1 kg.
each succeeding step . . .	—	4		
Small packets:	50	8		Length, width and depth combined: 60 cms., but the greatest dimension may not exceed 26 cms.
Minimum charge	—	40		
"Phonopost" items:				
first weight step	20	15	300 gms.	
each succeeding step . . .	20	10	300 gms.	

items mentioned in §§ 3 and 4 above, which, while remaining within the limits of the 50 per cent. reduction, is not lower than the rate that applies in their internal service to newspapers and periodicals on the one hand, and ordinary printed matter on the other.

6. Items other than registered letters in a closed envelope may not contain coin, bank notes, currency notes or securities of any kind payable to bearer, platinum, gold or silver, manufactured or not, precious stones, jewels and other valuable articles.

7. Administrations of Countries of origin and of destination have the option of dealing, according to their internal legislation, with letters containing documents having the character of current and personal correspondence addressed to persons other than the addressee or persons living with the addressee.

8. Except as provided for in the Detailed Regulations, commercial papers, printed papers, literature for the blind, samples of merchandise and small packets—

- (a) should be made up in such a manner that they may be easily examined;
- (b) must not bear any inscription or contain any document having the character of current or personal correspondence;
- (c) must not contain any postage stamp or form of prepayment, whether cancelled or not, or any paper representing a monetary value.

9. Samples of merchandise must not contain any article having a saleable value.

10. The small packets and "Phonopost" items services are restricted to those Countries which have

announced their willingness to exchange such items, whether reciprocally or in one direction only.

11. The combining in one item of correspondence of different categories (grouped categories) is authorised under the conditions laid down in the Detailed Regulations.

12. Apart from the exceptions allowed by the Convention and its Detailed Regulations, items not fulfilling the conditions laid down in the present Article and the corresponding Articles of the Detailed Regulations are not forwarded. Items which have been wrongly admitted should be returned to the Administration of origin. Nevertheless, the Administration of destination may deliver them to the addressees. In that event it applies to them, as necessary, the charges and surcharges prescribed for the category of correspondence to which they belong by reason of their contents, weight or size. Items whose weights exceed the maximum limits laid down § 1 may be charged according to their actual weight.

Article 49

SPECIAL CHARGES

1. Administrations are authorised to impose an additional charge, according to the provisions of their legislation, on items presented for forwarding after the prescribed time.

2. Items addressed poste restante may be subjected by Administrations of Countries of destination to the special charge if any prescribed by their legislation for items of the same kind in their internal service.

3. Administrations of Countries of destination are authorised to levy a special charge not exceeding 40 centimes on each small packet delivered to the addressee. This charge may be increased by 20 centimes, at most, when the item is delivered to the place of address.

Article 50

STORAGE FEE

The Administration of destination is authorised to collect the storage fee adopted in its internal service for printed papers weighing more than 500 grammes, of which the addressee has not taken delivery within the period during which they are held at his disposal free of charge.

Article 51

PREPAYMENT OF POSTAGE

1. As a general rule, all the items mentioned in Article 47 are to be fully prepaid by the sender.

2. Unpaid or underpaid items other than letters and single postcards are not forwarded, nor are reply-paid postcards of which the two halves are not fully prepaid at the time of posting.

3. When unpaid or underpaid letters or single postcards are posted in great number, the Administration of the Country of origin is at liberty to return them to the sender.

Article 52

METHODS OF PREPAYING POSTAGE

1. Prepayment of postage is effected either by means of postage stamps printed on or affixed to the items and valid in the Country of origin for the correspondence of private individuals or by means of impressions of postal franking machines officially adopted and working under the immediate control of the Administration or, in the case of printed papers, by means of impressions by a printing press or by any other process when such a system is authorised by the internal regulations of the Administration of origin.

2. The following are considered as duly prepaid: reply postcards bearing postage stamps, printed or affixed, of the Country of issue, items properly prepaid for their first transmission and on which the complementary charge has been paid before their redirection, as well as newspapers or packets of newspapers and periodicals which bear on the address side the indication "Abonnements-poste" and which are sent under the Agreement concerning Subscriptions to Newspapers and Periodicals.

Article 53

PREPAYMENT OF POSTAGE ON BOARD SHIP

1. In the absence of other arrangements between the Administrations concerned, the postage on correspondence posted on board ship on the high seas may be prepaid by means of the postage stamps and according to the tariff of the Country to which the ship belongs or by which it is maintained.

2. If the posting on board takes place during the stay at one of the two terminal points of the voyage or at any intermediate port of call, prepayment of postage is valid only if it is effected by means of the postage stamps and according to the tariff of the Country in whose waters the ship is lying.

Article 54

CHARGE ON UNPAID OR UNDERPAID CORRESPONDENCE

1. Apart from the exceptions laid down in Article 67, § 6 for registered items and in Article 150, §§ 3, 4 and 5 of the Detailed Regulations for certain classes of redirected items, unpaid or underpaid letters and single postcards are liable to a charge equal to double the amount of the deficient postage, to be paid by the addressees; but that charge may not be less than 5 centimes.

2. The same treatment may be applied in similar circumstances to other items of correspondence which have been incorrectly forwarded to the Country of destination.

Article 55

INTERNATIONAL REPLY COUPONS

1. International reply coupons are placed on sale in the Countries of the Union.

2. Their selling price is fixed by the Administrations concerned; but it may not be less than 32 centimes or the equivalent in the currency of the Country of sale.

3. Each coupon is exchangeable in any Country for a stamp or stamps representing the postage prepayable on an unregistered single-rate letter for abroad from that Country. On presentation of a sufficient number of reply coupons Administrations shall supply the postage stamps necessary for prepaying an unregistered letter weighing not more than 20 grammes for despatch by air.

4. Furthermore, each Country reserves the right to demand that the coupons and the items of correspondence to be prepaid by the exchange of coupons shall be presented at the same time.

Article 56

EXPRESS ITEMS

1. At the sender's request items of correspondence are sent out for delivery to an address by special messenger immediately after arrival in those Countries where the Administration agrees to undertake the service.

2. These items called "express" are subject, in addition to the ordinary postage, to a special charge which may not be less than the amount of postage prepayable on an unregistered single-rate letter and not more than 60 centimes or the amount of the charge applied by the Country of origin in its internal service, if this is higher. This charge is to be fully paid in advance.

3. When the address of the addressee is situated outside the local delivery area of the office of destination, express delivery may give rise to the collection by the Administration of destination of an additional charge not greater than that fixed for items of the same kind in the internal service. Express delivery is, however, not obligatory in this case.

4. Express items on which the total amount of the charges payable in advance has not been prepaid are delivered in the ordinary way unless they have been treated as express by the office of origin. In that case, they are charged in accordance with the provisions of Article 54.

5. Administrations are at liberty to consider themselves bound to make not more than one attempt at

express delivery. If that attempt fails, the item may be treated as an ordinary item.

6. If the regulations of the Country of destination permit, addressees may ask the delivery office to deliver to them by express any registered or other items which come to hand for them. In that case the Administration of destination is authorised to collect, at the time of delivery, the charge that applies in its internal service.

Article 57

WITHDRAWAL FROM THE POST. ALTERATION OF ADDRESS

1. The sender of an item of correspondence may have it withdrawn from the post or have its address altered, so long as the item has not been delivered to the addressee, does not happen to fall within the provisions of Article 59, or Customs intervention does not bring to light any irregularity.

2. The request to be made to this effect is forwarded by post or by telegraph at the expense of the sender, who should pay, for each request, a charge not exceeding 40 centimes. If the request is to be forwarded by air or by telegraph, the sender shall pay in addition the air-mail surcharge or the charge for the telegram.

3. Only one of the charges or surcharges prescribed in § 2 is levied in respect of a request for withdrawal from the post or alteration of address concerning several items posted at the same time at the same office by the same sender to the same addressee.

4. A request for simple correction of address (without alteration of the name or status of the addressee) may be addressed directly to the office of destination by the sender, that is to say, without compliance with the formalities and without payment of the charges prescribed in §§ 2 and 3.

Article 58

REDIRECTION. UNDELIVERABLE ITEMS

1. If an addressee changes his address, items of correspondence are redirected to him forthwith unless the sender has forbidden redirection by means of a note to that effect on the address side in a language known in the Country of destination. Nevertheless, redirection from one Country to another is effected only if the items satisfy the conditions required for the further conveyance.

2. Undeliverable correspondence should be returned forthwith to the Country of origin.

3. The period of retention for correspondence retained at the disposal of the addressees or addressed poste restante is fixed by the regulations of the Country of destination. As a general rule, however, this period must not exceed one month, except in particular cases when the Administration of destination considers it necessary to prolong it up to a maximum of two months. Return to the Country of origin should take place within a shorter period if the sender has requested it by a note on the address side in a language known in the Country of destination.

4. Printed papers of no value are not returned, unless the sender has asked for their return by means of a note on the outside of the item in a language known in the Country of destination. Registered printed papers ought always to be returned.

5. Except as provided in the Detailed Regulations, the redirection of items of correspondence from Coun-

try to Country or their return to the Country of origin does not give rise to the collection of any supplementary charge.

6. Redirected or undeliverable correspondence is delivered to the addressees or senders against payment of the charges raised on departure, on arrival, or in course of transmission due to redirection after the first transmission, without prejudice to the payment of Customs duty or other special charges which the Country of destination does not cancel.

7. In the event of redirection to another Country or of non-delivery, the poste restante fee, the Customs clearance fee, the commission fee, the additional express charge and the special fee for delivery of small packets to the addressees are cancelled.

Article 59

PROHIBITIONS

1. The forwarding of the following articles is prohibited:—

- (a) articles which, by their nature or their packing, may expose officials to danger, or soil or damage correspondence;
- (b) articles subject to Customs duty (apart from the exceptions mentioned in Article 60) and samples sent in quantities with the intention of avoiding payment of this duty;
- (c) opium, morphine, cocaine and other narcotics;
- (d) articles of which the importation or the circulation is prohibited in the Country of destination;
- (e) living animals, except—
 - (i) bees, leeches and silkworms;
 - (ii) parasites and destroyers of noxious insects intended for the control of those insects and exchanged between officially recognised institutions;
- (f) explosive, inflammable or dangerous substances;
- (g) obscene or immoral articles.

2. Items containing articles mentioned in § 1 which have been wrongly admitted to the post are dealt with in accordance with the internal legislation of the Country of the Administration establishing their presence.

3. Nevertheless, the articles referred to in § 1, (c), (f) and (g) are in no circumstances forwarded to their destination, delivered to the addressees or returned to origin.

4. In cases where items wrongly admitted to the post are neither returned to origin nor sent on to the addressee, the Administration of origin shall be informed exactly how they have been dealt with.

5. Moreover, every Country reserves the right to deny conveyance to items in transit à découvert over its territory, other than letters and postcards, which do not satisfy the legal requirements governing the conditions of their publication or circulation in that Country. Such items should be returned to the Administration of the Country of origin.

Article 60

ARTICLES SUBJECT TO CUSTOMS DUTY

1. Small packets and printed papers subject to Customs duty are admitted.

2. The same applies to letters and samples of merchandise containing articles subject to Customs duty where the Country of destination has given its consent.

Nevertheless, each Administration has the right to restrict to the registered letter service letters containing articles subject to Customs duty.

3. Consignments of serums and vaccines and also of medicines urgently required and difficult to obtain, which benefit by the exception laid down in Article 136 of the Detailed Regulations, are admitted in every case.

Article 61

CUSTOMS CONTROL

The Administration of the Country of destination is authorised to submit to Customs control the items mentioned in Article 60, and, if necessary, to open them as a matter of course.

Article 62

CUSTOMS CLEARANCE FEE

Items submitted to Customs control in the Country of destination may be subjected on this account to a Customs clearance fee not exceeding 40 centimes per item as a postal charge.

Article 63

CUSTOMS DUTY AND OTHER NON-POSTAL FEES

Administrations are authorised to collect from the addressees of the items the Customs duties and all other non-postal fees which may be due.

Article 64

ITEMS FOR DELIVERY FREE OF CHARGES

1. In the service between those Countries which have notified their agreement to that effect, the senders may by means of a previous declaration at the office of origin undertake to pay the whole of the postal and non-postal charges to which the items are subject on delivery. So long as an item has not been delivered to the addressee the sender may ask, after posting and on payment of a charge not exceeding 40 centimes, that the item be delivered free of charges. If the request is to be forwarded by air or by telegraph, the sender shall pay in addition the appropriate air-mail surcharge or the charge for the telegram.

2. In the cases provided for in § 1, senders shall undertake to pay the amounts which may be claimed by the office of destination and, if necessary, to pay a sufficient deposit.

3. The Administration of destination is authorised to collect a commission fee not exceeding 40 centimes per item. This fee is independent of that prescribed in Article 62.

4. Every Administration has the right to restrict the service of delivery free of charges to registered items.

Article 65

CANCELLATION OF CUSTOMS DUTY AND OTHER NON-POSTAL FEES

Administrations undertake to use their good offices with the appropriate services in their Country with a view to the cancellation of the Customs duty and other non-postal fees on items returned to origin, destroyed because of complete damage of the contents or redirected to a third Country.

Article 66

ENQUIRIES AND REQUESTS FOR INFORMATION

1. Enquiries are entertained within a period of a year from the day after that on which the item was posted.

2. Enquiries initiated by an Administration after that period are in order and must be dealt with, provided only that they relate to items posted less than two years before.

3. Each Administration is bound to accept enquiries and requests for information relating to any item posted in the service of another Administration.

4. Unless the sender has already paid the special fee for an advice of delivery, each enquiry or request for information may be subject to payment of a fee not exceeding 40 centimes. When at the request of the interested party an enquiry or a request for information is to be forwarded by air it is subject to the payment of the same fee plus the appropriate air-mail surcharge or double that surcharge if the reply is to be returned by the same means. If a request is made for transmission by telegraph, the cost of the telegram and, where appropriate, of the reply is collected in addition to the enquiry fee.

5. If the enquiry or request for information relates to several items posted at the same time by the same sender addressed to the same addressee and sent by the same means, only one fee or surcharge is levied. If, however, the matter is one of registered items which were at the sender's request to have been forwarded by different means, a separate fee or surcharge is levied for each of the means used.

6. If an enquiry or request for information has been occasioned by a service error, the fee collected for it is refunded.

CHAPTER II.—REGISTERED ITEMS

Article 67

CHARGES

1. The items of correspondence specified in Article 47 may be sent as registered items.

2. The charge on every registered item shall be paid in advance. It is made up of—

(a) the ordinary postage according to the category of the item;

(b) a fixed registration fee not exceeding 40 centimes.

3. The fixed registration fee on the reply half of a postcard can be validly paid only by the sender of that half.

4. A receipt shall be handed over free of charge to the sender of a registered item at the time of posting.

5. Countries prepared to cover risks arising from causes beyond control are authorised to levy a special charge not exceeding 40 centimes for each registered item.

6. Unpaid or underpaid registered items which have been incorrectly forwarded to the Country of destination are liable to a charge, to be paid by the addressee, equal in amount to the deficient postage.

Article 68

ADVICE OF DELIVERY

1. The sender of a registered item may apply for an advice of delivery on payment at the time of posting

of a fixed fee not exceeding 30 centimes. This advice is sent to him by air if he pays the relative charges.

2. An advice of delivery may be applied for after posting within the period of one year and under the conditions laid down in Article 66.

3. When the sender enquires about an advice of delivery which he has not received within a reasonable time, neither a second advice of delivery fee nor the fee of 40 centimes prescribed in Article 66 for enquiries and requests for information is charged.

Article 69

REGISTERED ITEMS FOR DELIVERY TO THE ADDRESSEE IN PERSON

1. In the service between those Administrations which have given their consent registered items of correspondence that are accompanied by an advice of delivery are, at the sender's request, delivered to the addressee in person.

2. Administrations are bound to make two attempts to deliver such items.

Article 70

RESPONSIBILITY

1. Administrations are answerable for the loss of registered items.

2. The sender is entitled on this account to an indemnity the amount of which is fixed at 25 francs per item.

Article 71

NON-RESPONSIBILITY

Postal Administrations are not responsible—

(i) for the loss of registered items—

(a) in circumstances beyond control. The Country in whose service the loss occurs should decide in the light of its internal legislation whether the loss is due to circumstances attributable to a cause beyond control; these are notified to the Country of origin. Nevertheless responsibility still rests with the despatching Administration if it has undertaken to cover risks arising from causes beyond control (Article 67, § 5);

(b) when they cannot account for items owing to the destruction of official records through a cause beyond control, provided that proof of their responsibility has not been otherwise established;

(c) where it is a question of items whose contents fall within the prohibitions specified in Articles 48, §§ 6 and 8 (c), and 59, § 1;

(d) when the sender has made no enquiry within the period of one year prescribed in Article 66;

(ii) for registered items which they have delivered according either to the conditions laid down for items of the same kind in their internal regulations or to those set out in Article 45, § 3;

(iii) for items confiscated under the internal legislation of the Country of destination.

Article 72

APPORTIONMENT OF RESPONSIBILITY BETWEEN ADMINISTRATIONS

1. Until the contrary is proved, responsibility for the loss of a registered item rests with the Administration which, having received it without comment and being furnished with all the prescribed means of enquiry, cannot prove either delivery to the addressee or, where appropriate, regular transfer to the next Administration.

2. Until the contrary is proved and subject to the provisions of § 3, an intermediate Administration or the Administration of destination is relieved of all responsibility—

(a) when it has observed the provisions of Article 34 of the Convention and Articles 162, § 2, and 163, § 4, of the Detailed Regulations;

(b) when it can prove that it was not informed of the enquiry until after the destruction of the official records relating to the item in question, the period of retention prescribed in Article 119 of the Detailed Regulations having expired; this reservation does not prejudice the rights of the enquirer.

3. If, however, the loss occurs in course of conveyance and it is impossible to establish in which Country's territory or service the loss took place, the Administrations concerned bear the loss equally.

4. When a registered item has been lost in circumstances beyond control, the Administration in whose territory or service the loss occurred is not responsible to the despatching Administration unless the two Countries undertake to cover risks arising out of causes beyond control.

5. The Customs duty and other charges of which it has not been possible to secure cancellation are borne by the Administrations responsible for the loss.

6. An Administration which has paid the indemnity takes over the rights, up to the amount of the indemnity, of the person who has received it in any action which may be taken against the addressee, the sender or third parties.

Article 73

PAYMENT OF INDEMNITY

Subject to its right to make a claim on the Administration which is responsible, the Administration to which the office of posting belongs must pay the indemnity.

Article 74

PERIOD FOR PAYMENT OF THE INDEMNITY

1. The indemnity shall be paid as soon as possible and at the latest within a period of six months from the day following the date of the enquiry.

2. If the Administration of origin does not undertake to cover risks arising out of causes beyond control it may postpone settlement of the indemnity beyond the period prescribed in § 1, when the question whether the loss of the item is due to such causes has not been decided.

3. The Administration of origin is authorised to settle with the sender at the expense of the Administration, whether intermediate or of destination, which

duly informed has allowed six months to pass without settling the matter. A longer period is permitted if the loss appears to be due to a cause beyond control; this fact is, in any case, to be communicated to the Administration of origin.

Article 75

REIMBURSEMENT OF THE INDEMNITY TO THE DESPATCHING ADMINISTRATION

1. The Administration which is responsible or on whose account payment is made in accordance with Article 74 is bound to reimburse the despatching Administration for the amount of the indemnity actually paid to the sender, within four months from the date of despatch of the notice of payment.

2. If the indemnity is to be borne by several Administrations in accordance with Article 72, the whole of the indemnity due shall be paid to the despatching Administration within the period mentioned in § 1 by the first Administration which, having duly received the item under enquiry, is unable to prove its regular transfer to the next service. It rests with this Administration to recover from the other Administrations responsible the share falling to each one of them of the indemnity paid to the entitled person.

3. The Administration making payment is reimbursed in accordance with the rules for payment prescribed in Article 41.

4. When responsibility is admitted, as well as in the case provided for in Article 74, § 3, the amount of indemnity may also be recovered as a matter of course from the Country responsible by means of an account, either directly or through the intermediary of an Administration which exchanges accounts regularly with the Administration responsible.

5. The Administration of origin may only claim reimbursement from the Administration responsible within one year from the date of despatch of the notice of payment to the sender.

6. The Administration whose responsibility is duly proved and which has at first declined to pay the indemnity shall assume all additional costs resulting from the unwarranted delay in payment.

7. Administrations may agree to settle periodically for the indemnities which they have paid to the senders and which they have accepted as justified.

Article 76

SUBSEQUENT DISCOVERY OF A REGISTERED ITEM CONSIDERED AS LOST

1. In the event of the subsequent discovery of a registered item or part of the item considered as lost, the sender and the addressee are informed of the fact.

2. The sender is further informed that he may take delivery of it within a period of three months on repayment of the amount of the indemnity received. If by the end of that period the sender has not claimed the item, the addressee is notified that he may take delivery of it within a similar period on payment of the sum paid to the sender.

3. If the sender or the addressee takes delivery of the item after repayment of the amount of the indemnity, that sum is refunded to the Administration or where appropriate the Administrations which bore the loss.

4. If the sender and the addressee refuse to take delivery of the item, it becomes the property of the Administration or where appropriate the Administrations which paid the indemnity.

CHAPTER III.—ALLOCATION OF CHARGES. TRANSIT CHARGES

Article 77

ALLOCATION OF CHARGES

Except where expressly provided by the Convention and the Agreements each Administration retains the whole of the charges which it has collected.

Article 78

TRANSIT CHARGES

1. Subject to the provisions of Article 79, dosed mails exchanged between two Administrations or between two offices of the same Country by means of the services of one or more other Administrations (third party services) are subject, in favour of each of the Countries across whose territory or by whose services they are carried, to the transit charges indicated in the table below. These charges are payable by the Administration of the Country of origin of the mail.

	Distance traversed		Charge per kg. gross
	1	2	
	(i) Distances traversed by land		Fr. c.
Up to 300 kms.	.....	.....	0.07
Above 300 up to 600 kms.	.....	.....	0.12
600 " " 1,000 "	" "	" "	0.17
1,000 " " 1,500 "	" "	" "	0.24
1,500 " " 2,000 "	" "	" "	0.32
2,000 " " 2,500 "	" "	" "	0.39
2,500 " " 3,000 "	" "	" "	0.46
3,000 " " 3,800 "	" "	" "	0.55
3,800 " " 4,600 "	" "	" "	0.66
4,600 " " 5,500 "	" "	" "	0.77
5,500 " " 6,500 "	" "	" "	0.90
6,500 kms.	.....	.....	1.03
	(ii) Distances traversed by sea		
Up to 300 nautical miles	.....	.....	0.12
Above 300 up to 600 nautical miles	.....	.....	0.17
600 " " 1,000 "	" "	" "	0.21
1,000 " " 1,500 "	" "	" "	0.24
1,500 " " 2,000 "	" "	" "	0.27
2,000 " " 2,500 "	" "	" "	0.30
2,500 " " 3,000 "	" "	" "	0.32
3,000 " " 3,500 "	" "	" "	0.34
3,500 " " 4,000 "	" "	" "	0.36
4,000 " " 5,000 "	" "	" "	0.38
5,000 " " 6,000 "	" "	" "	0.41
6,000 " " 7,000 "	" "	" "	0.44
7,000 " " 8,000 "	" "	" "	0.46
8,000 nautical miles	.....	.....	0.48

2. In the absence of other arrangements direct sea conveyance between two Countries by the ships of one of them is regarded as a third party service.

3. So far as the payment of transit charges is concerned, missent mails are considered to have followed their normal route.

4. Sea transit begins when the mails are put under the hoist and ends when they have been unloaded on to the quay.

5. It follows from § 3 that Administrations concerned in the conveyance of missent mails are not entitled on that account to demand a payment from the despatching Administration, but the latter remain liable for the appropriate transit charges to the Countries whose services they normally use.

Article 79

EXEMPTION FROM TRANSIT CHARGES

Correspondence exempted from postage under Articles 36 to 38 is exempted from all land or sea transit charges.

Article 80

EXTRAORDINARY SERVICES

The transit charges specified in Article 78 are not applicable to conveyance by extraordinary services specially established or maintained by an Administration at the request of one or more other Administrations. The conditions of this class of conveyance are regulated by mutual consent between the Administrations concerned.

Article 81

ACCOUNTING FOR TRANSIT CHARGES

1. The general accounting for transit charges is based on data from statistical returns taken once in every three years during a period of 14 days. This period is extended to 28 days for mails exchanged less than six times a week by the services of any one Country. The Detailed Regulations fix the incidence of the statistics and the duration of their application.

2. When the annual balance between two Administrations does not exceed 25 francs, the debtor Administration is exempted from any payment.

3. Every Administration is authorised to submit for the consideration of a committee of arbitrators the results of statistics which in its opinion differ too much from reality. The arbitration is arranged as laid down in Article 31.

4. The arbitrators are empowered to fix in a fair and reasonable manner the transit charges proper to be paid.

Article 82

EXCHANGE OF CLOSED MAILS WITH SHIPS OF WAR

1. Closed mails may be exchanged between the post offices of any one of the member-Countries and the commanding officers of naval divisions or ships of war of the same Country stationed abroad or between the commanding officer of one of those naval divisions or of one of those ships of war and the commanding officer of another division or of another ship of the same Country, through the intermediary of the land or sea services of other Countries.

2. Correspondence of every kind enclosed in these mails shall be confined to that addressed to or sent by the officers and crews of the ships to or from which the mails are forwarded; the rates and conditions of despatch applicable to them are fixed, according to its internal regulations, by the postal Administration of the Country to which the ships belong.

3. In the absence of other arrangements, the postal Administration of the Country to which the ships of

war belong is accountable to the intermediate Administrations for the transit charges for the mails calculated in accordance with the provisions of Article 78.

PART III.—FINAL PROVISIONS

Article 83

ENTRY INTO FORCE AND DURATION OF THE CONVENTION

The present Convention shall come into force on the 1st of July, 1953, and shall remain in operation for an indefinite period.

In faith whereof, the Plenipotentiaries of the Governments of the above-named Countries have signed the present Convention in a single copy which shall lie in the Archives of the Government of Belgium and of which a copy shall be delivered to each Party.

Done at Brussels, the 11th of July, 1952.

FINAL PROTOCOL TO THE UNIVERSAL POSTAL CONVENTION

At the moment of proceeding to sign the Universal Postal Convention concluded this day the undersigned Plenipotentiaries have agreed the following:—

Article I

EXCEPTION TO THE FREEDOM OF TRANSIT OF SMALL PACKETS

In derogation of the provisions of Article 32 the Postal Administration of the Union of Soviet Socialist Republics is authorised not to admit small packets in transit through its territories, on the understanding that this restriction is applied without distinction to every Country of the Union.

Article II

EXCEPTION TO FREE POSTAGE FOR LITERATURE FOR THE BLIND

In derogation of the provisions of Articles 38 and 48 those Countries which do not concede free postage to literature for the blind in their internal service have the option of making a charge which must not in any event exceed the one in their internal service.

Article III

EQUIVALENTS. MAXIMUM AND MINIMUM LIMITS

1. Each Country has the option of increasing by 60% or reducing by 20%, at most, the charges prescribed in Article 48, § 1, in accordance with the following table: {See p. 812.}

2. The charges adopted are, as far as possible, to bear the same proportions to one another as the basic charges, each Administration being free to round its charges up or down as the case may be according to the characteristics of its monetary system.

3. The tariff adopted by a Country applies to the charges to be collected on arrival in cases of non-payment or underpayment of postage.

4. Nevertheless Administrations which take advantage of the increase provided for in § 1 may fix the charges to be collected in cases of non-payment or underpayment of postage in accordance with the equivalent of the basic charges indicated in Article 48, § 1, and not with their increased outward charges.

Category 1	Charges	
	Upper limit 2	Lower limit 3
	c.	c.
Letters { first weight step	32	16
{ each succeeding step	192	9.6
Postcards { single	192	9.6
{ reply-paid	38.4	19.2
Commercial papers { first weight step	128	6.4
{ each succeeding step	6.4	3.2
{ minimum charge	32	16
Literature for the blind	—	—
Printed papers { first weight step	128	6.4
{ each succeeding step	6.4	3.2
Samples of merchandise { first weight step	128	6.4
{ each succeeding step	6.4	3.2
Small packets { per 50 grammes	128	6.4
{ minimum charge	64	32
"Phonopost" items { first weight step	24	12
{ each succeeding step	16	B

Article IV

EXCEPTIONS TO THE APPLICATION OF THE TARIFF FOR
COMMERCIAL PAPERS, PRINTED PAPERS AND SAMPLES
OF MERCHANDISE

1. In derogation of the provisions of Article 48 Countries have the right not to apply to commercial papers, printed papers and samples of merchandise the charge fixed for the first weight step, and to maintain for that step the charge of 4 centimes with a minimum of 8 centimes for samples of merchandise. In the case of grouped categories, the charge paid shall be the minimum charge for samples if the item consists of printed papers and samples.

2. Exceptionally, Countries are authorised to bring their international rates for commercial papers, printed papers and samples of merchandise up to those laid down by their internal legislation for similar items in their internal service.

Article V

OUNCE AVOIRDUPOIS

As an exceptional measure, Countries which by reason of their internal regulations are unable to adopt the metric-decimal system of weight, are permitted the right to substitute for it the ounce avoirdupois (28.3465 grammes) taking one ounce as equivalent to 20 grammes for letters and "Phonopost" items and two ounces as equivalent to 50 grammes for commercial papers, printed papers, literature for the blind, samples of merchandise and small packets.

Article VI

SIZE OF LETTERS

Countries which would not be in a position to bring into operation the minimum limits of size of 10 X 7

cms. laid down for letters in Article 48, § 1 (column 5 of the table) are allowed a period of two years dating from the entry into force of the present Convention for applying these limits.

Article VII

POSTING OF CORRESPONDENCE ABROAD

A Country is not bound to forward or deliver to the addressees items which senders resident in its territory post or cause to be posted in a foreign Country with the object of profiting by the lower charges in force there. The rule is applied without distinction both to correspondence made up in the Country where the sender resides and then carried across the frontier and to correspondence made up in a foreign Country. The Administration concerned may either return the items in question to origin or tax them at its internal rates. The method by which the charges are collected is left to its discretion.

Article VIII

INTERNATIONAL REPLY COUPONS

Administrations are permitted not to undertake the sale of international reply coupons or to limit their sale.

Article IX

WITHDRAWAL FROM THE POST. ALTERATION OF
ADDRESS

The provisions of Article 57 do not apply to the Union of South Africa, the Commonwealth of Australia, Canada, the United Kingdom of Great Britain and Northern Ireland, India, New Zealand and Pakistan, or to those of the British overseas Territories, including the Colonies, the Protectorates and the Territories under trusteeship exercised by the United Kingdom of Great

Britain and Northern Ireland or to the Irish Republic, whose internal legislation does not permit the withdrawal from the post or the alteration of the address of correspondence at the sender's request.

Article X

REGISTRATION FEE

Countries which cannot fix at 40 centimes the registration fee prescribed in Article 67, § 2 are authorised to charge a fee up to 50 centimes or that fixed for their internal service as the case may be.

Article XI

SPECIAL TRANSIT CHARGES FOR CONVEYANCE BY THE TRANS-SIBERIAN AND TRANS-ANDINE

1. In derogation of the provisions of Article 78, § 1 (table), the postal Administration of the Union of Soviet Socialist Republics is authorised to collect charges for transit over the Trans-Siberian for both routes (Manchuria or Vladivostock) at the rate of 2 francs 50 centimes per kilogramme for all types of correspondence for distances in excess of 6,000 kilometres.

2. The Administration of the Argentine Republic is authorised to charge 30 centimes over and above the transit charges indicated in Article 78, § 1 (i), for each kilogramme of correspondence of every type conveyed in transit over the Argentine section of the "Ferrocarril Trasandino."

Article XII

SPECIAL TRANSIT CONDITIONS FOR AFGHANISTAN

In derogation of the provisions of Article 78, § 1, the Administration of Afghanistan is authorised provisionally, because of its special difficulties as regards means of conveyance and communication, to effect the transit of closed mails and à découvert correspondence across its territory on conditions specially agreed with the Administrations concerned.

Article XIII

SPECIAL STORAGE CHARGES AT ADEN

Exceptionally, the Administration of Aden is authorised to collect a charge of 40 centimes per bag for all mails stored at Aden, provided that that Administration does not receive any fee in respect of land or sea transit for those mails.

Article XIV

SPECIAL TRANSHIPMENT CHARGES

Exceptionally the Portuguese Administration is authorised to collect 40 centimes per bag for all mails transhipped in the port of Lisbon.

Article XV

AIR SERVICES

1. The provisions regarding air-mail correspondence are annexed to the Universal Postal Convention and are regarded as forming an integral part of it and of its Detailed Regulations.

2. However, in derogation of the general provisions of the Convention, the amendment of these provisions

may be considered from time to time by a Conference composed of the representatives of the Administrations directly concerned.

3. Such a Conference may be convened through the intermediary of the International Bureau at the request of at least three of these Administrations.

4. The whole of the provisions proposed by the Conference shall be submitted through the intermediary of the International Bureau to the vote of the Countries of the Union. The decision will be taken by the majority of votes cast.

Article XVI

PROTOCOL LEFT OPEN TO MEMBER-COUNTRIES FOR SIGNATURE AND ACCESSION

The Protocol remains open for the benefit of member-Countries whose representatives have to-day signed only the Convention or a certain number of the Agreements drawn up by the Congress, with the aim of allowing them to accede to any or all of the other Agreements signed this day.

Article XVII

PROTOCOL LEFT OPEN TO MEMBER-COUNTRIES NOT REPRESENTED

The Protocol remains open to member-Countries not represented at the Congress, in order to allow them to accede to the Convention and to the Agreements there concluded or only to one or other of them.

Article XVIII

PERIOD FOR THE NOTIFICATION OF ACCESSIONS

The accession referred to in Articles XVI and XVII shall be notified in diplomatic form by the respective Governments to the Government of Belgium and by that Government to the Governments of the other member-Countries of the Union. The period allowed to the said Governments for such notification expires on the 1st of July, 1953.

Article XIX

PROTOCOL LEFT OPEN TO GERMANY TEMPORARILY PRECLUDED FROM ACCEDING TO THE CONVENTION AND THE AGREEMENTS

1. Germany, temporarily precluded from acceding to the Convention and the Agreements, may accede to these Acts without submitting to the formalities prescribed in Article 3, at the time considered opportune by the responsible authority.

2. The accession referred to in § 1 shall be notified in diplomatic form by the Government concerned to the Government of Belgium and by that Government to the Governments of the other member-Countries of the Union.

In faith whereof, the undermentioned plenipotentiaries have drawn up the present Protocol which shall have the same force and validity as if the provisions were inserted in the actual text of the Convention, and they have signed it in a single copy which shall lie in the Archives of the Government of Belgium and of which a copy shall be delivered to each Party.

Done at Brussels, the 11th of July, 1952.

DECLARATION MADE AT THE MOMENT OF SIGNATURE
OF THE FINAL PROTOCOL TO THE CONVENTION

At the moment of proceeding to sign the Final Protocol to the Universal Postal Convention, the delegation of the Union of Soviet Socialist Republics, the delegation of the Soviet Socialist Republic of Ukraine and the delegation of the Soviet Socialist Republic of Byelorussia declare:—

1. The delegations of the U.S.S.R., of the S.S.R. of Ukraine and of the S.S.R. of Byelorussia regard as illegal the fact that the XIIIth Universal Postal Congress has accorded to the representatives of the Kuomintang the right to sign the Universal Postal Convention in the name of China.

The delegations of the U.S.S.R., of the S.S.R. of Ukraine and of the S.S.R. of Byelorussia consider that the Central Government of the Chinese People's Republic is the only legal Government representing China and that questions concerning international postal exchanges cannot be equitably resolved without the participation of the Chinese People's Republic which maintains extensive postal services. Consequently, only the representatives of that Government may sign the Universal Postal Convention in the name of China.

2. The delegations of the U.S.S.R., of the S.S.R. of Ukraine and of the S.S.R. of Byelorussia regard as wholly unjustified the fact that the German Democratic Republic and the People's Democratic Republic of Korea, which had fulfilled the conditions of Article XVII of the Final Protocol regarding accession to the

Universal Postal Convention of 1947 and should consequently be regarded as parties to that Convention, have without any reason not been allowed to take part in the work of the Congress and to sign the Universal Postal Convention and the documents annexed thereto.

The delegations of the U.S.S.R., of the S.S.R. of Ukraine and of the S.S.R. of Byelorussia also regard as illegal the fact that the Congress has accorded to the representatives of the "Government" of Sig Man Rhee of South Korea the right to sign in the name of Korea inasmuch as they do not represent Korea and are not entitled to sign the Convention in the name of Korea.

3. The delegations of the U.S.S.R., of the S.S.R. of Ukraine and of the S.S.R. of Byelorussia draw attention to the fact that "Allemagne" [Germany] in the Preamble to the Convention and in the Final Protocol is understood to mean the unified Germany with a Government for the whole of Germany.

DECLARATION MADE AT THE MOMENT OF SIGNATURE,
UNDER ARTICLE 5 OF THE CONVENTION CONCERNING
THE APPLICATION OF THE SAID CONVENTION TO
COLONIES, PROTECTORATES, &c.

The delegation of Italy declares that its acceptance of the present Convention and of the Agreements relating thereto includes the Territory of Somalia under the trusteeship of Italy.

Brussels, the 11th of July, 1952.

I. The International Telecommunication Union (ITU)¹

1. Introduction

The Convention establishing an International Telegraph Union was signed at Paris on 17 May 1865 by the plenipotentiaries of 20 founding States. In 1885, at Berlin, the first regulations relating to international telephone services were inserted in the Telegraph Regulations annexed to the Convention.

At the first International Radiotelegraph Conference, held at Berlin, 27 States signed the International Radiotelegraph Convention of 3 November 1906 establishing the principle of compulsory inter-communication between vessels at sea and the land.

In 1932, the International Telegraph Convention and the International Radiotelegraph Convention were merged to form the International Telecommunication Convention, which was signed at Madrid on 9 December 1932. Under this Convention, which came into force on 1 January 1934, the International Telecommunication Union replaced the International Telegraph Union.

From the outset, ITU was an agency which, by means of conferences meeting normally every five years (except during the two world wars), revised and kept up to date the basic Convention and the regulations governing international telegraph, telephone and radiocommunications. By means of a permanent secretariat, known as the Bureau of the Union, it circulated information furnished by Member countries as necessary for the smooth functioning of the international telecommunication services, and published a monthly journal. After the Second World War, in view of post-war political changes and of scientific advances, it became necessary to expand the structure of the organization. The Plenipotentiary Conference, held at Atlantic City in 1947, drafted a new Convention,² which was signed in October

¹ For further information concerning ITU, see previous volumes of the Yearbook; reports of ITU to the United Nations; final Acts of the International Telecommunication and Radio Conferences, Atlantic City, 1947; and the Telecommunication Journal.

² For text of the Convention, see Y.U.N., 1947-48, pp. 932-52.

1947 by 72 of the 78 States, territories or groups of territories which, according to Annex I of this Convention, can become Members of the Union with full rights upon signature and ratification of or accession to the Convention. The new Convention reorganized the Union and established new permanent organs, including the Administrative Council and the International Frequency Registration Board (IFRB).

The Atlantic City Convention came into effect on 1 January 1949 but certain of its provisions were applied beginning 1 January 1948. This Convention remained in force until the end of 1953.

An Agreement establishing the relationship between ITU and the United Nations was also approved by the Atlantic City Plenipotentiary Conference and later approved, on 15 November 1947, by the United Nations General Assembly. The Agreement, annexed to the revised Convention, came into force on 1 January 1949 at the same time as the Convention.³

The Administrative Radio Conference, held concurrently with the Plenipotentiary Conference at Atlantic City in 1947, established a new table of frequency allocations, allocating the revised frequency bands to the various services, such as fixed, maritime, aeronautical and broadcasting. The Extraordinary Administrative Radio Conference, held in Geneva in 1951, examined the work of the various Radio Conferences held since Atlantic City. The outcome was an Agreement signed by 63 Members of the Union—which represents a major step in implementing the new table of frequency allocations.

The International Telegraph and Telephone Regulations, revised at Cairo in 1938, were amended by the International Administrative Telegraph and Telephone Conference, held in Paris from 20 May to 5 August 1949.

The Plenipotentiary Conference of Buenos Aires (1952) revised the Atlantic City Convention of 1947 but made no radical change in the organization of the Union.⁴

The main purpose of ITU is "to maintain and extend international cooperation for the improvement and rational use of telecommunication..." This term is defined in the revised Convention adopted in 1952 as "any transmission, emission and reception of signs, signals, writing images and sounds or intelligence of any nature by wire, radio, visual or other electromagnetic systems." ITU also promotes the development and most efficient operation of technical facilities. It allocates the radio frequency spectrum and registers

radio frequency assignments to avoid harmful interference between radio stations of different countries, encourages the establishment of as low rates as possible and promotes the adoption of measures for ensuring safety of life through the co-operation of telecommunication service.⁵

2. Organization⁶

As provided by the Atlantic City Convention, the structure of ITU consists of a Plenipotentiary Conference, Administrative Conferences and the permanent organs of the Union: the Administrative Council, the General Secretariat, the International Frequency Registration Board (IFRB), the International Telegraph Consultative Committee (CCIT), the International Telephone Consultative Committee (CCIF) and the International Radio Consultative Committee (CCIR).⁷

The supreme organ of the Union is the Plenipotentiary Conference, at which all Members and Associate Members of the Union may be represented. It considers the report of the Administrative Council on the activities of the Union; establishes the basis for the ITU budget for a five-year period; approves the accounts; elects the Members whose representatives constitute the Administrative Council; revises the Convention if it considers this necessary; enters into and revises formal agreements with other international bodies; and deals with such telecommunication questions as may be necessary. This Conference normally meets once every five years, at a place and date fixed by the preceding Conference. Each Member has one vote in the Union. Decisions on the admission of a new Member to ITU require a two-thirds majority vote. All other decisions of ITU are taken by a majority vote.

Administrative Conferences, at which all Members and Associate Members may be represented, meet preferably at the same time and place as the Plenipotentiary Conference. The Administrative Telegraph and Telephone Conference and the

³ For text of the Agreement, see Y.U.N., 1947-48, pp. 949-54.

⁴ The new Convention entered into force on 1 January 1954.

⁵ For fuller statements on purposes and functions of ITU, see Y.U.N., 1951, p. 943.

⁶ A somewhat fuller description of the organization of ITU is given in Y.U.N., 1952, pp. 894-95.

⁷ The official abbreviations, CCIT, CCIF and CCIR, derive from the French titles of these consultative committees: Comité consultatif international télégraphique, Comité consultatif international téléphonique and Comité consultatif international des radiocommunications.

Administrative Radio Conference revise the Administrative Regulations with which they are respectively concerned. The Administrative Radio Conference, moreover, elects the members of the IFRB and reviews its activities. Extraordinary administrative conferences and regional administrative and special international administrative conferences, to deal with special telecommunications questions, may also be convened.

The Administrative Council is composed of representatives of eighteen Members of the ITU elected by the Plenipotentiary Conference. The Council supervises the Union's administrative functions between sessions of the Plenipotentiary Conference; reviews and approves the annual budget; appoints the Secretary-General of the Union and the two Assistant Secretaries-General; and co-ordinates the work of ITU with that of other international organizations. The Council normally meets at the seat of the Union once a year and at such other times as it thinks necessary, or at the request of six of its Members. The Secretary-General of the Union acts as Secretary of the Administrative Council.

Under the direction of the Secretary-General of ITU, the General Secretariat carries out the secretariat work preparatory to and following conferences of the Union; publishes official documents of the Union and general information and documentation concerning telecommunications; and prepares an annual budget.

The International Frequency Registration Board (IFRB) consists of eleven persons, appointed by as many Members of the ITU elected on a regional basis by the Administrative Radio Conference. Each regular session of the Administrative Radio Conference determines the number of persons of the IFRB. The first persons were elected by the Atlantic City Administrative Radio Conference and were confirmed in their duties by the Plenipotentiary Conference of Buenos Aires, 1952. Members serve, as stated in article 6 of the Convention, not as representatives of their countries, or of a region, but "as custodians of an international public trust." The IFRB records all frequency assignments and furnishes advice to Members and Associate Members of ITU with a view to the operation of the maximum practicable number of radio channels in those portions of the spectrum where harmful interference may occur.

The International Telegraph Consultative Committee (CCIT) studies technical, operating and tariff questions relating to telegraphy and facsimile,⁸ and issues recommendations on them. The International Telephone Consultative Com-

mittee (CCIF) has the same duties in relation to telephony. The International Radio Consultative Committee (CCIR) studies and issues recommendations concerning technical and operating questions relating to radio, the solution of which depends principally on considerations of a technical radio character. The work of each consultative committee is reviewed by its Plenary Assembly, which normally meets once every two years. The Plenary Assembly appoints the director of the consultative committee concerned and establishes study groups to deal with particular questions.

3. Activities during 1953

According to article 1 of the Atlantic City Convention, the 72 signatories listed in Annex I to the Convention could become Members of ITU upon ratification of the Convention; the other six countries listed in Annex I, being non-signatories, could become Members upon accession to the Convention. States not listed in Annex I could become Members, by acceding to the Convention, if they were Members of the United Nations or if their applications were approved by two thirds of the Members of ITU.

During 1953, no signatory deposited its instrument of ratification of the Convention. Libya, which was not included in Annex I, became a Member by acceding to the Convention. In addition, Malaya-British Borneo Group and the Trust Territory of Somaliland under Italian Administration became Associate Members.

Certain countries or territories listed in Annex I had not ratified the Convention or acceded to it by the time of the Administrative Council's fifth session. In the interest of the universality of the telecommunication services, the Council resolved that, pending a decision by the forthcoming Plenipotentiary Conference, all countries and territories listed in Annex I, whether Members or not, could participate on equal terms in administrative conferences or consultative committee meetings and in reaching decisions on any questions, with one exception—that only Members, i.e., parties to the Convention by ratification or accession, could vote on the admission of new Members.

The eighth session of the Administrative Council was held from 2 May to 1 June 1953. It was the first ordinary session of the new Council

⁸As defined in the Radio Regulations, art. 1, 10, facsimile is a "system of telecommunication for the transmission of fixed images with a view to their reception in a permanent form."

elected by the Buenos Aires Plenipotentiary Conference. The Council elected as new Secretary-General, from 1 January 1954, Dr. Marco Aurelio Andrada, Secretary-General of Argentine PTT. It decided, with the assent of the Union Members, that the Administrative Telegraph and Telephone Conference would not be held in 1954, and that the question of the next meeting of that Conference and also of the Administrative Radio Conference would be considered at its ninth session. Among other questions considered were the question of traffic to be routed over the aeronautical telecommunication network, the question of bringing into service the frequency bands allocated to ship radiotelegraph stations in the Atlantic City Radio Regulations, and the question of preparation by the IFRB of draft high-frequency broadcasting plans.

The Council reclassified a series of posts in the various organs and decided that the Union should be affiliated to the Administrative Tribunal of the International Labour Organisation (ILO). It also drew up the budgets of 1953 and 1954, and reviewed the activities of the permanent organs of ITU and its relations with the United Nations, the specialized agencies and other international organizations.

a. INTERNATIONAL CONSULTATIVE COMMITTEES

(1) International Telegraph Consultative Committee (CCIT)

The CCIT VIIth Plenary Assembly met at Arnhem, Netherlands, from 26 May to 13 June. Thirty Administrations were represented. The most important results obtained were as follows:

- drafting of basic definitions in connexion with telegraph transmission and distortion;
- standardization of 24-frequency voice-frequency telegraphy;
- standardization of regenerative repeaters;
- protection of voice-frequency telegraph channels;
- standardization of the minimum duration of the stop element in start-stop signals;
- international telex signalling;
- improvement in the lay-out of statistics showing telegram transmission times;
- new rates for phototelegrams;
- drawing up of telex statistics;
- preparation of diagrammatic symbols for telegraphy.

Among the major questions set for study or still under study at the end of the year were:

- standardization of frequency modulation in voice-frequency telegraphy;
- protection of telegraph channels against disturbances;
- procedure for signalling and detective breakdowns;
- use of figure-shift 32 in Alphabet No. 2;
- interwork of synchronous and start-stop systems;
- standardization of facsimile devices for documents;

- telegraphy definitions and vocabulary;
- public switching network;
- unification of service codes;
- reform of telegraph statistics;
- study of metering;
- transit circuits for public correspondence;
- telex rates and circuit rentals; and
- improvement in telex facilities.

For the study of these questions the VIIth Plenary Assembly set up ten Study Groups on: General Telegraphy, Transmission, Apparatus, Phototelegraphy, Vocabulary, Switching, European Network, Operations, Tariffs and Telex. The Chairmen of these Study Groups are officials from the Administrations of the following countries: Italy, Netherlands, France, United Kingdom, France, United Kingdom, Austria, Switzerland, Italy, Netherlands.

In accordance with a resolution adopted at the Buenos Aires Plenipotentiary Conference, one of the items on the agenda of the VIIth Plenary Assembly of CCIT was the detailed study of the advisability of amalgamating the CCIT and the CCIF and the drawing up of a recommendation on that point for the next Administrative Telegraph and Telephone Conference. The Plenary Assembly, by 16 votes to 11, adopted a resolution which stated that amalgamation was not in the best interests of the Union but laid down the precautions to be taken with a view to safeguarding telegraphy interests if, despite the opinion of the CCIT, such amalgamation were decided on.

(2) International Telephone Consultative Committee (CCIF)

During 1953, Study Groups met on two different occasions to prepare draft recommendations for discussion at the XVIIth Plenary Assembly of the CCIF, to be held at Geneva in October 1954.

(a) Study Groups on operation and tariffs: Study Groups 6 and 7 met at Geneva from 12 to 21 March and gave particular attention to the following points:

- operation and tariffs for inter-continental radio-telephone services (priority, report charge, compensation charge);
- use of circuits for broadcast relays: conditions for the lease of special circuits for music transmission, and need for an auxiliary control circuit during a broadcast relay;
- use by third parties of leased telephone circuits.

The Sub-Group on Rapid Operating Methods met at Geneva from 9 to 11 March 1953, and considered tables for the calculation of semi-automatic telephone circuit groups, together with the routing of automatic telephone calls over secondary routes.

(b) Technical Study Groups: Study Group 1 met at Geneva from 3 to 11 November and considered, among other things:

danger to telecommunication staff from electric induction between neighbouring power lines and telecommunication lines;

devices to protect telecommunication staff and equipment in case of faults in neighbouring power lines;

devices for the protection of telephone operators and subscribers against acoustic shocks;

regulations to ensure the safety of workmen engaged on the maintenance of telephone lines;

definition of high-reliability power lines capable of being brought into closer proximity to telecommunication lines than currently possible.

Study Group 2 met at Geneva from 12 to 18 November and considered, among other things:

use of organic material for cable sheaths;

use of new methods for detection and localization of faults in cable sheaths by means of radio-active tracer gas introduced under pressure into one end of the cable, its progress being followed at ground level by means of a Geiger counter.

Study Group 3 met from 12 to 31 October and studied a great many questions in connexion with the specifications of international circuits for transmission of telephone calls, transmission of telegrams or phototelegrams, or relay of broadcast and television transmissions by metallic line. These studies were made in conjunction with the CCIT, the CCIR, the European Broadcasting Union (EBU), and the International Broadcasting Organization (IBO).

The Permanent Maintenance Sub-Committee met at Geneva from 30 September to 7 October and drew up a programme for the periodical maintenance of European international circuits during 1954, which shows certain agreed dates for each circuit when the control stations and sub-control stations in the various countries involved are to co-operate in making electrical measurements on several frequencies, to ensure that the circuit is operating properly.

Study Group 4 met at Geneva from 1 to 8 October and devoted most of its attention to a new standard of telephone transmission performance, namely, the articulation reference equivalent (AEN), which is a more reliable indication of the quality of speech received than the old 'reference equivalent' criterion, which merely assessed its volume.

Study Group 5 met at Geneva from 8 to 10 October and studied the co-ordination of radio and metallic-line telephony in the international service, with particular reference to the incorporation in the general telephone network of radio relay links, i.e., radio equipment relaying

speech, music, or pictures from one hill to another.

Study Group 8 met at Geneva from 26 to 31 October and considered various matters connected with international switching in semi-automatic operation, especially mutual interference between national signalling systems, through the international circuit. It also considered the influence of line conditions on the operation of signal receivers and apparatus for signal measurement.

The Study Group for field trials of semi-automatic international telephone operation likewise met at Geneva in October to consider the first series of results obtained from semi-automatic field trials in Europe which were made on 80 international circuits in Western Europe and Scandinavia. The trials were very closely followed by a permanent working group which meets in each of the centres of the international semi-automatic field trial network. For instance, it met at The Hague (Netherlands) in June, at Paris (France) in October, and in 1954 was scheduled to meet at London (United Kingdom), Brussels (Belgium), and Zurich (Switzerland). Its task is to settle any difficulties that may arise during the trials, take note of all the faults recorded and of operating statistics, and undertake detailed studies on questions such as the price of equipment for the two signalling systems under comparison with a view to a final choice by the CCIF XVIIth Plenary Assembly at Geneva in October 1954.

The Sub-Committee for the Middle East and South Asia (which comes under the CCIF Joint Committee for the General Trunk Switching Programme) met at Lahore (Pakistan) from 1 to 14 December. It drew up a list of all telecommunication requirements for countries in the Middle East and Southern Asia, not only as regards public telegraphy and telephony, but also for civil aviation and meteorology. The telecommunication Administrations of these countries, together with the International Civil Aviation Organization (ICAO) and the World Meteorological Organization (WMO), were first consulted, and, as a result, it was possible to prepare maps showing the existing means of telecommunication which might be used to carry international traffic, and to assess how much additional traffic there will be for which new telecommunication arteries must be laid down or for which, at any rate, the capacity of existing arteries will have to be substantially increased by the use of modern multiplex carrier transmission systems. At the Lahore meeting consideration was given to the possibility of

using various systems (open overhead wires, underground cables, submarine cables, radio relay links) for the new arteries, in the light of local characteristics.

(3) International Radio Consultative Committee (CCIR)

The activities of the CCIR in 1953 were almost exclusively devoted to its VIIth Plenary Assembly, which took place at London from 3 September to 7 October, and to the preparation for this Assembly. The London Assembly considered a wide field of technical subjects relating to radio communication, ranging from matters concerning the safety of human life at sea, to the recording of television pictures. On these many subjects it drew up 58 recommendations, 22 reports and ten resolutions, while it set 39 questions and 40 study programmes for study by its fourteen study groups. Among the subjects studied was that of the propagation of radio waves in a very wide sense, taking into account such influences as the soil, troposphere, ionosphere, sunspot activity. The international use of wide band radio relay systems on metric, decimetric and centimetric wavelengths was also discussed, as well as questions concerning broadcasting, with special attention to tropical regions.⁹

The general interest in the work of the CCIR may be seen from the fact that the VIIth Plenary Assembly of the CCIR was attended by some 350 representatives from 40 countries throughout the world, who presented some 500 papers on various radio technical subjects. The CCIR, in London, accepted the invitation of the Polish Administration to hold its VIIIth Plenary Assembly at Warsaw in 1956.

b. INTERNATIONAL FREQUENCY REGISTRATION BOARD (IFRB)

Among the duties assigned to the IFRB in the Atlantic City Convention and Radio Regulations and in the Agreement of the Extraordinary Administrative Radio Conference (EARC) held at Geneva in 1951 were the establishment and maintenance of the Master Radio Frequency Record and the Supplementary Information to the Record, which together form a compendium of the radio communications of the entire world. Although the first edition of this compendium was published late in 1952,¹⁰ the continual development of the use of radio frequencies requires that the Record be kept up to date, and consequently its maintenance remains a part of the Board's work, which developed to a considerable degree.

Since 1952, there has been a gradual transition from the initial task of establishing the Record to the continuing tasks of maintaining it and of assisting the Administrations of Members towards the bringing into force of the Atlantic City Table of Frequency Allocations.

Both these tasks call for the application of technical examinations of frequency assignments, to assess whether their operation will be likely to interfere with the operation of other assignments already in service or to be brought into use in accordance with plans adopted by the EARC, or to determine whether the later assignments comply with the technical provisions of the plans. In all, some tens of thousands of individual assignments have undergone technical examination in the course of the year.

As a result of a consultation of Administrations and a study by the IFRB as to the possibility of ensuring that the frequency bands concerned should be made available, the ship radiotelegraph calling frequency bands and the 22 Mc/s ship radiotelegraph working bands were brought into use by ship stations on 1 September 1953. This marked the first stage in the implementation of the plans adopted by the EARC for the Maritime Mobile Service. Studies and consultations with Administrations in relation to the bringing into force, in 1954, of the working bands allocated to cargo ship radiotelegraph stations were in train at the end of 1953.

Under the global plan adopted by the EARC for the Aeronautical Mobile "R" Service (i.e., for communications with civil aircraft flying along national or international air routes), the world is divided into a number of areas. A series of frequencies, capable of enabling aircraft in flight in these areas to communicate by radiotelegraphy or radiotelephony with ground stations, and vice versa, throughout the 24 hours of each day, was allotted to each area. Other frequencies were designated for the dissemination of weather information and other special purposes. During 1953, sections of the plan covering the North Atlantic and European/Mediterranean areas were successfully brought into operation, after the facilities had been approved by ICAO as meeting current operational requirements, and the IFRB had negotiated with Administrations for the clearance of the frequencies.

⁹ Full details on these various technical subjects may be found in Volume I of the findings of the VIIth Plenary Assembly of the CCIR (London, 1953), available from ITU.

¹⁰ See Y.U.N., 1952, pp. 897-98.

The new frequencies were brought into use, by stages, throughout the year and this resulted in a considerable improvement in the two areas in communications to and from aircraft. Similar sectional plans have been developed by ICAO for the improvement of aeronautical communications in the Middle East, South East Asia, Caribbean, South American/South Atlantic and African/Indian Ocean areas. The IFRB was in consultation with Administrations in regard to these plans, which, it was hoped, would be brought into effect, by stages, during 1954.

From a detailed analysis of the requirements submitted by Administrations for their High Frequency Broadcasting services, the Board found that the total of these requirements was so far above the total which had been accommodated in the Mexico City Plan that the preparation of the plan envisaged by the EARC for this broadcasting service was precluded. An approach to Administrations through the Administrative Council resulted in a slight reduction in requirements which, however, was not, in itself, sufficient to improve the position appreciably. Nevertheless, from other studies in progress, it appeared that if certain suggestions under consideration were accepted, there was some prospect of preparing a technically acceptable plan.

The assembly and recording of monitoring information became well established during the year, and the regular issue of quarterly summaries was in hand. A considerable proportion of the data was supplied in response to requests for monitoring information relating to frequencies in the plans to be brought into use by the Aeronautical Mobile and the Maritime Mobile Services. This information proved to be of considerable value in the studies made by the Board in connexion with the implementation of these plans.

The year 1953 was a year of substantial progress in the application by Administrations and by the IFRB of the provisions of the EARC Agreement; progress was also made in implementing the plans for the Aeronautical Mobile and the Maritime Mobile Services. As a result, a very considerable number of assignments were brought into the appropriate bands, thus marking an important early step towards the final implementation of the Atlantic City Table of Frequency Allocations.

c. PUBLICATIONS

During 1953, in addition to the Secretary-General's annual report and the documentation

of conferences and meetings held by the Union, including the eighth session of the Administrative Council, the secretariat issued, generally in separate English, French and Spanish editions, a large number of publications. These included:

Financial Operating Report for 1952; Annual Report to ECOSOC, 1952; General Telegraph Statistics, 1952; General Telephone Statistics, 1952; General Radio Statistics, 1952; List of Point-to-Point Radio Channels, Supplements 3 and 4; Official List of Telegraph Offices, nineteenth edition, Recapitulatory Annex 1 and Annexes 7-12; Table B, second edition, Supplements 9-20; List of Cables in the World Submarine Cable Network, Supplement 2; Atlas of European International Cable Circuits, 1953; Maps showing International Telegraph Channels in diagram form, 1953; List of International Telegraph Channels (1951-52), Supplement 2; List of Radiolocation Stations, Supplements 1-5 to the second edition; List of Special Service Stations, thirteenth edition, Supplements 1 and 2; Alphabetical List of Call Signs, fifteenth edition, Supplements 5-10, sixteenth edition; List of Coast and Ship Stations, 24th edition; List of Aeronautical and Aircraft Stations, 21st and 22nd editions; List of Fixed Stations, thirteenth edition, Supplement 4; Map of Coast Stations open for Public Correspondence, sixth edition; Preface to the Radio Frequency Record, first edition, Supplements 2, 3 and 4; Volume I of the Radio Frequency Record, first edition, Supplements 2, 3 and 4; Volume II of the Radio Frequency Record, first edition (including Supplement 1) Supplements 2, 3 and 4; Annex to Supplement 2 to Volumes I and H of the Radio Frequency Record; Volume III of the Radio Frequency Record, first edition (including Supplement 1), Supplements 2, 3 and 4; Supplementary Information to the Radio Frequency Record, first edition, Supplements 1 and 2; Preliminary List of International Monitoring Stations, Supplement 3. One document issued by the CCIT: Documents of the VIIIth Plenary Assembly, Arnhem, 1953. One document issued by the CCIF: Instructions for the Protection of Telecommunication Lines against the Harmful Effects of Electric Power Lines. Two documents issued by the CCIR: Bibliography on Communication Theory; Collection of Antenna Diagrams. One document issued by the IFRB: Summary of Monitoring Information. The ITU also publishes regularly a trilingual monthly Telecommunication Journal containing general information and documentation on telecommunication.

4. Budget

The ordinary expenses of the Union, which are borne by all Members and Associate Members, include the expenses pertaining to: the meetings of the Administrative Council; the salaries of the staff; and other ordinary expenses of the General Secretariat, the International Frequency Registration Board, the international consultative committees, and the laboratories and technical installations created by the Union.

The extraordinary expenses include all expenses pertaining to plenipotentiary conferences, administrative conferences, and meetings of the international consultative committees. These are borne by the Members and Associate Members which have agreed to participate in these conferences and meetings. Private operating agencies and international organizations contribute to the extraordinary expenses of the administrative conferences and the meetings of the international consultative committees in which they participate, in proportion to the number of units corresponding to the class chosen by them. The Administrative Council may, nevertheless, excuse certain international organizations from contributing to these expenses.

The Buenos Aires Plenipotentiary Conference authorized the Administrative Council to approve for 1953 provisions for ordinary expenses up to 5,707,355 Swiss francs.

At its eighth session, the Council adopted for 1953 the following revised budget (in Swiss francs):

Ordinary budget	Swiss francs
Administrative Council	200,000
General Secretariat	2,310,500
IFRB	1,947,200
CCIF	468,300
CCIT	97,200
CCIR	494,300
TOTAL	5,517,500

Extraordinary budget	
CCIF Meetings	72,000
CCIT Meetings	270,050
CCIR Meetings	505,000
TOTAL	847,050

Each Member or Associate Member chooses the class of contribution in which it wishes to be included and pays in advance its annual contributory share to the ordinary budget calculated on the basis of the budgetary provisions. Members and Associate Members of ITU have chosen for the year 1953 the following classes of contribution:

first Class (30 units): Australia; France; India; Japan; USSR; United Kingdom; United States.

Second Class (25 units): Argentina; Brazil; Canada; Territories of the United States.

Third Class (20 units): Italy; Federal Republic of Germany; Overseas Territories of the French Republic and Territories administered as such.

Fourth Class (15 units): China; Pakistan; Union of South Africa and Territory of South West Africa.

Fifth Class (10 units): Belgium; Overseas Territories and Territories under Mandate or Trusteeship of the United Kingdom; Indonesia; Mexico; Netherlands, Surinam, Netherlands Antilles, New Guinea; Poland; Portugal; Sweden; Switzerland; Czechoslovakia; Portuguese Overseas Provinces; Thailand; Venezuela.

Sixth Class (5 units): Denmark; Dominican Republic; Egypt; Ecuador; Ireland; Norway; New Zealand; Ukrainian SSR; Turkey.

Seventh Class (3 units): Burma; Bolivia; Ceylon; Chile; Colombia; Belgian Congo and Territory of Ruanda-Urundi; Costa Rica; Cuba; El Salvador; Spain; Finland; Greece; Honduras; Liberia; Luxembourg; Nicaragua; Panama; Peru; Uruguay.

Eighth Class (1 unit): Afghanistan; British East Africa; British West Africa; Albania; Saudi Arabia; Austria; Byelorussian SSR; Bulgaria; Cambodia; Vatican City; Republic of Korea; Ethiopia; Guatemala; Haiti; Hungary; Iran; Iraq; Iceland; Israel; Jordan; Laos; Lebanon; Libya; Malaya-British Borneo; Monaco; Paraguay; Philippines; French Protectorates of Morocco and Tunisia (Morocco 1 unit and Tunisia 1 unit); Yugoslavia; Southern Rhodesia; Romania; Syria; Trust Territory of Somaliland under Italian Administration; Vietnam; Yemen; Spanish Zone of Morocco and the totality of Spanish Possessions.

The total number of units is 684.

ANNEX. MEMBERS, OFFICERS AND HEADQUARTERS

(As of 31 December 1953)

A. MEMBERS OF ITU¹¹

Afghanistan	Australia	Belgian Congo and	Bolivia
Albania	Austria	Territory of Ruanda-	Brazil
Argentina	Belgium	Urundi	Bulgaria

¹¹ The official nomenclature as notified to ITU by the Members concerned, which is used to designate some Members in this list, differs in certain instances from the official nomenclature of the United Nations. ITU's official listing of its Members and Associate Members is in the French alphabetical order of their names.

Burma	Territories administered	Mexico	Sweden
Byelorussian SSR	as such	Monaco	Switzerland
Cambodia	Germany, Fed. Rep. of	Netherlands, Surinam,	Syria
Canada	Greece	Netherlands Antilles,	Thailand
Ceylon	Guatemala	New Guinea	Turkey
Chile	Haiti	New Zealand	Ukrainian SSR
China	Honduras	Nicaragua	Union of South Africa and
Colombia	Hungary	Norway	Territory of South West
Costa Rica	Iceland	Pakistan	Africa
Cuba	India	Paraguay	USSR
Czechoslovakia	Indonesia	Peru	United Kingdom
Denmark	Iraq	Philippines	Colonies, Protectorates,
Dominican Republic	Ireland	Poland	Overseas Territories and
Ecuador	Israel	Portugal	Territories under Man-
Egypt	Italy	Portuguese Oversea	date or Trusteeship of
El Salvador	Japan	Provinces	the United Kingdom
Ethiopia	Jordan	Romania	United States
Finland	Korea, Rep. of	Saudi Arabia	Territories of the United
France	Laos	Southern Rhodesia	States
French Protectorates of	Lebanon	Spain	Vatican City
Morocco and Tunisia	Liberia	Spanish Zone of Morocco	Venezuela
Overseas Territories of the	Libya	and the totality of	Vietnam
French Republic and	Luxembourg	Spanish Possessions	Yugoslavia

Associate Members of ITU

British West Africa	Somaliland under Italian
British East Africa	Administration (Trust
Malaya-British Borneo Group	Territory of)

B. COUNTRIES LISTED IN ANNEX 1 OF THE CONVENTION WHICH MAY BECOME MEMBERS UPON SIGNATURE AND RATIFICATION OF OR ACCESSION TO THE CONVENTION

1. SIGNATORIES WHICH MAY BECOME MEMBERS UPON RATIFICATION OF THE CONVENTION

Iran Panama Uruguay

2. NON-SIGNATORY WHICH MAY BECOME MEMBER UPON ACCESSION TO THE CONVENTION

Yemen

C. MEMBERS OF THE ADMINISTRATIVE COUNCIL

Argentina	France	Switzerland
Brazil	India	Turkey
Canada	Italy	USSR
China	Mexico	United Kingdom
Czechoslovakia	Pakistan	United States
Egypt	Spain	Yugoslavia

D. MEMBERS OF THE INTERNATIONAL FREQUENCY REGISTRATION BOARD (IFRB)

Alfonso Hernández Catá y Galt (Cuba)
 Fioravanti Dellamula (Argentina)
 John A. Gracie (United Kingdom)
 Nicolas Krasnosselski (USSR)
 Paul D. Miles (United States) (until July 1953)
 John H. Gayer (United States) (from 13 September 1953)
 René Petit (France)
 Moorthy Rao (India)
 Noel Hamilton Roberts (Union of South Africa)
 J. J. Svoboda (Czechoslovakia)
 T. K. Wang (China)
 Sidney H. Witt (Australia)

E. OFFICERS OF THE ADMINISTRATIVE COUNCIL

Chairman:
Italy
 Vice-Chairman:
Switzerland

F. OFFICERS OF THE GENERAL SECRETARIAT

Secretary-General:
Leon Mulatier (France)

Assistant Secretaries-General:

Gerald C. Gross (United States)
 Hugh Townshend (United Kingdom)

G. OFFICERS OF THE INTERNATIONAL FREQUENCY REGISTRATION BOARD (IFRB)

Chairman:
J. J. Svoboda

Vice-Chairman:
N. H. Roberts

H. OFFICERS OF THE INTERNATIONAL CONSULTATIVE COMMITTEES

Interim Director of the CCIT:

The Assistant Secretary-General in charge of the Telegraph and Telephone Division of the General Secretariat: Hugh Townshend (United Kingdom)

Director of the CCIF:
Georges Valensi (France)

Director of the CCIR:
Balth. van der Pol (Netherlands)

Vice-Director of the CCIR:
L. W. Hayes (United Kingdom)

I. HEADQUARTERS

Address: General Secretariat of the International Telecommunication Union
 Palais Wilson, Geneva, Switzerland
 Telegraphic Address: BURINTERNA GENEVA



United Nations Flag adopted by the General Assembly, October 20, 1947
Drapeau des Nations Unies, adopté par l'Assemblée générale, le 20 octobre 1947

UNITED NATIONS • NATIONS UNIES



Certain flags are not shown here in correct proportion or shade of color, but are presented to conform with the majority.
Les dimensions relatives et la teinte de la couleur de certains drapeaux ont été modifiées pour correspondre à celles du plus grand nombre.

J. The World Meteorological Organization (WMO)

1. Introduction

The World Meteorological Organization (WMO) came formally into being on 4 April 1951 as an international body, the Members of which are States or territories.¹

The new organization has the benefit of over 70 years of experience which its predecessor, the International Meteorological Organization (IMO),² had gleaned in the field of international co-operation in meteorology and its application throughout the world.

As early as 1853, an international conference held in Brussels dealt with a programme for collecting meteorological observations made by ships at sea. During the next 25 years additional conferences on other meteorological subjects were convened at Leipzig, Vienna, Utrecht and London, and, in 1878, at a conference at Utrecht, the Netherlands, the International Meteorological Organization was established. Its members were the directors of the meteorological services of the various countries and territories throughout the world; as such it did not have the full official backing of governments but, nevertheless, pursued ambitious programmes of perfecting and standardizing meteorological activities, especially the services to maritime navigation, agriculture, and, increasingly, to aviation.

IMO expanded its plans for technical improvements and services in these fields and, at its Conference of Directors held at Washington, D. C., in September to October 1947, drew up the World Meteorological Convention, which provided for the transformation of the IMO into the World Meteorological Organization.

On 23 March 1950—30 days after the 30th instrument of ratification or accession had been deposited with the United States Secretary of State—the Convention of WMO came into force.

The Convention stated the purposes of WMO as:

"(a) To facilitate worldwide co-operation in the establishment of networks of stations for the making of meteorological observations or other geophysical observations related to meteorology and to promote the establishment and maintenance of meteorological centers charged with the provision of meteorological services;

"(b) To promote the establishment and maintenance of systems for the rapid exchange of weather information;

"(c) To promote standardization of meteorological observations and to ensure the uniform publication of observations and statistics;

"(d) To further the application of meteorology to aviation, shipping, agriculture, and other human activities; and

"(e) To encourage research and training in meteorology and to assist in coordinating the international aspects of such research and training."

One year later, in March 1951, the last Conference of Directors met in Paris, where it transferred the functions, activities, assets and obligations of the IMO to WMO and completed arrangements for both the opening of the first Congress of WMO and for its own dissolution.

The Agreement establishing the relationship between the United Nations and WMO was approved by the first session of the WMO Congress in March and April 1951 and by the United Nations General Assembly on 20 December 1951. It came into force on that day.³

The First Congress also adopted the budget of WMO for the first financial period, namely, until 31 December 1955.⁴

2. Organization⁵

As provided by the Convention, WMO consists of a World Meteorological Congress, an Executive Committee, Regional Associations and Technical Commissions set up by the Congress, and a permanent Secretariat under the direction of a Secretary-General.

The World Meteorological Congress, in which all Members are represented, meets at least once every four years. Each Member designates as its principal delegate to the Congress the director of its meteorological service. The Congress is the policy-making body of the organization. It adopts technical regulations covering meteorological practices and procedures, and determines the general policies for the fulfilment of the organization's purposes. Decisions of the Congress are taken by a two-thirds majority of the votes cast, except that in the election of officers of the organization a simple majority is sufficient. Only Members which are States are entitled to vote on certain categories of questions.

¹ For text of Convention of WMO, see Y.U.N., 1950, pp. 995-1000.

² For IMO and steps to establish WMO, see also Y.U.N., 1948-49, pp. 1103-1104.

³ For text of Agreement, see Y.U.N., 1951, pp. 957-60.

⁴ For other details concerning First Congress of WMO, see Y.U.N., 1951, pp. 952-53.

⁵ For a fuller summary of the organization, see Y.U.N., 1952, pp. 901-902.

The Executive Committee is composed of the presidents of Regional Associations and an equal number of directors of the meteorological services of Members, in addition to the President and two Vice-Presidents of WMO. It meets at least once a year. As the executive body of the organization, the Committee supervises the carrying out of Congress resolutions. Among its duties, the Executive Committee makes studies and recommendations and provides Members with technical information, counsel and assistance in the field of meteorology. It has established two consultative committees, on administrative and financial questions, and programme and technical questions.

The Regional Associations, established by the Congress, are composed of Members of WMO whose networks lie in or extend into the respective regions. The geographic limits of the various regions are defined by the Congress. Meeting as often as necessary, the Regional Associations promote the execution of Congress and Executive Committee resolutions, make recommendations to these bodies and co-ordinate meteorological and associated activities in their respective regions. There are six Regional Associations⁶ which differ slightly from the former six regional commissions of IMO in that they now include ocean as well as land areas.

Eight Technical Commissions⁶ were established by the Congress and are composed of experts throughout the world who handle specific technical problems, making recommendations in their respective fields to the Congress and the Executive Committee.

The WMO Secretariat is located in Geneva and consists of two divisions, one administrative and the other technical. It serves as the administrative, documentary and information centre of the organization, carries out technical studies and organizes and performs secretariat duties at sessions of the Congress and the Executive Committee.

3. Activities during 1953

At the end of 1953, WMO had 82 Members, of which 58 were States and 24 territories.⁷ During the year, Japan, Ethiopia and the British Caribbean Territories became Members, and applications for membership were received from Spain on behalf of the Spanish Guinea Territories and the Spanish Morocco Territories, the Federal Republic of Germany and the German Democratic Republic. The applications from Spain and from the Federal Republic of Germany were approved by the necessary majority and the Governments

concerned have been authorized to accede to the World Meteorological Convention.

No meeting of the Congress of WMO took place during 1953 but the following sessions of WMO's constituent bodies were held: the fourth session of the Executive Committee, in Geneva, from 6 to 27 October; the first session of Regional Association I (Africa), in Tananarive, Madagascar, from 19 to 30 January; the first session of the Commission for Climatology, in Washington, D. C., from 12 to 25 March; the first session of the Commission for Synoptic Meteorology, in Washington, from 2 to 29 April; the first session of Regional Association IV (North and Central America) in Toronto, Canada, from 3 to 7 August; the first session of the Commission for Instruments and Methods of Observation and the first session of the Commission for Aerology, in Toronto, from 10 August to 5 September; the first session of the Commission for Agricultural Meteorology, in Paris, from 3 to 20 November; the first session of the Commission for Bibliography and Publications, in Paris, from 24 November to 14 December.

a. TECHNICAL ACTIVITIES

(1) Technical Regulations

The preparation of Draft Technical Regulations progressed during 1953. The six Commissions which met in 1953 all submitted their draft technical regulations to the secretariat, and the Executive Committee at its fourth session decided that the secretariat should proceed with the editing of a consolidated draft of these regulations to be distributed to the permanent representatives for comments as soon as possible.

The Committee further decided that the Draft Technical Regulations prepared by the secretariat would include both "standard practices", which are of an obligatory nature, and certain "recommended practices", which are in the category of guides or manuals.

(2) International Cloud Atlas

During a session immediately prior to the first session of the Commission for Synoptic Meteorology (CSM), the Committee for Clouds and Hydrometeors reviewed the comments received from various CSM members on the proposed new Cloud Atlas, and the Commission studied the different volumes of the Atlas in the light of the results of this meeting. At its fourth

⁶ A list of regional associations and technical commissions is annexed to this chapter.

⁷ For list see Annex.

session, the Executive Committee considered the recommendations of the CSM and of a working group, which met in June concerning the printing of the Atlas, and decided how it would be published.

(3) World Maps of Thunderstorm Activity

In accordance with resolutions adopted by the Executive Committee at its third session, the secretariat collected statistics of thunderstorm activity for land stations from all parts of the globe and published tables containing mean monthly, seasonal and annual numbers of thunderstorm days.

The preparation of thunderstorm maps for the globe, the major project with which the secretariat was charged by the Executive Committee, presents special difficulties, due to the sparseness and irregular distribution of data from the oceans. However, the International Radio Consultative Committee has asked for the preparation of world maps of thunderstorm activity based on the latest available information. Inquiries were accordingly made with Meteorological Services possessing punch card marine data with a view to the possibility of extracting the necessary figures of thunderstorm distribution over the oceans. These figures would be combined with those concerning thunderstorm activity for land stations to provide the basis for world maps.

(4) Arid Zone Research and Development

The Executive Committee at its fourth session approved a programme for the Arid Zone Panel of Experts, under which the Panel would:

- (1) arrange for the preparation of technical studies;
- (2) promote, within WMO, activities on scientific or technical problems concerning the Arid Zone;
- (3) collect and distribute to all Members of WMO and to appropriate specialized agencies information on research work being carried out on meteorological and hydrological problems of the Arid Zone, as well as on the institutions and experts engaged in that type of work;
- (4) keep in close contact with the work undertaken by individual Members of WMO; and
- (5) call attention to any meteorological research work on Arid Zone problems which it considered should be undertaken but which could not be carried out or sponsored by WMO, with a view to seeking the assistance of another specialized agency or international organization.

Artificial Inducement of Precipitation—Following a request from the United Nations Educational, Scientific and Cultural Organization (UNESCO), a report was prepared by the secretariat on the artificial inducement of precipitation with special reference to the arid and semi-arid regions of the world. This report was based

on material supplied by experts in different parts of the world as published in the new series of WMO Technical Notes. The report concluded that while operations hitherto have produced results that can be termed at best inconclusive, and while present-day techniques have very little value, if any, in augmenting the precipitation in areas of very low rainfall or during dry periods in areas of normally medium rainfall, there is need for further scientifically designed and rigorously checked experiments in all regions where there is a possibility of success.

The whole problem of the modification and control of clouds and hydrometeors with special reference to the artificial production of precipitation and to the prevention of hail was being studied by a working group of the Commission for Aerology.

Studies of Sources and Utilization of Wind Energy—A study was begun of the possibility of utilizing wind energy as a possible solution to the energy problem in areas with little or no hydroelectric power or other resources.

The Advisory Committee on Arid Zone Research of UNESCO, at its fourth session, recommended that a series of reports be commissioned on energy sources and their use in the Arid Zone. Two of these would relate to the practicability of using wind energy, especially the distribution of suitable winds and sites. One would cover work done in Africa and Asia, and the other that done in the Americas and Australia. The reports would be conceived as providing the background of facts and figures concerning wind regimes at heights appropriate for utilization by wind machines in the different arid areas of the continents mentioned. Reports already submitted on the design of wind machines and on the economic and practical aspects of utilizing wind energy in arid areas could then be related to the existence of suitable wind regimes and sites.

The WMO secretariat undertook the preparation of these two reports in response to a request received from UNESCO late in 1953.

(5) International Geophysical Year

A special working group submitted to the Executive Committee proposals for the meteorological programme for the International Geophysical Year to be held in 1957-58 under the auspices of the International Council of Scientific Unions (ICSU).⁸ The Executive Committee approved the broad principles of the plan and re-

⁸ See Y.U.N., 1952, pp. 903-904.

requested the working group to establish a detailed programme and to report to its next session.

The various proposals were also discussed at the first session of the Commission for Aerology, which selected certain items for special consideration. Chief emphasis was placed on the establishment of a number of new upper air stations to provide data along certain lines of longitude and latitude.

The WMO proposals were approved by the ICSU Special Committee on the International Geophysical Year, at its meeting in Brussels in June 1953.

(6) International Meteorological Institute

In accordance with a resolution of the WMO Congress, a working group considered the practicability of establishing an International Meteorological Institute, which had been suggested by UNESCO. It concluded that the difficulties were too great for the establishment of such an institute in the immediate future. The Executive Committee set up a new working group to consider the desirability and advisability of creating the Institute. Members were invited to submit their comments and suggestions.

(7) CLIMAT Publication

CLIMAT data consists of mean values of the temperature, pressure and certain other meteorological elements which are normally broadcast during the first week of the month and which refer to the previous month. The Executive Committee at its fourth session directed the secretariat to undertake an inquiry to determine the purpose and value of a monthly publication containing these data and the extent of the network of stations for which the data should be included.

(8) Aircraft Icing

Following a proposal from the Commission for Aerology, based on a recommendation of the fifth session of the former IMO Commission for Aeronautical Meteorology, the Executive Committee directed the secretariat to prepare a report on experimental research on the icing of aircraft and other exposed surfaces in clouds and its relation with cloud characteristics, such as water and ice content and particle size distribution.

(9) Meteorological Bibliography and Publications

The Commission for Bibliography and Publications (CBP) held its first session in Paris from 24 November to 12 December 1953. However, a quorum was not obtained and the decisions taken at the session therefore had to be submitted to the Members represented on the Commission for

a final vote by correspondence. The finally approved recommendations will be considered by the Executive Committee at its fifth session.

The Commission approved its part of the Technical Regulations and decided to establish one working group dealing with the meteorological vocabulary and the lexicon.

A summary of some of the more important subjects dealt with is given below.

Guide to Meteorological Library Practice—It was recommended that the Guide should be published in two volumes—one dealing with the Universal Decimal Classification. It was decided that no endeavour should be made to lay down too strict rules in the Guide, except with regard to the Universal Decimal Classification, but that the aim should be to state what is generally advocated, under ideal conditions. So far as standardization was concerned, it would indicate the most desirable standards but would not make application for them compulsory.

Universal Decimal Classification—A new version of the Universal Decimal Classification: 551.5 (Section Meteorology) was drafted; and it was recommended that the use of the UDC should be compulsory in all fields. Approval of the revised text of Section 551.5 is to be sought from the International Federation for Documentation.

Lexicon and Polyglot Vocabulary—It was decided that a working group on terminology should be set up to study the questions of terminology and a polyglot vocabulary. Terms were to be listed in the order of the Universal Decimal Classification. Definitions would reflect the scientific aspect of each point studied, "popular" terms being excluded. Explanatory preambles and alphabetical indexes were to be added. The endeavour would be to give, as far as possible, a simple, precise definition which admits of no ambiguity. The "lexicon" after each term of meteorological expression was to give the corresponding definition, with an explanatory comment, if necessary. The "vocabulary" was to give the equivalent term for each word in the different languages, without any definition.

Exchange of Documents—It was recommended, in the interests of economy, that instead of the publication of a "Manual for the Exchange of Meteorological Publications" an existing WMO publication⁹ should be extended so as to include

⁹ WMO Publication No. 2 TP.1, "Offices Météorologiques du Monde", 1948, kept up to date by supplements in French only.

information on the exchange of meteorological publications from all countries.

(10) Instruments and Methods of Observation

The Commission for Instruments and Methods of Observation (CIMO) held its first session in the autumn of 1953. Some of the preparatory work for the session was carried out by working groups, and Regional Associations showed great interest in the problems involved. The following were some of the matters dealt with:

Barometry—A proposal for an international barometer convention to secure uniformity in the use of standard temperature and gravity values and to define the various pressure scales used in barometry was put forward to the CIMO by the Working Group on Barometry. The Commission recommended the adoption of the Convention and it was adopted by the Executive Committee at its meeting in October. Among other things, the Convention, which will come into force on 1 January 1955, lays down that the standard temperature to which mercury barometer readings are reduced shall be 0° Celsius and that the standard gravity shall be 980.665 cm/sec².

Radiation—A network of stations for radiation measures was being progressively established in Region I (Africa) and arrangements were being made for regular calibration by some specified radiation centres of instruments used at these stations. CIMO also studied the requirements for the measurement of radiation, and stressed that it was essential that radiation instruments should be calibrated and checked regularly against absolute standards at properly equipped radiation centres. It laid down a detailed programme for the work to be carried out at specialized radiation stations, and set up a working group to make further studies in the whole field of meteorological radiation measurement.

The Executive Committee noted the decisions taken by the Commission and Regional Association I on this subject, and recommended that Members should consider establishing radiation networks on the lines suggested by CIMO.

Comparison of radiosondes—A radiosonde is an instrument equipped with elements for determining one or more properties (pressure, temperature, etc.) of the air as it is carried through it, and from which this information is transmitted to a distant station by radio-electric devices. It is considered important to compare the various types of radiosonde in use in order to determine their accuracy. The first international comparison of

radiosondes was carried out at Payerne, Switzerland, in 1950, and a second world-wide comparison is envisaged within a few years. The Executive Committee studied recommendations made by CIMO on this matter, and recommended that, before the next international comparison of radiosondes takes place at Payerne, comparisons of radiosondes used in two or more neighbouring countries should be made, especially if these instruments have not previously been compared. CIMO established a working group to make arrangements for the second international trials.

Reduction of pressure to mean sea level—When drawing up a chart of the pressure distribution at sea level, the meteorologist has to base it on observations of pressure actually made by a network of meteorological stations, not all of which are situated at sea level. The meteorologist must therefore "reduce" the observed pressure to what it would be if the station was at sea level and the methods used for so doing vary greatly from country to country. The Commission for Instruments and Methods of Observation devoted considerable time to this question, but was only able to reach agreement on a method for reduction of pressure at low-level stations. This method was accepted by the Executive Committee.

The secretariat collected information, which is to be issued in a Technical Note, concerning the methods of pressure reduction used by meteorological services throughout the world. The Note will also include a report, prepared during the first session of CIMO by the Chairman of a Committee for Barometry, concerning the difficulties involved in pressure reduction and putting forward suggestions as to relevant formulae and methods which might have some chance of being generally adopted.

(11) Aerology

During 1953, the Commission for Aerology (CAe), which is charged with promoting and co-ordinating meteorological research, held its first session in Toronto from 10 August to 5 September. In the earlier part of the year, effort was concentrated on preparing the working papers for the session, and subsequently emphasis was placed on setting in motion the various working groups established during the session.

Publication of aerological data—A survey carried out by the secretariat showed that many meteorological services are not publishing the results of their upper air observations and that there is a marked diversity in the layout of the material in the existing publications. This ques-

tion was carefully considered by the Commission for Aerology, which recommended that all services should make available checked data of aerological observations together with their monthly means and extremes. Two different formats for the tables were suggested. This recommendation was approved by the Executive Committee, which also directed the Secretary-General of WMO to carry out an annual inquiry to ascertain how far this recommendation was implemented.

Constants, tables and definitions—The tasks of the Commission for Aerology include the standardization of physical functions and constants and the provision of aerological tables.

The Commission adopted a new definition for relative humidity and established two working groups: one to prepare a revision of the publication of the former International Meteorological Organization entitled *Values of some Physical Functions and Constants used in Meteorology*; and the other to prepare a report on definitions and values of radiation functions and constants, and proposals for tables which might be used by meteorologists in the application of the laws of solar, atmospheric and terrestrial radiation.

Sferics—The Chairman of the Working Group on Radio-electric Meteorology organized a "World Symposium on Sferics" which was held in the Meteorological Institute at Zurich from 17 to 24 March 1953. The chief subjects discussed were recent developments in sferics techniques (i.e., methods of locating thunderstorms by observing the direction of arrival of atmospherics originating from the storms) and the application of these techniques to meteorological practice. The International Civil Aviation Organization (ICAO) had earlier expressed interest in the accuracy of existing techniques and it was recommended that a comparison of the different techniques might be organized by certain meteorological services.

Information was being obtained from meteorological services with a view to the preparation of a publication describing briefly the various techniques used for locating atmospherics.

Aerological diagrams—Specimens of most of the aerological diagrams in current use were received by the secretariat in response to an inquiry initiated in 1952. These diagrams, which are used for the analysis of upper air observations, formed the subject of a study by the Commission for Aerology, which set up a working group to prepare a report surveying the principal types of diagrams and assessing their respective advantages for various uses.

(12) **Climatology**

The first session of the Commission for Climatology (CCI) was held in Washington, D.C., in March. Its recommendations were approved by the Executive Committee in October. The following were some of the principal items dealt with:

Policy and organization—The main problems considered by CCI under this heading were a revision of the Commission's terms of reference, relations with other constituent bodies of WMO and with other specialized agencies, and the formulation of a satisfactory procedure by which CCI could be represented on and have representation from other Technical Commissions of WMO.

The Executive Committee decided that the general question of the terms of reference of Technical Commissions should be referred to the WMO Congress for critical examination.

A number of recommendations were made relating to the relationship between WMO and other specialized agencies. Among these were several suggestions regarding certain aspects of the UNESCO Arid Zone Programme, particularly the preparation of the Arid Zone handbook, climatological studies of arid regions and the selection of climatology as the central theme for one year under the UNESCO Programme.

The Executive Committee directed the WMO secretariat to prepare a report on the meteorological aspects of the Humid Tropics and referred the question of the climate section of the Arid Zone handbook to the WMO Arid Zone Panel. It approved the invitation by the secretariat of a representative of the World Health Organization (WHO) to participate in a WMO Working Group for Climate and Health.

Methods and requirements—The Commission studied in detail the problems of observational and recording procedures, including networks of climatological and hydrological stations, elements to be observed, classification and outfit of stations, the accuracy, frequency and timing of observations, forms of record and processing of data, including the establishment of an international processing centre. Statistical and machine methods, threshold values, frequency evaluations, pentades and normals were also discussed.

The Executive Committee decided that the various recommendations should, for the most part, be incorporated in the draft Provisional Technical Regulations or in a suitable guide to climatological practices and procedures which it was envisaged would be published by the secretariat.

Other activities—The Commission decided to establish seven working groups for continued study of the most important problems. These working groups were active during the year, investigating various problems within their fields of reference with a view to the formulation of programmes and recommendations for consideration by the Commission.

The main questions dealt with were: the relation between climate and health; a survey of the state of knowledge in microclimatology and dynamic climatology; the formulation of standard rules and practices in the field of international climatology; and a study of punch card layout and statistical methods in climatology.

(13) Agricultural Meteorology

The first session of the Commission for Agricultural Meteorology (CAgM) was held in Paris in November 1953. It approved the draft Provisional Technical Regulations as pertaining to the field of agricultural meteorology and decided to establish five working groups for continued study of the main questions within its field of competence. The Commission's recommendations were to be considered by the fifth session of the Executive Committee in 1954. The following were some of the most important subjects dealt with by the Commission:

Agro-meteorological observations, instruments and stations—To obtain the background knowledge for the establishment of scientific relationships between weather and climate conditions, on the one hand, and plant growth and crop yield, on the other, both atmospheric and biological phenomena should be observed.

Meteorological factors which are particularly significant to plant and animal life include, for example, evaporation and actual evapotranspiration, components of biological significance, fine structure of wind in the lower air layers and water vapour diffusion, in addition to elements currently observed at synoptic and climatological stations. Those special observations need further developments in instrument techniques, and the location of stations and the exposure of instruments have to be particularly adapted to agro-meteorological purposes. A working group was set up to survey the use in agriculture of the above-mentioned observations and to examine the need for new observational programmes. A working group was also established to study the meteorological aspects of problems affecting animal life, with particular reference to collaboration of meteorologists with research workers in the field of animal breeding and husbandry.

Climatic information for agriculture—Regarding the presentation of data on this subject, it was agreed that climatological information should be presented in such a form that it would give an accurate picture to its recipients and would be directly applicable to the agricultural problem involved. In consequence, meteorological and climatological bulletins for agriculture should contain statistical data (averages, frequencies, deviations, etc.) concerning items such as: frost free periods, dates of first and last frost, degree-days (or related indices) as measured from different datum levels, soil temperature at various levels, soil moisture data, intensity of precipitation, frequency of periods of drought, amount and frequency of dew, evaporation and evapotranspiration, frequency of occurrence of hail.

After thorough examination of existing climatic classifications, the Commission reached the conclusion that agro-climatic classifications should be made with respect to specific crops or animals, taking into consideration the climatological criteria already agreed upon for different crop or animal phases, and also the topography and other geographical features of the area under study. If the classification was to be presented in some kind of pictorial form, the scale of the representation should be chosen in accordance with the available data and the purposes of the classification.

Forecasts for agriculture—The CAgM was also concerned with the problem of improving systems of forecasts and warnings especially designed for agricultural purposes. To provide suitable information to forecasters, "crop-weather calendars" have been established, which present, for specific crops and each district of the country, the normal dates of major farming operations side by side with the significant weather factors. The necessity for medium and long-range weather forecasts for agriculture was also stressed.

Prevention of weather damage—It was stressed that advice concerning adverse weather conditions should provide information on such questions as protection against frost damages, meteorological effects of shelter belts and wind breaks, weather factors affecting plant diseases, preservation of stored and packed food against unfavourable weather.

Meteorological aspects of locust control—The CAgM set up a working group to make a survey of current knowledge concerning weather conditions affecting the breeding and migration of locusts and those influencing the successful use of combating agents. The Commission also recommended that research in the field of locust

bioclimatology should be promoted at national, regional and world-wide levels.

Regional Associations I (Africa) and III (South America), at their first sessions, paid much attention to co-ordinating on a regional basis the provision of meteorological services, mostly in the fields of synoptic climatology and special weather forecasts, to aid in locust control.

Collaboration with agriculturists—Recognizing the need for close collaboration between meteorologists and agriculturists, the CAgM recommended that suitable arrangements be made at the national level for liaison between meteorological services and official and private agricultural institutions. It also drew up a comprehensive programme for technical co-operation between the Food and Agriculture Organization of the United Nations (FAO) and WMO.

A working group was established to study the most suitable means for widening the knowledge of agricultural meteorology in the universities as well as among farmers, growers and foresters. The publication of a manual and of an extended bibliography in agricultural meteorology for the mutual benefit of agriculturists and meteorologists was also recommended.

(14) Maritime Meteorology

Important questions considered during the year by the four working groups established by the Commission for Maritime Meteorology (CMM) at its first session in 1952 included the meteorological factors affecting the safe carriage of cargo at sea and international accord in the preparation of marine climatological atlases.

Scheme for the collection and transmission of weather reports from whaling ships—Arrangements by which radio weather reports were collected from whaling ships in the southern hemisphere and transmitted in a collective message were reviewed on the basis of the success of the plan during the 1952-53 whaling season. Some improvements were made to the scheme, which has also been in operation during the 1953-54 whaling season.

International Ice Nomenclature—Several interested countries made criticisms of the international ice nomenclature as adopted at the first session of CMM. The Executive Committee accordingly referred the nomenclature back to the CMM for further study, and it is being considered again by a CMM working group.

(15) Synoptic Meteorology

The first session of the Commission for Synoptic Meteorology (CSM) was held in Wash-

ington, D.C., in April. Its recommendations were approved by the Executive Committee.

Forms of message and codes—One of the main items considered by CSM was the reconciliation of the different existing practices with regard to the basic synoptic code (SYNOP) for exchanging basic weather information. With regard to the aeronautical meteorological codes, it was considered impossible to alter the weather reports for aviation without making changes in the SYNOP and SHIP reports. A new logical form of message was, however, worked out for forecasts, which will greatly simplify the work of aviation forecasters and pilots.

A new form for weather reports from transport aircraft was adopted but the question of a form for high-altitude flight forecasts was referred to the Commission for Aeronautical Meteorology.

A new code form (TEMP) for upper air observations was agreed upon; it leaves some latitude and can also be used for aircraft soundings. A new form for reconnaissance flights was also recommended. Following a proposal from the Commission for Aerology, a form for reporting atmospheric observations was approved.

Various other questions concerning codes and forms of messages were discussed, including the decoding table proposed by ICAO for air-ground reports.

The Executive Committee adopted the recommendation of the Commission on coding questions.

Times and frequency of observations—In view of the existing confusion on the subject, the Commission defined the expressions "actual time of observation", "standard time", "filing time" and "official time".

The question of the number of synoptic observations per 24 hours was discussed. The Commission also discussed the most useful and practicable times for making upper air observations, and decided to make no major changes in times of observation for the time being.

Meteorological telecommunications—Although there are several deficiencies in the present telecommunications arrangements, it was felt that the time was not yet ripe for making any radical changes. The Commission stressed the responsibilities of the regional associations in these matters and invited them to submit their proposals to CSM. A CSM working group was set up, primarily to ensure co-ordination between the various regional telecommunications working groups. A list of questions for study was drawn up. With regard to facsimile transmissions, it

was considered undesirable to bind the engineers by laying down too rigid specifications which might hinder further developments in facsimile apparatus. Members were invited to send progress reports to the Secretary-General who would make an annual collective report.

The Commission recommended a procedure for ensuring that WMO was kept up to date on matters of meteorological significance appearing on the agenda of sessions of the International Telecommunication Union (ITU). It also stressed the necessity for directors of meteorological services to keep in close contact with their national representatives at ITU conferences.

Station networks—The very important problem of establishing objective criteria for the spatial distribution of surface and upper air stations and for the frequency of observations proved to be too complex for study during a session and an appropriate working group was therefore set up.

Other activities—Following the code modifications approved by the Executive Committee, the secretariat began the preparation of a new edition of the WMO publication on codes and code specifications.

It initiated inquiries regarding: hours of upper air observations; usefulness and quality of the NMH broadcast of North Atlantic Ocean Stations; national methods of reporting visibility; and units used in coded messages for international exchange.

(16) Aeronautical Meteorology

Recommendations were being developed with regard to the qualifications and training of meteorological personnel employed in aeronautical meteorology. Steps were taken to draft a master curriculum in basic knowledge (particularly physics and mathematics) and in meteorological knowledge, covering all grades of personnel, with specifications of the level of knowledge required by each grade. Consideration was also given to the utility, for training purposes, of WMO manuals on recommended technical practices.

(17) WMO Publications in 1953

The WMO Bulletin, which contains reports of the activities of the organization and articles dealing with the progress of meteorology, continued to be published quarterly in separate English and French editions. Beginning with the July 1953 issue, advertisements of interest to meteorologists were included.

Following a suggestion made by the secretariat, the Executive Committee decided that the secretariat should publish a new series of papers entitled WMO Technical Notes.

The work on Volume A of Publication No. 9 Nomenclature of Stations, containing details of approximately 7,000 stations, was completed and two supplements, bringing the information up to date, were issued.

Publication No. 8, The Guide, was enlarged by the introduction of two new chapters: chapter 11 "Pilot and Sounding Balloon Technique" and chapter 12 "Measurement of Upper Wind".

The Executive Committee decided that the secretariat should be responsible for the printing of the 1952 volumes of the International Meteorological Bibliography. Due to shortage of staff, only two volumes could be finished in 1953. Volumes III and IV of the International Meteorological Bibliography for 1952 are to be printed in 1954.

At the end of 1953, a new technical publication, World Distribution of Thunderstorm Days—Part I: Tables, was issued.

b. TECHNICAL ASSISTANCE

The First Congress allocated \$1,000 for WMO's regular technical assistance programme in the first financial period, and the Executive Committee included this sum in WMO's budget for 1954.

As regards the Expanded Programme of technical assistance, the working arrangement between WMO and the United Nations Technical Assistance Administration remained, with minor modifications, the same as in 1952. Under this WMO receives 1 per cent from the United Nations appropriation from the Special Account, with a minimum of U.S.\$200,000. The Technical Assistance Administration is responsible for the non-technical aspects of the projects and the WMO secretariat for the technical aspects.

During 1953, under the Expanded Programme, WMO gave assistance to eight countries. Experts were sent to the Dominican Republic, Israel, Jordan, Libya and Yugoslavia; a scholarship was awarded to a national of China and fellowships to nationals of Israel, Southern Rhodesia, Thailand and Yugoslavia. Subjects on which advice was given included: indoor climate, hydrology, weather forecasting, agro-meteorology, and climatology.

Commencement of a project in Bolivia was postponed until 1954 pending availability of the

expert desired by the Government. Likewise, projects in China and the Dominican Republic could not be fully implemented pending the conclusion of formalities in connexion with the appointment of United States experts. A WMO Technical Assistance Mission to Libya entered the field in October 1953.

In addition to the countries listed above, discussions on technical assistance took place with or concerning the following countries and territories: Afghanistan, Brazil, the Caribbean Territories, Colombia, Costa Rica, Cuba, Ecuador, Egypt, the Gold Coast, Greece, Guatemala, Hong Kong, Indonesia, Jamaica, Liberia, Luxembourg, Mexico, Macao, Nicaragua, Nigeria, Pakistan, Saudi Arabia, Syria, Venezuela.

By 31 December 1953, WMO had received applications from 240 experts from 34 countries for employment on its projects, and was maintaining a panel of experts.

During 1953, WMO maintained close relations with the United Nations, UNESCO, FAO and ICAO on meteorological projects. The United Nations was concerned with hydrology and has initiated discussions with WMO on the follow-up of certain recommendations in Ecuador and Jamaica. UNESCO was concerned with projects of meteorological research in Mexico and Pakistan. FAO sent an expert to India to prepare a programme for research on the effects of particular climates on particular types of cattle and livestock, and turned over to WMO for implementation requests for technical assistance in meteorology received from Bolivia and Iran. FAO likewise expressed great interest in the locust control project. ICAO operates a number of meteorological projects and WMO has awarded two fellowships at the request of that organization.

c. EXTERNAL RELATIONS OF WMO

Working arrangements, effective 1 January 1954, were adopted during 1953 between WMO and ICAO. The arrangements are of an interim character and are intended to secure close co-operation, including an understanding regarding the allocation to one organization or the other of primary responsibility for certain sectors within the field of common interest.

Negotiations with the International Union of Geodesy and Geophysics, a non-governmental international organization of scientific character, led to the conclusion of a special working arrangement for collaboration and consultation.

In implementation of the provisions of the Convention of WMO, a Consultative Status for

International Non-Governmental Organizations was established in 1953 to facilitate collaboration with such organizations.

4. Budget

A maximum figure of \$1,273,000 was adopted for the expenditures of WMO during the first financial period, 4 April 1951 to 31 December 1955. A working capital fund was established with the maximum limited to 10 per cent of the expenditures voted. The scale of contributions as per 31 December 1953 is given below.

At its fourth session in October 1953, the Executive Committee approved the budget given below (in U.S. dollars) in the amount of \$363,000 for the fourth financial year (1 January to 31 December 1954). The budgets for the previous years were: 1951: \$190,000; 1952: \$272,379; 1953: \$359,881.

REVENUE	
Contributions	\$295,892
Sale of publications	3,000
Per General Fund	64,108
	<hr/>
	\$363,000
EXPENDITURES	
I. Meetings	\$ 24,559
II. Personal services	193,521
III. General services	74,832
IV. Special projects and activities	65,500
V. Other budgetary provisions	4,588
	<hr/>
	\$363,000

The proportional contribution of Members for 1954 is as follows:

SCALE OF CONTRIBUTIONS	
Members	Units
United States	120
United Kingdom	65
France	50
USSR	45
India, Japan	32
Italy	30
Argentina, Australia, Brazil, Canada, China ...	25
Belgium, Netherlands, Pakistan, Sweden, Switzerland, Union of South Africa	20
Spain	18
Ukrainian SSR	17
Egypt, Indonesia, Mexico, Portugal, Turkey	15
Denmark, New Zealand, Philippines, Poland....	12
Norway	11
Belgian Congo, Czechoslovakia, Finland, Indochina, Peru, Uruguay, Yugoslavia	10
Byelorussian SSR, British Malaya-Borneo Territories, Romania	9

Members	Units	Members	
British East African Territories and Indian Ocean Islands, British West African Territories, French West Africa, Ireland, Venezuela	8	Ecuador, Iceland, Lebanon, Luxembourg, Madagascar, Portuguese West Africa, Tunisia	3
Bulgaria, Burma, Ceylon, Hungary, Thailand	7	French Cameroons, Dominican Republic, Guatemala, Haiti, Hong Kong, Paraguay	2
British Central African Territories, Cuba, Greece, Israel, Morocco (French Protectorate)	6	Bermuda, French Oceania, French Somaliland, French Togoland, Netherlands Antilles (Curacao), Netherlands New Guinea, Surinam, New Caledonia	1
Portuguese East Africa	5		
British Caribbean Territories, Ethiopia, French Equatorial Africa, Iraq, Syria	4		
			1056

ANNEX. MEMBERS, OFFICERS AND HEADQUARTERS

(As of 31 December 1953)

A. MEMBERS OF WMO¹⁰

Argentina	China	Indochina	Philippines
Australia	Cuba	Indonesia	Poland
Belgian Congo	Czechoslovakia	Iraq	Portugal
Belgium	Denmark	Ireland	Portuguese East Africa
Bermuda	Dominican Republic	Israel	Portuguese West Africa
Brazil	Ecuador	Italy	Romania
British Caribbean Territories	Egypt	Japan	Spain
British Central African Territories	Finland	Lebanon	Surinam
British East African Territories and Indian Ocean Islands	France	Luxembourg	Sweden
British Malaya-Borneo Territories	French Cameroons	Madagascar	Switzerland
British West African Territories	French Equatorial Africa	Mexico	Syria
Bulgaria	French Oceania	Morocco (French Protectorate)	Thailand
Burma	French Somaliland	Netherlands	Tunisia
Byelorussian SSR	French Togoland	Netherlands Antilles	Turkey
Canada	French West Africa	Netherlands New Guinea	Ukrainian SSR
Ceylon	Greece	New Caledonia	Union of South Africa
	Guatemala	New Zealand	United Kingdom
	Haiti	Norway	United States
	Hong Kong	Pakistan	USSR
	Hungary	Paraguay	Uruguay
	Iceland	Peru	Venezuela
	India		Yugoslavia

B. MEMBERS OF THE EXECUTIVE COMMITTEE

F. W. Reichelderfer	Th. Hesselberg
A. Viaut	J. Lugeon
N. P. Sellick	A. A. Solotoukhine
L. de Azcarraga	F. X. R. de Souza
M. A. F. Barnett	O. G. Sutton
D. A. Davies	E. W. Timcke
H. A. Ferreira	A. Thomson

C. OFFICIALS OF WMO

President: F. W. Reichelderfer
 First Vice President: A. Viaut
 Second Vice President: N. P. Sellick
 Acting Secretary-General: G. Swoboda
 Deputy Secretary-General: J. R. Rivet
 Chief of the Technical Division: K. Langlo
 Chief of the Administrative Division: V. J. Bahr

D. PRESIDENTS OF REGIONAL ASSOCIATIONS AND TECHNICAL COMMISSIONS

REGIONAL ASSOCIATIONS

I. Africa	D. A. Davies
II. Asia	A. A. Solotoukhine (Acting)
III. South America	F. X. R. de Souza

IV. North and Central America

V. South West Pacific
 VI. Europe

Andrew Thomson

M. A. F. Barnett
 J. Lugeon

TECHNICAL COMMISSIONS

Aerology
 Aeronautical Meteorology
 Agricultural Meteorology
 Bibliography and Publications
 Climatology
 Instruments and Methods of Observation
 Maritime Meteorology
 Synoptic Meteorology

J. Van Mieghem

A. H. Nagle

Juan J. Burgos

M. Mézin
 C. W. Thornthwaite

A. Perlat
 C. E. N. Frankcom
 W. Bleeker

E. HEADQUARTERS

Avenue de la Paix
 Campagne Rigot
 Geneva, Switzerland

¹⁰ The official nomenclature as notified to WMO by the Members concerned, which is used to designate some Members in this list, differs in certain instances from the official nomenclature of the United Nations.

K. The Inter-Governmental Maritime Consultative Organization (IMCO)¹

(Not Yet Established)

The United Nations Maritime Conference, called at the request of the Economic and Social Council, met in Geneva from 19 February to 6 March 1948. It drew up and opened for signature and acceptance on 6 March 1948 the Convention on the Inter-Governmental Maritime Consultative Organization (IMCO).²

As provided by the Convention, Members of the United Nations and other States invited to the Conference may become Members of IMCO by becoming parties to the Convention. States other than these may become Members, subject to the prior approval of their application by two thirds of the States Members of IMCO. Territories or groups of territories may, under certain conditions, become associate Members of the Organization.

IMCO will come into being when 21 States, of which seven must each have a total tonnage of at least one million gross tons of shipping, have become parties to the Convention. As of 31 December 1953, fourteen³ acceptances of the Convention had been received from Australia, Argentina, Belgium, Burma, Canada, the Dominican Republic, France, Greece, Haiti, Ireland, Israel, the Netherlands, the United Kingdom, and the United States. Seven of these States have at least one million tons of shipping.

As provided by its Convention, IMCO will comprise an Assembly, a Council, a Maritime Safety Committee, such subsidiary organs as are considered necessary and a Secretariat.

To make the necessary preparations for the first session of the Assembly of IMCO, the Conference established a Preparatory Committee,

which will cease to exist upon resolution of the first session of that Assembly.

The Preparatory Committee of IMCO held its first session on 6 March 1948 and its second on 30 November and 1 December 1948. It drew up a provisional agenda for the first session of the IMCO Assembly and prepared a proposed budget for the first two years of IMCO.

An agreement to establish the relationship between the United Nations and IMCO was approved by the General Assembly on 18 November 1948; to become effective it now requires the approval of the IMCO Assembly.⁴

The purposes and functions of IMCO are laid down in parts I and II of the Convention. Briefly, the organization is to:

(1) provide machinery for co-operation among governments in the field of the governmental regulation and practices relating to technical matters, including those concerning safety at sea;

(2) encourage the removal of discriminatory action and of unnecessary restrictions by governments;

(3) consider matters concerning unfair restrictive practices by shipping concerns;

(4) consider any matters concerning shipping that might be referred to it by any organ or specialized agency of the United Nations;

(5) provide for the exchange of information among governments on matters under consideration by the organization.

IMCO is also to provide for the drafting of conventions and agreements, to recommend these to governments and to intergovernmental organizations, and to convene such conferences as may be necessary. The organization is to function in a consultative and advisory capacity.

ANNEX. MEMBERS, OFFICERS AND HEADQUARTERS

A. MEMBERS OF THE PREPARATORY COMMITTEE

Argentina	France	Norway
Australia	Greece	Sweden
Belgium	India	United Kingdom
Canada	Netherlands	United States

B. OFFICERS OF THE PREPARATORY COMMITTEE

Chairman:
Canada

Executive Secretary:

Branko Lukac (Director, Division of Transport and Communications, United Nations Secretariat)

¹ For further information, see the Final Act and Related Documents of the United Nations Maritime Conference (U.N.P., Sales No.: 1948.VIII.2), and the following documents which were before the Conference: E/CONF.4/1 & 4. See also IMCO.PC/3, and previous volumes of the Yearbook.

² The text of the Convention will be reproduced in a forthcoming volume of the Yearbook of the United Nations, after the Organization has come formally into existence.

³ Egypt accepted the Convention on 5 April 1954.

⁴ For text, see Y.U.N., 1948-49, pp. 1115-18.

C. HEADQUARTERS

Pending the establishment of the permanent headquarters of the Inter-Governmental Maritime Consultative Organization in London, as provided by article 44 of the Convention, the

provisional administrative address of the Preparatory Committee is as follows:

c/o Division of Transport and Communications
Department of Economic Affairs
United Nations, New York

L. The International Trade Organization (ITO) and the General Agreement on Tariffs and Trade (GATT)

1. The International Trade Organization (ITO)

(Not Yet Established)

On 18 February 1946, the Economic and Social Council of the United Nations resolved to convene an International Conference on Trade and Employment to devise ways and means for the expansion of the production, exchange and consumption of goods. The Council, at the same time, established a Preparatory Committee to prepare for the consideration of the Conference an agenda and a draft convention for an international trade organization.

The Preparatory Committee held its first session in London from 15 October to 26 November 1946, and prepared a first draft Charter for an International Trade Organization (ITO).

Following further work on the draft by a drafting committee and by the Preparatory Committee at its second session, held in Geneva from 10 April to 22 August 1947, a draft Charter was adopted by the Preparatory Committee. This draft formed the basis for the work of the United Nations Conference on Trade Employment (Havana Conference). The Conference, which met in Havana from 21 November 1947 to 24 March 1948, drew up a Charter for an International Trade Organization (to be officially known as the Havana Charter) to be submitted to the 56 governments represented, authenticated the text of the Charter in a Final Act, and adopted a resolution establishing an Interim Commission for the International Trade Organization.

The Interim Commission for the International Trade Organization (ICITO), composed of 52 countries which approved the resolution establishing it, held its first meeting in Havana on 20 March 1948 and elected and delegated its

powers to an Executive Committee of eighteen members. The Executive Committee met in Havana on 24 March 1948, and again, at its seat in Geneva, from 25 August to 15 September 1948.

The main task of the Interim Commission was to prepare the ground for the first session of ITO, including a plan of work for the first year of the organization, the budget, the site for ITO headquarters, relations with the United Nations, the specialized agencies and other intergovernmental and non-governmental organizations. The bulk of this task—so far as events could be foreseen—was completed in 1949, and, since that time, the secretariat of ICITO has been almost entirely occupied with the performance of duties for the Contracting Parties to the General Agreement on Tariffs and Trade (GATT).

In view of the delay in receiving acceptances of the Havana Charter, the Executive Committee, at a special session held at Annecy, France, in August 1949, agreed to postpone its third meeting, scheduled for September 1949, until a date when the entry into force of the Charter and the holding of the first ITO Conference were more imminent. At that meeting, a proposal was made by the United Kingdom to bring into operation chapter VI of the Havana Charter in advance of the Charter as a whole. This proposal was referred to the fourth session of the Contracting Parties to GATT, but found no support and was withdrawn.

By the end of 1950, the Havana Charter had been accepted by Liberia and—conditional upon acceptances by the United Kingdom and the United States—by Australia. The Swedish Riksdag authorized Sweden's adherence at the discretion of the Foreign Minister. No acceptances had been deposited with the Secretary-General of the United Nations. On 6 December 1950, the United States Department of State issued a

statement of policy indicating that the Havana Charter would not be submitted again to the United States Congress. It subsequently became evident that the establishment of ITO would be indefinitely postponed. There were no further developments in 1953.

On 13 September 1951, at its thirteenth session, the Economic and Social Council established an Ad hoc Committee on Restrictive Business Practices to prepare proposals on methods for implementing the principles set forth in chapter V of the Havana Charter. The Committee presented its report to the sixteenth session of the Council in July 1953.¹ The Council decided to transmit the report to governments for study and to reconsider the matter not later than its nineteenth session.

2. The General Agreement on Tariffs and Trade (GATT)

While the Charter for ITO was in course of preparation, the members of the Preparatory Committee decided to proceed with tariff negotiations among themselves instead of waiting for the organization to come into existence, thereby promoting one of the most important objectives of ITO. The Preparatory Committee also sponsored the discussions which led to the formulation of the General Agreement on Tariffs and Trade (GATT). The tariff negotiations were held at Geneva from 10 April to 30 October 1947, when the 23 participating countries signed a Final Act which authenticated the text of GATT.

The countries which completed tariff negotiations at Geneva in 1947 and subsequently became Contracting Parties to GATT were: Australia, Belgium, Brazil, Burma, Canada, Ceylon, Chile, China,² Cuba, Czechoslovakia, France, India, Lebanon,³ Luxembourg, the Netherlands, New Zealand, Norway, Pakistan, Southern Rhodesia, Syria, the Union of South Africa, the United Kingdom and the United States. Although Pakistan, Syria,⁴ Burma, Ceylon and Southern Rhodesia were not members of the Preparatory Committee, these countries participated in the tariff negotiations owing to their close economic connexion with certain members of the Committee. In the tariff negotiations, Benelux (Belgium, the Netherlands, Luxembourg) took part as a Customs Union, as did also Lebanon-Syria. (During 1950 Indonesia became a Contracting Party in its own right.)

The Geneva tariff conference was the first of three, the two others taking place in 1949 at

Annecey, France, and in 1950-51 at Torquay, England.

a. TARIFF CONFERENCES AND ACCESSIONS TO GATT

In the first series of tariff negotiations at Geneva in 1947, a total of 123 bilateral sets of negotiations were completed among the 23 participating countries. They covered more than 45,000 tariff items. The second series of tariff negotiations, held at Annecey from 11 April to 27 August 1949, was on a smaller scale and resulted in the completion of 147 bilateral agreements covering some 5,000 items and the accession to GATT during 1950 of a further nine countries: Denmark, the Dominican Republic, Finland, Greece, Haiti, Italy, Liberia,⁵ Nicaragua and Sweden. Uruguay, which negotiated at Annecey but did not subsequently accede, became a Contracting Party to GATT in December 1953.

The third series of tariff negotiations, held at Torquay from 28 September 1950 to 21 April 1951, followed the same pattern, except that, in addition to negotiations between the Contracting Parties and the following six governments: Austria, the Federal Republic of Germany, the Republic of Korea, Peru, the Philippines and Turkey, there were also renewed negotiations among the Contracting Parties for additional concessions. Some 8,700 concessions were negotiated at Torquay. By the end of 1952, the above countries had acceded except the Republic of Korea and the Philippines.

b. STRUCTURE AND FUNCTIONS OF GATT

GATT is an international trade agreement. The tariff concessions resulting from the three tariff conferences are incorporated in the Schedules of GATT. The Agreement contains provisions to protect the tariff concessions: that is, for preventing them from being nullified by trade restrictions imposed by governments to protect their national trade and payments. These provisions include rules regulating the use by the parties to the Agreement of quantitative import and export restrictions, internal taxes and so on, as well as arrangements for consultation and for joint discussion and settlement of differences arising out of the administration of the Agree-

¹ See under Restrictive Business Practices, pp. 337-41.

² The National Government of China withdrew from GATT in May 1950.

³ Lebanon withdrew from GATT in February 1951.

⁴ Syria withdrew from GATT in August 1951.

⁵ Liberia withdrew from GATT effective June 1953.

mem. The obligations accepted by the Contracting Parties to the Agreement provide an agreed set of rules governing their commercial relations, and the sessions attended by their representatives provide a forum for the discussion and settlement of complaints and other problems in the commercial field.

The governments which have become Contracting Parties are applying the Agreement provisionally either under the Protocol of Provisional Application or under the Annecy or Torquay Protocols. These legal instruments have enabled the Contracting Parties to bring the new tariff rates into effect, to establish most-favored-nation treatment among themselves, and to follow the commercial policy rules laid down in the general provisions of the Agreement. Contracting Parties which apply the Agreement provisionally are not required to amend existing legislation or to promulgate new legislation in order to adhere more closely to the Agreement. They are expected, however, not to enact any new legislation that is inconsistent with it. In signing the Protocol of Provisional Application, or the Annecy or Torquay Protocols, a Contracting Party accepts a commitment to apply Part II of the Agreement (which represents approximately the commercial policy chapter of the Havana Charter) "to the fullest extent not inconsistent with existing legislation" and, in addition, undertakes to observe the principles of the Havana Charter "to the fullest extent of its executive authority".

From time to time, the Contracting Parties have amended GATT by means of Protocols, designed primarily to bring the commercial policy and economic development articles of the Agreement into line with the text of the Havana Charter. The Contracting Parties have also adopted Protocols of Rectifications, containing detailed changes in the Schedules of tariff rates necessitated by such factors as inaccurate descriptions of products or inadvertent errors, and Protocols of Modifications, comprising renegotiations among certain Contracting Parties.

c. SESSIONS OF THE CONTRACTING PARTIES

The Agreement requires representatives of the Contracting Parties to meet from time to time to give effect to those provisions which require joint action. Eight sessions of the Contracting Parties had been held up to the end of 1953. The first session took place at Havana in March 1948, during the closing weeks of the United Nations Conference on Trade and Employment;

the second at Geneva from 16 August to 14 September 1948; the third at Annecy from 8 April to 13 August 1949; the fourth at Geneva from 23 February to 3 April 1950; the fifth at Torquay from 2 November to 16 December 1950; the sixth at Geneva from 17 September to 26 October 1951; the seventh at Geneva from 2 October to 10 November 1952; and the eighth at Geneva from 17 September to 24 October 1953.

In addition to their regular annual sessions, the Contracting Parties have made inter-sessional arrangements by which committees can be convened to consider urgent questions, to prepare the business of the sessions or to undertake specific tasks, such as the study of schemes for the general reduction of tariff levels.

The main work of the Contracting Parties to GATT during 1953 was undertaken during the eighth session, held at Geneva from 17 September to 24 October. A major accomplishment of the session was a decision that the assured life of the whole body of tariff concessions, resulting from the tariff conferences in 1947, 1949 and 1950-51, would be extended until June 1955, thus providing continuing stability of tariffs for a substantial part of world trade. By another important decision, Japan was invited to participate in the work of the Contracting Parties, pending the time when tariff negotiations can be held. In addition, many Member countries agreed that their commercial relations with Japan would be governed by GATT provisions.

As part of the regular operation of GATT, consultations were held with a number of countries maintaining quantitative restrictions to safeguard their balance of payments and monetary reserves. During the session, the Netherlands and the Union of South Africa announced relaxations in their discriminatory balance-of-payments restrictions.

The settlement of several disputes which had arisen under GATT provisions was announced during the session and one long-standing complaint concerning Belgian "family allowances" was settled early in 1954. The most important complaint that remained unsolved concerned the United States restrictions on imports of dairy products; as in 1952, the Netherlands was authorized to retaliate by reducing in 1954 her purchases of wheat flour from the United States. The business of the session also included a review of actions taken by governments under waivers previously granted; in particular, that granted to the European Coal-Steel Community. The technical work which had been undertaken on the

French plan⁶ for reducing tariff levels reached a definitive stage and the plan was referred to governments. Finally, the Contracting Parties decided to begin a review of the provisions of GATT late in 1954.

d. PUBLICATIONS

In 1953, the secretariat of GATT published *International Trade 1952*, a report which presents the work of GATT against a comprehensive account of the main developments in international trade since the War, with extensive statistical material (GATT/1953-2). A New Proposal for the Reduction of Customs Tariffs was issued as a popular explanation of the French plan for tariff reduction, which was completed at the eighth session. Two Supplements to Basic Instruments and Selected Documents were issued, the first (GATT/1953-1) containing important decisions, resolutions, recommendations and working party reports, adopted by the Contracting Parties between May and October 1952, and the second (GATT/1954-1) containing similar material for the period November 1952 to December 1953.

e. FINANCIAL ARRANGEMENTS

The Interim Commission for ITO (ICITO) was financed from 1948 through 1950 by advances from the Working Capital Fund of the United Nations. These advances, which were authorized from time to time by resolutions of

the General Assembly, amounted to \$346,490. During 1953 ICITO repaid to the United Nations the final instalment of \$216,773.

In accordance with the arrangements made with the Contracting Parties to GATT, the secretariat of ICITO is acting as a secretariat of this group of governments on a reimbursable basis. The governments parties to GATT participate in the repayment of ICITO in accordance with a scale of contributions which is assessed on their share of foreign trade. The scale of contributions is divided into seven categories:

The scale of contributions for 1953 was as follows (in U.S. dollars):

Category A	United Kingdom, United States each	\$60,000
Category B	None	none
Category C	France	\$21,000
Category D	Canada	\$15,000
Category E	Australia, Belgium, Brazil, Federal Republic of Ger- many, India, Italy, the Neth- erlands, Sweden, Union of South Africa each	\$12,000
Category F	Cuba, Czechoslovakia, Den- mark, New Zealand, Nor- way e a c h	\$ 6,000
Category G	Austria, Burma, Ceylon, Chile, Dominican Republic, Fin- land, Greece, Haiti, Indo- nesia, Liberia, Luxembourg, Nicaragua, Pakistan, Peru, Southern Rhodesia, Tur- key, Uruguay each	\$ 3,000

ANNEX I. MEMBERS, OFFICERS AND HEADQUARTERS OF THE INTERIM COMMISSION FOR ITO (ICITO)

(As of 31 December 1953)

A. MEMBERS OF ICITO

Afghanistan	Ecuador	New Zealand
Argentina	Egypt	Nicaragua
Australia	El Salvador	Norway
Austria	France	Pakistan
Belgium	Greece	Panama
Brazil	Guatemala	Peru
Burma	Haiti	Philippines
Canada	India	Poland
Ceylon	Indonesia	Southern Rhodesia
Chile	Iran	Sweden
China	Iraq	Syria
Colombia	Italy	Turkey
Costa Rica	Jordan	Union of
Cuba	Lebanon	South Africa
Czechoslovakia	Liberia	United Kingdom
Denmark	Luxembourg	United States
Dominican Republic	Mexico	Uruguay
	Netherlands	Venezuela

B. EXECUTIVE COMMITTEE OF ICITO

Australia	Czechoslovakia	Italy
Benelux	Egypt	Mexico
Brazil	El Salvador	Norway
Canada	France	Philippines
China	Greece	United Kingdom
Colombia	India	United States

C. OFFICERS OF THE SECRETARIAT

Executive Secretary:	Eric Wyndham White
Deputy:	Jean Royer
Head, Operations Unit:	F. A. Haight
Head, Trade Intelligence Unit:	H. Staehle

⁶ See Y.U.N., 1952, p. 915.

Information Officer:
Richard Ford

Administrative Officer:
Irina Tissot

Languages Officer:
Roger Glemet

D. HEADQUARTERS

Officers:

Gustav Hortling	William Roth
F. K. Liebich	Jan Serraris
Giuseppe Maggio	Constant Shih
O. P. Mathur	

Address: ICITO or
GATT Secretariat,
Palais des Nations,
Geneva, Switzerland.

Cable Address: ICITO GENEVA

ANNEX II. THE CONTRACTING PARTIES TO GATT

A. CONTRACTING PARTIES

Australia	Finland	Nicaragua
Austria	France	Norway
Belgium	Germany, Fed.	Pakistan
Brazil	Rep. of	Peru
Burma	Greece	Southern Rhodesia
Canada	Haiti	Sweden
Ceylon	India	Turkey
Chile	Indonesia	Union of South Africa
Cuba	Italy	United Kingdom
Czechoslovakia	Luxembourg	United States
Denmark	Netherlands	Uruguay
Dominican Republic	New Zealand	

B. OFFICERS

Chairman:

L. Dana Wilgress (Canada)

First Vice-Chairman:

Fernando García Oldini (Chile)

Second Vice-Chairman:

Gunnar Seidenfaden (Denmark)

MEMBERS OF THE UNITED NATIONS AND SPECIALIZED AGENCIES

(As of 31 December 1953)

018

	UN	ILO	FAO	UNESCO	ICAO	BANK	FUND	WHO ⁴	UPU ⁶	ITU ⁸	WMO ¹¹	IMCO	IC.ITO ¹³
AFGHANISTAN													
ALBANIA								5					
ARGENTINA												12	
AUSTRALIA												12	
AUSTRIA													
BELGIUM												12	
BOLIVIA													
BRAZIL								5					
BULGARIA													
BURMA												12	
BYELORUSSIAN SSR								5					
*CAMBODIA											*		
CANADA												12	
CEYLON													
CHILE													
CHINA													
COLOMBIA													
COSTA RICA													
CUBA													
CZECHOSLOVAKIA								5					
DENMARK													
DOMINICAN REPUBLIC												12	
ECUADOR													
EGYPT													
EL SALVADOR													
ETHIOPIA													
FINLAND													
FRANCE												12	
GERMANY		1	1	1		1	1	1	7	1			
GREECE												12	
GUATEMALA													
HAITI												12	
HONDURAS													
HUNGARY								5					
ICELAND													
INDIA													
INDONESIA													
IRAN													
IRAQ													
IRELAND												12	

(To designate certain of the Members listed in the following notes, the nomenclature in use by the specialized agency concerned has been used. This in some cases differs from the official nomenclature of the United Nations.)

1. Refers to Federal Republic of Germany.
2. Refers to Republic of Korea.
3. Czechoslovakia, Hungary and Poland notified UNESCO they no longer consider themselves members.
4. WHO has three associate Members: Morocco, French and Spanish Zones; Southern Rhodesia; Tunisia.
5. The Governments of Albania, Bulgaria, the Byelorussian SSR, Czechoslovakia, Hungary, Poland, Romania, the Ukrainian SSR and the USSR have notified WHO that they will no longer participate actively in the work of the Organization.
6. In addition to Members listed, UPU's total of 93 Members, excluding Germany, includes: Algeria; Belgian Congo; French Morocco; French Overseas Territories and Territories administered as such; Netherlands Antilles and Surinam; Portuguese Colonies of West Africa; Portuguese Colonies of East Africa, Asia and Oceania; Spanish Colonies; Spanish Morocco; Tunisia; United Kingdom Overseas Colonies, Protectorates and Territories under Trusteeship; and United States Possessions.
7. Germany is temporarily prevented from adhering to the Convention and the Agreements of UPU by virtue of Article XVII of the Final Protocol of the Universal Postal Convention of Brussels 1952.
8. ITU has four associate Members: British West Africa, British East Africa, Malaya-British Borneo Group, and Somaliland under Italian

	UN	ILO	FAO	UNESCO	ICAO	BANK	FUND	WHO ⁴	UPU ⁵	ITU ⁸	WMO ¹¹	IMCO	ICITO ¹³
ISRAEL												12	
ITALY													
JAPAN													
JORDAN													
KOREA			2	2	2			2	2	2			
*LAOS											★		
LEBANON													
LIBERIA													
LIBYA													
LUXEMBOURG													
MEXICO													
MONACO													
NEPAL													
NETHERLANDS										9		12	
NEW ZEALAND													
NICARAGUA													
NORWAY													
PAKISTAN													
PANAMA													
PARAGUAY													
PERU													
PHILIPPINES													
POLAND								5					
PORTUGAL													
ROMANIA								5					
SAN MARINO													
SAUDI ARABIA													
SPAIN													
SWEDEN													
SWITZERLAND													
SYRIA													
THAILAND													
TURKEY													
UKRAINIAN SSR								5					
UNION OF SOUTH AFRICA													
USSR								5		10			
UNITED KINGDOM												12	
UNITED STATES												12	
URUGUAY													
VATICAN CITY													
VENEZUELA													
*VIETNAM											★		
YEMEN													
YUGOSLAVIA													
TOTAL MEMBERS	60	66	71	69 ²	61	55	55	81 ⁴	93 ⁶	90 ⁸	82 ¹¹		52 ¹³

Administration (Trust Territory of). In addition to Members listed, ITU's total of 90 Members includes: Belgian Congo and Territory of Ruanda-Urundi; French Protectorates of Morocco and Tunisia; Overseas Territories of the French Republic and Territories administered as such; Portuguese Overseas Territories; Southern Rhodesia; Spanish Zone of Morocco and the totality of Spanish Possessions; Colonies, Protectorates, Overseas Territories and Territories under Mandate or Trusteeship of the United Kingdom; and Territories of the United States. For more complete information concerning membership of ITU, see Chapter on International Telecommunication Union and Annex I to that Chapter.

9. Includes Surinam, Netherlands Antilles and New Guinea.

10. Includes Territory of South West Africa.

11. In addition to Members listed, WMO's total of 82 Members includes: Belgian Congo, Bermuda, British Caribbean Territories, British Central African Territories, British East African Territories and Indian Ocean Islands, British Malaya-Borneo Territories, British West African Territories, French Cameroons, French Equatorial Africa, French Oceania, French Somaliland, French Togoland, French West Africa, Hong Kong, Indochina, Madagascar, Morocco (French Protectorate), Netherlands Antilles, Netherlands New Guinea, New Caledonia, Portuguese East Africa, Portuguese West Africa, Surinam, and Tunisia.

12. Indicates 14 States which have become Parties to the Convention on IMCO. 12 Members of the Preparatory Committee are: Argentina, Australia, Belgium, Canada, France, Greece, India, the Netherlands, Norway, Sweden, the United Kingdom and the United States.

13. In addition to Members listed, ICITO's total of 52 Members includes Southern Rhodesia.

* Cambodia, Laos and Vietnam compose the Associated States of Indochina. See also note 11 above.

INFORMATION CENTRES AND REGIONAL INFORMATION OFFICERS OF THE UNITED NATIONS

ATHENS: United Nations Information Centre
59 Skoupha Street
Athens, Greece
Area Covered: Greece, Israel and Turkey

BANGKOK (See SHANGHAI);

BELGRADE: United Nations Information Centre
1, Bulevar Revolucije
(P. O. Box No. 157)
Belgrade, Yugoslavia
Area Covered: Yugoslavia

BOGOTA: Centro de Información de las Naciones Unidas
Calle 11, Número 4-41
Bogota, Colombia
Area Covered: Colombia, Ecuador and Venezuela

BUENOS AIRES: Centro de Información de las Naciones Unidas
Charcas 684, 3 F
Buenos Aires, Argentina
Area Covered: Argentina, Bolivia, Paraguay and Uruguay

CAIRO: United Nations Information Centre
Sharia El Shams
Imm. Tagher
Garden City
Cairo, Egypt
Area Covered: Egypt, Ethiopia, Iraq, Lebanon, Saudi Arabia, Syria, Yemen - also Libya

COPENHAGEN: United Nations Information Centre
37 Vestre Boulevard
Copenhagen V, Denmark
Area Covered: Denmark, Iceland, Norway, Sweden — also Finland

DJAKARTA (See SHANGHAI);

GENEVA: United Nations Information Centre
Palais des Nations
Geneva, Switzerland
Area Covered: Poland — also Albania, Austria, Bulgaria, Germany, Hungary, Italy, Romania and Switzerland

KARACHI: United Nations Information Centre
Opposite Merewether Tower, Bunder Road
(Post Office Box No. 5046)
Karachi 2, Pakistan
Area Covered: Pakistan

LONDON: United Nations Information Centre
Russell Square House
Russell Square
London W. C. 1, England
Area Covered: British Dependencies (excepting British West African territories of the Gambia, the Gold Coast, Nigeria and Sierra Leone), Netherlands, United Kingdom — also Eire

MANILA (See SHANGHAI)

MEXICO CITY: Centro de Información de las Naciones Unidas
Edificio Internacional
Paseo Reforma No. 1, Of. 505/9
México D. F., México
Area Covered: Costa Rica, Cuba, Dominican Republic, El Salvador, Guatemala, Honduras, Mexico, Nicaragua and Panama

MONROVIA: United Nations Information Centre
24 Broad Street
(Post Office Box No. 282)
Monrovia, Liberia
Area Covered: Liberia and the British West African territories of the Gambia, the Gold Coast, Nigeria and Sierra Leone

MOSCOW: United Nations Information Centre
15 Hohlovski Pereulok, Apartment 36
Moscow, U.S.S.R.
Area Covered: Byelorussian SSR, Ukrainian SSR and USSR

NEW DELHI: United Nations Information Centre
Theatre Communications Building
Connaught Place
New Delhi 1, India
Area Covered: Burma, India — also Ceylon

PARIS: Centre d'Information des Nations Unies
36, rue La Perouse
Paris 16ème, France
Area Covered: Belgium, Belgian Congo, France, French Overseas Dependencies and Luxembourg

PRAGUE: United Nations Information Centre
Panska 5
Prague 2, Czechoslovakia
Area Covered: Czechoslovakia

RIO DE JANEIRO: United Nations Information Centre
Rua Mexico 11, Sala 1502
(Caixa Postal 1750)
Rio de Janeiro, Brazil
Area Covered: Brazil

SANTIAGO: Information Officer, Economic Commission for Latin America
Avenida Providencia 871
Santiago, Chile
Area Covered: Chile

SHANGHAI: United Nations Information Centre
29 Chungshan Road E-1
Shanghai, China

BANGKOK: Information Officer
Economic Commission for Asia and the Far East
Rajadamnoen Avenue
Bangkok, Thailand
Area Covered: Thailand

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